
STATUTORY INSTRUMENTS

1991 No. 206

PRICES

The Price Marking (Petrol) (Amendment) Order 1991

Made - - - - *7th February 1991*
Laid before Parliament *7th February 1991*
Coming into force - - *28th February 1991*

The Secretary of State, after consulting in accordance with section 4(3) of the Prices Act 1974⁽¹⁾ with the organisations as are referred to in section 2(6) of that Act, in exercise of his powers under the said section 4 and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Price Marking (Petrol) (Amendment) Order 1991 and shall come into force on 28th February 1991.

2. The Price Marking (Petrol) Order 1980⁽²⁾ is hereby amended as follows:

(a) in Article 2(3), by deleting the definition of “cash price” and by adding the following:

(i) to the definition of “price”, the words “and in Article 7(1)(b) below, Part I and paragraphs 4(3)(b) and 6 of the Schedule includes a price the amount of which is calculated by, or is dependent upon, some factor other than the measure of volume of the petrol supplied;”;

(ii) at the end, “references in Article 7(1) below and in paragraph 4(3) of the Schedule to “method of payment” do not include a method of payment which is available only to persons having a preexisting contractual or other connection with the person indicating the price in question or with some person connected with him, being a connection which relates principally to matters other than payment in respect of transactions between that person and the purchaser, and references in paragraph 4(3) of the Schedule to “different circumstances” and in paragraph 9(2) of the Schedule to “some condition” do not include an arrangement relating to the amount payable only by such persons.”;

(b) by renumbering Article 6 as Article 6(1) and adding the following paragraph:

“(2) The price indicated under paragraph (1) above in respect of any grade of petrol shall be the price calculated by reference to the same method of payment and the same circumstances as are indicated on the pump for that grade pursuant to Article 3 above.”;

(1) 1974 c. 24; section 4 was amended by the Price Commission Act 1977 (c. 33), section 16(1).

(2) S.I.1980/1121, amended by S.I. 1987/8 and 1988/2226.

- (c) by adding a new Article 7 as follows:

“Indication at point of payment

7.—(1) On any premises where petrol is for sale by retail, at the point where the payment therefore is made there shall be made available by the person making that sale a statement of—

- (a) any method of payment (being a method of payment accepted by that person) to which the price he has indicated pursuant to Article 3 above does not apply, and
- (b) either
 - (i) the price payable under each method mentioned in (a) above or,
 - (ii) the difference between the price payable by each such method of payment and the price that person has marked on the pumps pursuant to Article 3 above and paragraph 4(1) of the Schedule hereto expressed (as the case may require) as an addition to, or a deduction from, that price in terms of a percentage thereof or an amount of money.

(2) The statement referred to in paragraph (1) above shall comply with Part I of the Schedule hereto and shall be—

- (a) clear and legible, and
- (b) in a prominent position and at all times readily discernible and easily read by the purchaser at that point of payment.”;

- (d) in paragraph 1 of the Schedule, by adding a new subparagraph (g) as follows—

“(g) Every indication of, and statement relating to, the price shall be in respect of the price which is applicable to the sale of the petrol at the time it is sold, and where that price differs according to the time it is sold every indication or statement that is required under Articles 3, 6 or 7 above shall be varied so as to reflect the appropriate price at that time.”

- (e) in paragraph 4(1)(a) and (b) of the Schedule, by deleting the word “cash” where it there appears;

- (f) by deleting sub-paragraph (3) of paragraph 4 of the Schedule and substituting the following sub-paragraph—

“(3) Where a person charges a different price in different circumstances (whether it be according to the method by which payment is made, or for part only of a gallon or of a litre, for a quantity below a minimum quantity calculated by reference to volume or value, or in some other circumstances not being for sales at different times), the indication to be marked on the pump under sub-paragraph (1) above shall include a statement of—

- (a) any method of payment (being a method of payment accepted by the person giving the indication) to which, and any other applicable circumstance in which, the price he has indicated does not apply, and
- (b) either
 - (i) the price payable under each method of payment and other applicable circumstance mentioned in (a) above or,
 - (ii) the difference between the price payable under each such method of payment and in other applicable circumstance, and the price that person has marked on the pump pursuant to paragraph (1) above expressed (as the case may require) as an addition to, or a deduction from, that price in terms of a percentage thereof or an amount of money.”;

- (g) in paragraph 9(1) of the Schedule, by deleting the words “shall be of the cash price and”;
- (h) by deleting paragraph 9(2) of the Schedule and substituting the following paragraph:

“(2) Where a price indicated under Article 6 is dependent on the fulfilment of some condition (whether it be the purchase of whole gallons or litres of petrol or of a minimum quantity calculated by reference to volume or value, the method of payment, or some other condition not being for sales at different times), the indication of price shall include the nature of the condition in question; where the condition is the method of payment, only one specified method of payment applicable to the price indicated need be included.”.

7th February 1991

John Redwood
Minister of State,
Department of Trade and Industry

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Price Marking (Petrol) Order 1980 as amended.

The principal changes are as follows:

- (a) the price indicated on the pump and the voluntary roadside price display for any grade of petrol need not be the lowest price at which petrol may be purchased for cash (Articles 2(a), (e) and (g));
- (b) the price for any grade of petrol indicated on the voluntary roadside price display must relate to the same method of payment and the same circumstances as the price indicated on the pump (Article 2(b));
- (c) the price and any statement about the circumstances in which different prices are charged which are indicated on the pump, on the voluntary roadside price display and at the point of payment shall be that applying at the time of sale (Article 2(d));
- (d) a statement at the pump must show the circumstances (including different methods of payment but excluding different times) in which a price different from the one indicated on the pump applies. The statement must also show either the price payable under such other circumstances or the difference between the price payable under such other circumstances and the price marked on the pump (Article 2(f));
- (e) if a price indicated on the voluntary roadside price display is dependent on the method of payment only one specified method of payment applicable to the price need be indicated, and if the price is dependent on the time of sale this condition need not be indicated (Article 2(h));
- (f) a statement must be given at the point of payment of any acceptable method of payment to which the price indicated on the pump does not apply. The statement must also show either the price payable under such other method or the difference between the price payable by such other method and the price marked on the pump (Article 2(c)).