
 STATUTORY INSTRUMENTS

1977 No. 1333

WEIGHTS AND MEASURES

**The Weights and Measures Act 1963 (Sugar) (Amendment)
Order 1977**
*Laid before Parliament in draft**Made - - - 2nd August 1977**Coming into Operation 1st September 1977*

Whereas the Secretary of State pursuant to section 54(2) of the Weights and Measures Act 1963(a) (hereinafter referred to as “the Act”) has consulted with organisations appearing to him to be representative of interests substantially affected by this Order and considered the representations made to him by such organisations with respect to the subject matter of this Order:

And whereas a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament pursuant to section 54(3) of the Act:

Now, therefore, the Secretary of State, in exercise of powers conferred by sections 21(2), (3) and (5), and 54(1) and (4) of the Act and now vested in him(b) and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Weights and Measures Act 1963 (Sugar) (Amendment) Order 1977 and shall come into operation on 1st September 1977.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. The Weights and Measures Act 1963 (Sugar) Order 1974(d) shall have effect subject to the following amendments:—

(a) for Article 4 there shall be substituted the following two Articles:—

“4.—(1) Subject to paragraphs (2) and (3) of this Article and to Article 5 below, sugar shall be pre-packed or otherwise made up in a container for sale, only if it is made up in one of the following quantities by net weight, that is to say—

(a) 12 oz, 1lb, 1½lb, or a multiple of 1lb; or

(b) 125g, 250g, 500g, 750g, 1kg, 1.5kg, 2kg, 2.5kg, 3kg, 4kg or 5kg.

(a) 1963 c. 31.

(c) 1889 c. 63.

(b) S.I. 1970/1537 (1970 III, p. 5293).

(d) S.I. 1974/1166 (1974 II, p. 4450).

(2) After 21st April 1978, paragraph (1) shall have effect as if subparagraph (a) thereof were omitted:

Provided that the application of section 22(2) of the Act, as it applies for the purposes of section 21(2)(c) in relation to sugar pre-packed or otherwise made up in a container for sale in imperial quantities specified in the said subparagraph (a) shall be excluded—

- (a) in the case of sugar pre-packed or otherwise so made up in Great Britain on or before that date and sugar imported into Great Britain on or before that date and pre-packed or otherwise so made up before importation, in relation to all persons; and
- (b) in the case of sugar pre-packed or otherwise so made up in Great Britain after that date and sugar imported into Great Britain after that date and pre-packed or otherwise so made up before importation, in relation to any person other than—
 - (i) where the sugar was pre-packed or otherwise so made up in Great Britain, the person who pre-packed it or otherwise so made it up and if he pre-packed it or otherwise so made it up on behalf of another person, that other person;
 - (ii) where the sugar was imported into Great Britain, the person who imported it and if he imported it on behalf of another person, that other person.

(3) After 2nd July 1978 the proviso in paragraph (2) above shall cease to have effect.

4A. Subject to Article 5 sugar shall be pre-packed or otherwise made up in a container for sale, only if the container is marked with an indication of quantity by net weight.”;

- (b) in Article 5, for the words “Article 4(a)” and “Article 4(b)” there shall be substituted respectively the words “Article 4” and “Article 4A”.

John Fraser,

Minister of State

Department of Prices and Consumer Protection.

2nd August 1977.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The provisions of this Order amend on 1st September 1977 those of the Weights and Measures Act 1963 (Sugar) Order 1974.

The amendment provides that after the 21st April 1978 the prescribed range of imperial weights in which sugar may be pre-packed or otherwise made up in a container for sale, is withdrawn.

During the period 22nd April to 2nd July 1978 exclusion is nevertheless provided for all persons from the offences connected with selling, agreeing to sell, or being in possession for sale of, sugar pre-packed in Great Britain or otherwise made up in a container for sale in Great Britain, or to sugar imported into Great Britain, in imperial quantities on or before the 21st April 1978. Furthermore, these offences when connected with sugar pre-packed in Great Britain or otherwise made up in a container for sale in Great Britain, or sugar imported into Great Britain, in imperial quantities after the 21st April 1978, are restricted until 2nd July 1978, to pre-packers, persons who otherwise so made it up and importers into Great Britain and those on whose behalf the goods were pre-packed, otherwise so made up or imported.

The requirement to weight mark containers is continued in this Order.

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