



Weights and Measures &c. Act 1976

CHAPTER 77

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Weights and measures

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ELIZABETH II



Weights and Measures &c. Act 1976

1976 CHAPTER 77

An Act to amend certain enactments relating to weights and measures; and to make provision for the alleviation of shortages of food and other goods.

[22nd November 1976]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Weights and measures

1.—(1) At the end of section 1 of the Weights and Measures Act 1963 (“the 1963 Act”) there is inserted the following subsection—

Definitions
of units of
measurement.
1963 c. 31.

“(3) The Secretary of State may from time to time by order amend Schedule 1 to this Act by adding to, or removing from, Parts I to VA of that Schedule any unit of measurement of length, of area, of volume, of capacity or of mass or weight, as the case may be.”

(2) After Part V of the said Schedule 1 there is inserted the following Part—

“PART VA

Definitions of units which may not be used for trade

Measurement of capacity

Bushel	= 8 gallons
Peck	= 2 gallons
Fluid drachm	= 1/8th fluid ounce
Minim	= 1/60th fluid drachm

Measurement of mass or weight

Pennyweight	= 24 grains
Ounce apothecaries	= 480 grains
Drachm	= 1/8 ounce apothecaries
Scruple	= 1/3 drachm
Metric ton	= 1000 kilogrammes."

(3) The amendments of the said Schedule 1 made by this section are without prejudice to the power to amend that Schedule in subsection (1) of this section.

(4) Nothing in the 1963 Act, or in any other provision contained in or made under an enactment, prevents the use of "gram" as an alternative way of spelling "gramme", and the same applies for other units in the metric system which are compounds of "gramme".

Units of
measurement
lawful
for use for
trade.

2.—(1) In the 1963 Act after section 9 there are inserted the following sections—

"Units of
measurement
lawful
for use for
trade.

9A.—(1) No person shall—

- (a) use for trade any unit of measurement which is not included in Schedule 1A to this Act,
- (b) use for trade, or have in his possession for use for trade, any linear, square, cubic or capacity measure which is not included in Schedule 3 to this Act, or any weight which is not so included,

(2) A person who contravenes—

- (a) this section, or
- (b) any provision in Part VI of Schedule 1A, or Part VI of Schedule 3, to this Act,

shall be guilty of an offence, and any measure or weight used, or in any person's possession for use, in contravention of the said provision shall be liable to be forfeited.

(3) Subject to subsection (4) below the Secretary of State may from time to time by order amend Schedule 1A or 3 to this Act—

- (a) by adding to or removing from Schedule 1A any unit of measurement,
- (b) by adding to or removing from Schedule 3 any linear, square, cubic or capacity measure, or any weight,
- (c) by adding to, varying or removing from Part VI of Schedule 1A or Part VI of Schedule 3 any restriction on the cases or circumstances in which, or the conditions

subject to which, a unit of measurement, measure or weight may be used for trade, or possessed for use for trade.

(4) An order under subsection (3) above shall not remove from Schedule 1A—

(a) in Part I the mile, foot or inch, or

(b) in Part IV the gallon or pint,

but this subsection is without prejudice to the power under paragraph (c) of the said subsection (3) to add, vary or remove any restriction on the cases or circumstances in which, or the conditions subject to which, a unit of measurement, measure or weight may be used for trade, or possessed for use for trade.

(5) An order under this section may contain transitional or other supplemental or incidental provisions as appear to the Secretary of State expedient.

(6) No order under section 8(2) of this Act shall amend Schedule 1A to this Act.

(7) This section has effect subject to sections 9B, 60 and 62(1) of this Act.

(8) In this section “unit of measurement” means a unit of measurement of length, area, volume, capacity, mass or weight.

9B.—(1) The Secretary of State may make regulations—

(a) requiring or authorising a person who uses a metric unit for trade to afford, for explanatory purposes, information giving the equivalent, in the imperial system, of the relevant quantity in the metric system, and

(b) specifying the manner in which the information is to be given, and in particular specifying the cases in which any obligation to give information in metric units is to be extended to include the same information in imperial units.

(2) The Secretary of State may make regulations requiring or authorising the display on premises where metric units are used for trade of conversion tables or other material for converting metric units into imperial units.

(3) Regulations under this section—

(a) may prescribe the form and manner in which any information or other material is to be given or displayed,

Dual
marking
and
conversion
charts.

- (b) may prescribe appropriate conversion factors by reference to which, in prescribed cases or circumstances, an amount expressed in imperial units is to be treated as equivalent to a given amount expressed in metric units,
- (c) may prescribe the persons to whom, and the cases and circumstances in which, the regulations apply, and may make different provision for different persons, cases or circumstances,
- (d) may contain such consequential, incidental or supplementary provisions as appear to the Secretary of State to be expedient.

