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STATUTORY INSTRUMENTS

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1985 No. 435

WEIGHTS AND MEASURES

**The Weights and Measures (Solid Fuel) (Carriage by Rail)  
(Amendment) Order 1985**

*Laid before Parliament in draft*

*Made* - - - - - *19th March 1985*

*Coming into Operation* *1st April 1985*

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 the 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. This Order may be cited as the Weights and Measures (Solid Fuel) (Carriage by Rail) (Amendment) Order 1985 and shall come into operation on 1st April 1985.

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(a) 1963 c.31.

(b) S.I. 1970/1537.

2. The Weights and Measures (Solid Fuel) (Carriage by Rail) Order 1966(a) is hereby amended as follows:—

- (a) at the end of Article 2 there shall be added the words:  
“or, in the case of any such train as is mentioned in Article 1(ii)(d) above, Article 3A below”;
- (b) in Article 5 for the words “one hundred pounds” onwards there shall be substituted “£2000”.

*Alexander Fletcher,*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry.

19th March 1985.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order increases the maximum fine under the Weights and Measures (Solid Fuel) (Carriage by Rail) Order 1966 (“the principal Order”) to £2000 for contravening the requirements of Article 2 (which relates to the duty of a seller of solid fuel being carried by rail to deliver a train bill containing certain information). It brings the penalty into line with offences of similar gravity under Part IV of Schedule 6 to the Weights and Measures Act 1963 relating to the carriage of solid fuel by rail. It also discontinues the distinction between first and subsequent offences and abolishes the penalty of imprisonment.

The Order also makes an addition to Article 2 of the principal Order to make it clear that the provisions of this Article apply to the information specified in both Articles 3 and 3A (which was added by S.I. 1979/955). Thus it is an offence (under Article 5 of the principal Order) to fail to give the information in the train bill required under either Article 3 or 3A.

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(a) S.I. 1966/238, amended by S.I. 1979/955.



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