(4) A person contravening regulations made under this section shall be guilty of an offence.

(5) In this section "unit" in the expressions "metric unit" and "imperial unit" means any unit of measurement of length, area, volume, capacity, mass or weight.

(6) Regulations under this section imposing obligations apply whether or not the relevant imperial unit may lawfully be used for trade, and regulations authorising, but not requiring, anything to be done authorise it to be done notwithstanding that the relevant imperial unit may not be lawfully used for trade, but do not in any other respect authorise what is unlawful."

(2) In the 1963 Act—

- (a) after Schedule 1 there are inserted, as Schedule 1A, the provisions set out in Schedule 1 to this Act, and
- (b) for Schedule 3 (measures and weights lawful for use for trade) there are substituted the provisions set out in Schedule 2 to this Act.

(3) In the 1963 Act—

- (a) in section 10(7) (application to drugs) for the words "Subsection (1)(a) of this section" there are substituted the words "Section 9A(1)(a)",
- (b) in section 52(1) (punishment for offences) for the words "sections 10(5)" there are substituted the words "sections 9A(2), 9B, 10(5)",
- (c) in the said section 52(1) for the words '£20' there are substituted the words '£50', and the amendment of

that subsection in Schedule 3 to the Criminal Justice Act 1967 (which is superseded by this paragraph) shall cease to have effect,

- (d) in section 54(2) (Parliamentary control of orders and consultation as respects proposed orders) for the words “sections 10(9), 10(10)” there are substituted the words “sections 1, 9A”.

(4) In the said section 54 of the 1963 Act after subsection (2) there is inserted the following subsection—

“(2A) In the case of an order under section 9A(3) of this Act which relates to imperial units, measures or weights the Secretary of State in acting under subsection (2) of this section shall have particular regard to the need to consult, and to consider representations from, organisations representative of the interests of consumers.”

(5) In regulation 5(1) of the Measuring Instruments (EEC S.I. 1975/1173. Requirements) Regulations 1975 for the words “Section 10(1)(b)” there are substituted the words “Section 9A(1)(b)”.

3. Before making any regulations under section 9B of the 1963 Act (as amended by this Act) the Secretary of State shall consult with such persons as appear to him to be representative of interests substantially affected by the regulations.

Dual marking and conversion charts: duty to consult about regulations.

4.—(1) The powers to prescribe the quantities in which goods may be made up, sold, or made for sale, which are conferred by section 21 of the 1963 Act shall not be exercised so as to make unlawful any sale of goods to which this section applies.

Pre-packed and other goods: temporary restriction on removal of permitted imperial quantities.

(2) This section applies to a sale—

- (a) which is of goods which are pre-packed, sold, or made for sale in any quantity specified by the enactments and orders in Schedule 3 to this Act (quantities expressed in the imperial system), and

(b) which is made at any time before 21st April 1978.

5. In section 14(1) of the 1963 Act for paragraph (c) (circumstances in which stamps may be obliterated or defaced) there are substituted the following paragraphs—

Use for trade of unstamped equipment.

“(c) the circumstances in which, conditions under which and manner in which stamps may be destroyed, obliterated or defaced ;

(cc) where any stamp on weighing or measuring equipment is lawfully destroyed, obliterated or defaced, the circumstances in which, and conditions subject to which, the equipment may be used for trade without contravening section 11(2) of this Act.”

Containers for goods.

6.—(1) In subsection (2) of section 21 of the 1963 Act (orders for the purpose of ensuring that goods are only sold or packed for sale in quantities expressed in a manner specified in the orders or in containers marked with information so specified) after paragraph (b) there is inserted the following paragraph—

“ (bb) are pre-packed, or are otherwise made up for sale or for delivery after sale, only in or on a container of a size or capacity so specified ; or ”.

(2) After subsection (3) of that section there is inserted the following subsection—

“ (3A) Without prejudice to the generality of the powers conferred by virtue of paragraph (bb) of subsection (2) of this section, an order made by virtue of that paragraph may require a container to be marked with such information concerning it or its contents as is specified in the order.

(3B) Without prejudice to the generality of those powers, an order made by virtue of the said paragraph (bb) may, in order to prevent size or capacity from giving a false impression of the quantity of the goods in a container, prescribe a minimum quantity for the goods in a container of a given capacity, and the minimum quantity may be expressed by weight or volume, by percentage of the capacity of the container or in any other manner.”

(3) In subsection (4)(a) of that section (regulations about the manner in which a container is to be marked with information as to the quantity of the goods in it) for the words from “ information ” to the end of the paragraph there are substituted the words “ information (including in particular information as to quantity or capacity) is to be so marked ”, and in subsection (4)(d) of that section the words “ as to quantity ” shall be omitted.

Containers for goods: supplemental.

7.—(1) In section 22(2) of the 1963 Act (contravention of a requirement that goods are to be made up for sale or delivery after sale only if the container is marked with particular information) after the word “ information ” there are inserted the words “ or only in or on a container of a particular description ”, and after the words “ so marked ” there are inserted the words “ or a container of that description.”.

(2) At the end of section 26 of the 1963 Act (additional defences for traders) there is added the following subsection—

“ (8) Subsection (7) of this section shall apply with the necessary modifications to proceedings for an offence in respect of the size, capacity or contents of a container as it applies to proceedings for an offence in respect of the excess or deficiency in the quantity of certain goods.”

(3) In section 29(1) of the 1963 Act (power of inspectors to weigh goods etc.) for the words following paragraph (c) there are substituted—

“ ; or

(d) has in his possession or charge for sale or awaiting or in the course of delivery to a buyer after they have been sold or agreed to be sold, any goods subject to a requirement imposed by virtue of section 21(2)(bb) of this Act,

the powers of an inspector under section 48 of this Act shall include power to require that person either to do in the presence of the inspector, or to permit the inspector to do, all or any of the following things, that is to say—

(i) weigh or otherwise measure or count the goods ;

(ii) weigh or otherwise measure any container in or on which the goods are made up ;

(iii) in the case of goods within paragraph (d) above, do anything else as respects the goods or container which is reasonably necessary to ascertain whether the requirement there mentioned is complied with, and which does not damage or depreciate the goods or container ;

(iv) if necessary for any of the purposes of the three last foregoing paragraphs, break open any container of goods, or open any vending machine in which goods are offered or exposed for sale,

and, in the case of any of the goods which are not already sold, power to require that person to sell any of them to the inspector.”

(4) In subsection (2) of the said section 29 for the words (at the beginning of the subsection)

“ Where the container of any pre-packed goods ” there are substituted the words

“ Where any container of goods ”.

(5) In subsection (3) of the said section 29 for the words “ or (c) ” there are substituted the words “(c) or (d) ”.

8. Schedule 4 to this Act shall have effect.

Solid fuel.

9. The following section is inserted at the end of Part V of the 1963 Act—

Fees for performance of Community obligations.

“ Fees for performance of Community obligations.

47A. The Secretary of State may by regulations prescribe the fees to be charged by local weights and measures authorities and by inspectors for services or facilities provided by them, or for authorisations, certificates or other documents issued by them, in pursuance of a Community obligation.”.

Northern Ireland

Corresponding
amendments
of law of
Northern
Ireland.
1967 c. 6 (N.I.).

10.—(1) In the Weights and Measures Act (Northern Ireland) 1967 (“ the 1967 Act ”)—

- (a) the sections 9A and 9B in section 2(1) of this Act are inserted after section 3 (as sections 3A and 3B),
- (b) Schedule 1 to this Act is inserted before Schedule 1 (as Schedule 1A),
- (c) Schedule 2 to this Act is substituted for Schedule 1 (and numbered Schedule 1),

and references in the said section 9A to Schedules 1A and 3 are adapted accordingly.

(2) In the said section 9A as so inserted—

- (a) references to the Secretary of State are replaced by references to the Department of Commerce for Northern Ireland,
- (b) subsection (6) is omitted and the remaining subsections are renumbered,
- (c) in subsection (7) for the references to sections 9B, 60 and 62(1) of the 1963 Act there are substituted references to sections 3B, 4(4) and 43 of the 1967 Act.

(3) In the said section 9B as so inserted references to the Secretary of State are replaced by references to the Department of Commerce for Northern Ireland.

(4) In section 4 of the 1967 Act—

- (a) in subsection (4) for the words “ subsection (1) ” there are substituted the words “ section 3A ” :
- (b) in subsection (8) for the words “ Subsection (1)(a) ” there are substituted the words “ Section 3A(1)(a) ”.

(5) In section 34(1) of the 1967 Act (punishment for offences)—

- (a) for the words “ sections 4(6) ” there are substituted the words “ sections 3A(2), 3B, 4(6) ”, and
- (b) for the words “ twenty pounds ” there are substituted the words “ fifty pounds ”, and the amendment of that subsection in Part I of the Schedule to the Increase of Fines Act (Northern Ireland) 1967 (which is superseded by this paragraph) shall cease to have effect.

1967 c. 29.
(N.I.).

(6) In section 35(2) of the 1967 Act (control of orders and consultation as respects proposed orders) for the words “ sections 4(11) ” there are substituted the words “ sections 3A ”, and after that subsection there is inserted the subsection (2A) in section 2(4) of this Act (as subsection (2A) of the said section 35), the references in the said subsection (2A) to section 9A(3) of the 1963 Act and the Secretary of State being replaced by references to sections 3A(3) of the 1967 Act and the Department of Commerce for Northern Ireland.

(7) In regulation 5(1) of the Measuring Instruments (EEC S.I. 1975/1173. Requirements) Regulations 1975 for the words "section 4(1)(b)" there are substituted the words "section 3A(1)(b)".

(8) In section 8(1) of the 1967 Act the paragraphs set out in section 5 of this Act are substituted for paragraph (c), with the substitution for the words "section 11(2) of this Act" of the words "section 5(2)".

(9) Sections 6 and 7 of this Act have effect in Northern Ireland as if for references to sections 21, 22, 26, 29 and 48 of the 1963 Act there were substituted respectively references to sections 15, 16, 20, 23 and 28 of the 1967 Act.

(10) In this Act any reference to an enactment includes an enactment contained in an Act of the Parliament of Northern Ireland or a Measure of the Northern Ireland Assembly.

11. Schedule 5 to this Act shall have effect.

Solid fuel
(Northern Ireland)

Shortages of food and other goods

12.—(1) This section applies to food or other goods in relation to which requirements are imposed under or by virtue of—

(a) section 4 or 7 of the Food and Drugs Act 1955 (the "1955 Act"); or	Orders for alleviation of food or other shortages. 1955 c. 16
(b) section 4 or 7 of the Food and Drugs (Scotland) Act 1956 (the "1956 Act"); or	(4 & 5 Eliz. 2). 1956 c. 30.
(c) section 4 or 7 of the Food and Drugs Act (Northern Ireland) 1958 (the "1958 Act"); or	1958 c. 27 (N.I.).
(d) section 21 of the 1963 Act; or	
(e) section 15 of the 1967 Act,	

and in this section a relevant requirement means a requirement so imposed.

(2) Where it appears to the appropriate Minister that—

- (a) any food or other goods to which this section applies are or are likely to be, for a limited period of time, in short supply or unavailable in any area; and
- (b) the alleviation of that situation is or is likely to be seriously hindered by a relevant requirement,

he may by order exclude or modify the relevant requirement in its operation in relation to the food or goods in question for a period specified in the order.

(3) The said period shall not exceed one year, but may be extended on one or more occasions by a subsequent order under this section for a further period not exceeding one year.

(4) An order under this section may attach conditions to the exclusion or modification of the relevant requirement, and may, while it is excluded or modified—

- (a) impose, as respects the food or goods, any requirement which could be imposed under the section under or by virtue of which the relevant requirement is imposed, or
- (b) exclude, as respects the food or goods, any exception or exemption from a requirement imposed by or under the said section.

(5) An order under this section—

- (a) may impose on persons offending against the order penalties not exceeding the maximum penalties specified in the Acts mentioned in subsection (1) above, or in instruments made under those Acts, in relation to the relevant requirement,
- (b) may be limited to an area which is only part of the territory to which the relevant requirement extends,
- (c) may, where so limited, make special provision for goods which are dealt with partly within the area and partly outside,
- (d) may make different provision in relation to different cases or classes of cases, and may exclude specified cases or classes of cases,
- (e) may contain such incidental or supplemental provisions as appear to the appropriate Minister to be expedient for the purposes of the order.

(6) Without prejudice to the generality of subsection (5) above an order under this section may contain transitional provisions by reference to the beginning or end of the period for which the relevant requirement is excluded or modified.

(7) An order under this section may make provision for any of the purposes mentioned in subsections (4), (5) and (6) above by means of amending, or of applying with or without modifications, or of excluding the application in whole or in part of, any provision of the Act under or by virtue of which the relevant requirement is imposed and, except as provided by an order under this section, Schedule 6 to this Act shall have effect where a requirement is imposed under subsection (4) above.

(8) In this section “ requirement ” includes any condition or prohibition.

(9) In this section, “ appropriate Minister ” in relation to any relevant requirement, means—

- (a) where it was imposed under the 1955 Act, the Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly ;

- (b) where it was imposed under the 1958 Act, the Department of Health and Social Services for Northern Ireland ;
- (c) where it was imposed under the 1956 Act or the 1963 Act, the Secretary of State ;
- (d) where it was imposed under the 1967 Act, the Department of Commerce for Northern Ireland.

13.—(1) Before the appropriate Minister makes an order under section 12 of this Act he shall consult, to the extent that it appears to him to be appropriate having regard to the subject matter of the order and the urgency of the matter, with such persons as appear to him to be representative of interests substantially affected by the order. Shortages:
supplementary
provisions.

(2) An order made under section 12 of this Act may be varied or revoked by a subsequent order so made.

(3) An order under section 12 of this Act shall not extend to any area to which the relevant requirement did not extend.

(4) An order under section 12 of this Act, except an order which extends to Northern Ireland only, shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) An order under section 12 of this Act which extends to Northern Ireland only shall be made by statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958, and shall be subject to negative resolution as defined by section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if it were a statutory instrument within the meaning of that Act. 1958 c. 18
(N.I.).
1954 c. 33
(N.I.).

- (6) In this section—
 “ appropriate Minister ”,
 “ requirement ”, and
 “ relevant requirement ”,

have the same meanings as in section 12 of this Act.

Supplemental

14. In this Act— Interpretation.

“ the 1963 Act ” means the Weights and Measures Act 1963 c. 31. 1963 ;

“ the 1967 Act ” means the Weights and Measures Act 1967 c. 6 (Northern Ireland) 1967. (N.I.).

15.—(1) This Act may be cited as the Weights and Measures &c. Act 1976. Short title,
etc.

(2) This Act, except Schedules 4 and 5, shall come into operation on the expiration of the period of one month beginning with the date on which it is passed.

(3) This Act, except sections 4, 8 and 9 and Schedules 3 and 4, extends to Northern Ireland.

(4) The enactments and instruments specified in Schedule 7 to this Act shall be repealed to the extent specified in the third column of that Schedule.

(5) Any order under section 10(10)(a) of the 1963 Act, so far as in force at the coming into operation of this Act, shall continue in force and may be amended or revoked as if made under section 1(3) of that Act (as amended by section 1 of this Act).

SCHEDULES

SCHEDULE 1

Section 2(2).

(To be inserted as Schedule 1A in the Act of 1963)

UNITS OF MEASUREMENT LAWFUL FOR USE FOR TRADE

PART I

MEASUREMENT OF LENGTH

Imperial units

Mile
Furlong
Chain
Yard
Foot
Inch

Metric units

Kilometre
Metre
Decimetre
Centimetre
Millimetre

PART II

MEASUREMENT OF AREA

Imperial units

Square mile
Acre
Rood
Square yard
Square foot
Square inch

Metric units

Hectare
Dekare
Are
Square metre
Square decimetre
Square centimetre
Square millimetre

PART III

MEASUREMENT OF VOLUME

Imperial units

Cubic yard
Cubic foot
Cubic inch

SCH. 1

Metric units

Cubic metre
 Cubic decimetre
 Cubic centimetre
 Hectolitre
 Litre
 Decilitre
 Centilitre
 Millilitre

PART IV

MEASUREMENT OF CAPACITY

<i>Imperial units</i>	<i>Metric units</i>
Gallon	Hectolitre
Quart	Litre
Pint	Decilitre
Gill	Centilitre
Fluid ounce	Millilitre

PART V

MEASUREMENT OF MASS OR WEIGHT

Imperial units

Ton
 Hundredweight
 Cental
 Quarter
 Stone
 Pound
 Ounce
 Dram
 Grain
 Ounce troy

Metric units

Tonne
 Metric tonne
 Quintal
 Kilogramme
 Hectogramme
 Gramme
 Carat (metric)
 Milligramme

PART VI

SPECIAL RESTRICTIONS ON USE FOR TRADE

1. No person shall use the ounce troy for trade except for the purposes of transactions in, or in articles made from, gold, silver or other precious metals, including transactions in gold or silver thread, lace or fringe.

2. No person shall use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls.

SCHEDULE 2

(To be substituted for Schedule 3 to the Act of 1963)

Section 2(2).

MEASURES AND WEIGHTS
LAWFUL FOR USE FOR TRADE

PART I

LINEAR MEASURES

Imperial system

1. Measures of—

100 feet	5 feet
66 feet	4 feet
50 feet	1 yard
33 feet	2 feet
20 feet	1 foot
10 feet	6 inches
8 feet	1 inch
6 feet	

Metric system

2. Measures of—

50 metres	2 metres
30 metres	1.5 metres
20 metres	1 metre
10 metres	0.5 metre
5 metres	1 decimetre
3 metres	1 centimetre

PART II

SQUARE MEASURES

Imperial system

1. Measures of, or of any multiple of, 1 square foot.

Metric system

2. Measures of, or of any multiple of, 1 square decimetre.

PART III

CUBIC MEASURES

*Imperial system*1. Measures of, or of any multiple of, $\frac{1}{4}$ cubic yard.*Metric system*

2. Measures of, or of any multiple of, 0.1 cubic metre.

3. Measures of—

any multiple of 10 litres

10 litres	100 millilitres
5 litres	50 millilitres
2.5 litres	25 millilitres
2 litres	20 millilitres
1 litre	10 millilitres
500 millilitres	5 millilitres
250 millilitres	2 millilitres
200 millilitres	1 millilitre .

SCH. 2

PART IV

CAPACITY MEASURES

Imperial system

1. Measures of—

any multiple of 1 gallon

1 gallon	1 gill
$\frac{1}{2}$ gallon	4 fluid ounces
1 quart	$\frac{1}{2}$ gill
1 pint	$\frac{2}{3}$ gill
$\frac{1}{2}$ pint	$\frac{1}{3}$ gill
8 fluid ounces	$\frac{1}{4}$ gill
$\frac{1}{3}$ pint	$\frac{1}{3}$ gill
6 fluid ounces	$\frac{1}{6}$ gill

Metric system

2. Measures of—

any multiple of 10 litres	100 millilitres
10 litres	50 millilitres
5 litres	25 millilitres
2.5 litres	20 millilitres
2 litres	10 millilitres
1 litre	5 millilitres
500 millilitres	2 millilitres
250 millilitres	1 millilitre
200 millilitres	

PART V

WEIGHTS

Imperial system

1. Weights of—

56 pounds	$\frac{1}{2}$ dram
50 pounds	100 grains
28 pounds	50 grains
20 pounds	30 grains
14 pounds	20 grains
10 pounds	10 grains
7 pounds	5 grains
5 pounds	3 grains
4 pounds	2 grains
2 pounds	1 grain
1 pound	0.5 grain
8 ounces	0.3 grain
4 ounces	0.2 grain
2 ounces	0.1 grain
1 ounce	0.05 grain
8 drams	0.03 grain
4 drams	0.02 grain
2 drams	0.01 grain
1 dram	

2. Weights of —

SCH. 2

500 ounces troy	0.4 ounce troy
400 ounces troy	0.3 ounce troy
300 ounces troy	0.2 ounce troy
200 ounces troy	0.1 ounce troy
100 ounces troy	0.05 ounce troy
50 ounces troy	0.04 ounce troy
40 ounces troy	0.03 ounce troy
30 ounces troy	0.025 ounce troy
20 ounces troy	0.02 ounce troy
10 ounces troy	0.01 ounce troy
5 ounces troy	0.005 ounce troy
4 ounces troy	0.004 ounce troy
3 ounces troy	0.003 ounce troy
2 ounces troy	0.002 ounce troy
1 ounce troy	0.001 ounce troy
0.5 ounce troy	

Metric system

3. Weights of—

25 kilogrammes	3 grammes
20 kilogrammes	2 grammes
10 kilogrammes	1 gramme
5 kilogrammes	500 milligrammes
2 kilogrammes	400 milligrammes
1 kilogramme	300 milligrammes
500 grammes	200 milligrammes
200 grammes	150 milligrammes
100 grammes	100 milligrammes
50 grammes	50 milligrammes
20 grammes	20 milligrammes
15 grammes	10 milligrammes
10 grammes	5 milligrammes
5 grammes	2 milligrammes
4 grammes	1 milligramme

4. Weights of—

500 carats (metric)	1 carat (metric)
200 carats (metric)	0.5 carat (metric)
100 carats (metric)	0.25 carat (metric)
50 carats (metric)	0.2 carat (metric)
20 carats (metric)	0.1 carat (metric)
10 carats (metric)	0.05 carat (metric)
5 carats (metric)	0.02 carat (metric)
2 carats (metric)	0.01 carat (metric)

PART VI

SPECIAL RESTRICTIONS ON USE FOR TRADE

1. No person shall use the ounce troy for trade except for the purposes of transactions in, or in articles made from, gold, silver

SCH. 2 or other precious metals, including transactions in gold or silver thread, lace or fringe.

2. No person shall use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls.

Section 4.

SCHEDULE 3

PRE-PACKED AND OTHER GOODS

Permitted imperial quantities in Schedule 4 to the Act of 1963

1. The following provisions in Schedule 4 to the Act of 1963 so far as they permit the use of quantities expressed in the imperial system—

- paragraph 3 of Part IV (bread),
- paragraph 3(a) of Part V (milk),
- paragraphs 2 and 3(a) of Part VI (intoxicating liquor),
- paragraph 2(b) of Part VII (potatoes),
- paragraph 3(a) of Part VIII (miscellaneous),
- paragraph 3(a) of Part IX (miscellaneous).

In this paragraph references to provisions of Schedule 4 to the 1963 Act are to those provisions as amended by any order made under section 21 of the Act of 1963 before the passing of this Act.

Permitted imperial quantities in orders made under section 21 of the Act of 1963

2. The following orders so far as they specify quantities in the imperial system—

The Weights and Measures Act 1963 (Pasta) Order 1973	S.I. 1973/1967
The Weights and Measures Act 1963 (Salt) Order 1973	S.I. 1973/1968
The Weights and Measures Act 1963 (Sugar) Order 1974	S.I. 1974/1166
The Weights and Measures Act 1963 (Cereal Breakfast Foods and Oat Products) Order 1975	S.I. 1975/1177
The Weights and Measures Act 1963 (Flour and Flour Products) Order 1975	S.I. 1975/1178
The Weights and Measures Act 1963 (Dried Vegetables) Order 1975	S.I. 1975/1179
The Weights and Measures Act 1963 (Biscuits and Shortbread) Order 1976	S.I. 1976/111
The Weights and Measures Act 1963 (Edible Fats) Order 1976	S.I. 1976/430
The Weights and Measures Act 1963 (Dried Fruits) Order 1976	S.I. 1976/431
The Weights and Measures Act 1963 (Tea) Order 1976	S.I. 1976/1294
The Weights and Measures Act 1963 (Bread) Order 1976.	S.I. 1976/1297

SCHEDULE 4

Section 8.

SOLID FUEL

1. For paragraph 3 of Schedule 6 to the Act of 1963 there are substituted the following paragraphs—

“Quantities in containers

3.—(1) Solid fuel shall be made up in a container for sale, or for delivery after sale, only if it is made up in one of the quantities by net weight specified in the following Table—

TABLE

<i>Imperial</i>	<i>Metric</i>
7 pounds	25 kilogrammes
14 pounds	50 kilogrammes
28 pounds	
56 pounds	
1 hundredweight	
1½ hundredweight	

Any multiple of 1 hundredweight

(2) This paragraph shall not apply to any solid fuel pre-packed in a quantity not exceeding 30 kilogrammes in a securely closed container.

(3) References in this Schedule to solid fuel made up in an imperial quantity are references to solid fuel made up in one of the imperial quantities specified in the Table in subparagraph (1) above, and references to solid fuel made up in a metric quantity shall be construed in a corresponding way.

(4) This paragraph, and paragraphs 3A, 3B and 3C below, have effect subject to the exemptions in paragraph 3D.

Indication of quantity

3A.—(1) This paragraph applies to solid fuel made up in a container for sale, or for delivery after sale, except where it is made up in a metric quantity in a container which is not securely closed.

(2) The solid fuel shall be made up in a container for sale, or for delivery after sale, only if the container is marked with an indication of quantity by net weight.

Loads on vehicles

3B.—(1) Solid fuel made up in containers in the quantity of 1½ cwt. shall be carried on a road vehicle on a highway for sale, or for delivery after sale, only if all solid fuel carried on the vehicle which is made up in containers is so made up in that quantity.

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(2) Solid fuel made up in metric quantities in containers which are not securely closed shall be carried on a road vehicle on a highway for sale, or for delivery after sale, only if all solid fuel carried on the vehicle in containers which are not securely closed is made up in metric quantities.

(3) If this paragraph is contravened the seller shall be guilty of an offence.

Information about containers made up in metric quantities

3C.—(1) This paragraph applies where solid fuel is carried on a road vehicle on a highway for sale, or for delivery after sale, and is made up in metric quantities in containers which are not securely closed or is delivered from the vehicle in such containers in any metric quantity.

(2) There shall be displayed on the vehicle—

(a) an indication of the quantity, or quantities, by net weight of the fuel comprised in the containers (other than any securely closed containers) on, or delivered from, the vehicle, and

(b) a statement of the name and address of the seller.

(3) Regulations under section 21(4) of this Act may prescribe the manner in which the information required by sub-paragraph (2) above is to be displayed, and a person who contravenes any such regulation shall be guilty of an offence.

(4) If this paragraph is contravened, the seller, and any other person who is in charge of the vehicle at the time of the contravention, shall each be guilty of an offence.

Exemptions

3D. There shall be exempted from all the requirements of paragraphs 3, 3A, 3B and 3C of this Schedule—

(a) solid fuel supplied under arrangements made in the coal industry for the supply of solid fuel to persons who are or have been employed in that industry or to the dependants of such persons ;

(b) solid fuel made up in a container only for ease of handling as part of the load of a vehicle or ship where the whole of that load so far as it consists of solid fuel is being delivered to a single buyer.”

2. At the end of Part I of Schedule 6 to the Act of 1963 there are inserted the following paragraphs—

“ 6A.—(1) This paragraph applies to any vehicle which is used on highways for carrying solid fuel for sale, or for delivery after sale, and in this paragraph ‘container’ means any container in which solid fuel is carried on such a vehicle, or is delivered from such a vehicle.

(2) The Secretary of State may by order make provision—

- (a) for securing the display on any such vehicle of an indication of the quantities in which solid fuel is made up in containers ;
- (b) for requiring all containers carried on or delivered from any one vehicle to be made up in the same quantity, or for regulating in any other way the quantities in which they are made up ;
- (c) for imposing any requirement as to the loading of the vehicle, or the delivery of solid fuel from the vehicle, which appears to the Secretary of State appropriate for securing that purchasers are not misled as to the quantity of fuel they purchase.

(3) An order under sub-paragraph (2) of this paragraph may—

- (a) make provision for any of the purposes mentioned in that sub-paragraph by means of amending, or of applying with or without modifications, or of excluding the application in whole or in part of, any of the preceding paragraphs of this Schedule ;
- (b) contain such consequential, incidental or supplementary provision, whether of such kinds as aforesaid or otherwise, as appear to the Secretary of State to be expedient ;
- (c) may in particular make provision, in respect of contraventions of the order for which no penalty is provided by this Act, for the imposition of penalties not exceeding those provided by section 52 of this Act for an offence under this Act.

(4) An order made under this paragraph may be varied or revoked by a subsequent order so made.

6B. An order under section 21 of this Act may amend or repeal any of the preceding paragraphs of this Schedule.”

3.—(1) In section 54(2) of the Act of 1963 (consultation on orders) for the words “ paragraph 2(3) of Schedule 6 ” substitute the words “ paragraphs 2(3) and 6A of Schedule 6 ”.

(2) In section 54(3) of the Act of 1963 (orders subject to affirmative procedure) after paragraph (c) there is inserted the following paragraph—

“ (d) paragraph 6A of Schedule 6 ”.

4. This Schedule shall come into force on such date as the Secretary of State may by order contained in a statutory instrument appoint, and different dates may be appointed for different provisions or different purposes.

Section 11.

SCHEDULE 5

SOLID FUEL (NORTHERN IRELAND)

1. In Schedule 4 to the 1967 Act—

- (a) leave out paragraph 2(2)(a);
- (b) in paragraph 3(1) leave out from “and except” to “twenty-four pounds”;
- (c) in paragraph 3(1)(a) after “quarter hundredweight”, insert “or 10 kilogrammes, 15 kilogrammes, 25 kilogrammes, 50 kilogrammes or 62·5 kilogrammes”;
- (d) in paragraph 3(1)(b) after “paragraph 5 or”, insert “of an order under paragraph 6A(2)(a) or the provisions of”;
- (e) in paragraph 3(2) after “quarter hundredweight”, insert “or 25 kilogrammes, or 50 kilogrammes, or 62·5 kilogrammes”;
- (f) in paragraph 5(1) after “less”, insert “or 200 kilogrammes or less”;
- (g) in paragraph 5(2) at the end add “and the name and address of the seller”;
- (h) in paragraph 7 leave out from “except” to “twenty-four pounds”;
- (i) in paragraph 9(c) after “paragraph 5(2)”, insert “or an indication of quantities so displayed in accordance with an order under paragraph 6A(2)(a)”.

2. At the end of Part I of Schedule 4 to the 1967 Act insert the following paragraphs:—

“6A.—(1) This paragraph applies to any vehicle which is used on highways for carrying solid fuel for sale, or for delivery after sale, or on or from which any solid fuel is sold or kept or exposed for sale, and in this paragraph ‘container’ means any container in which solid fuel is carried on such a vehicle, or is delivered from such a vehicle.

(2) The Department may by order make provision—

- (a) for securing the display on any such vehicle of an indication of the quantities in which solid fuel is made up in containers;
- (b) for requiring all containers carried on or delivered from any one vehicle to be made up in the same quantity, or for regulating in any other way the quantities in which they are made up;
- (c) for imposing any requirement as to the loading of the vehicle, or the delivery of solid fuel from the vehicle, which appears to the Department appropriate for securing that purchasers are not misled as to the quantity of fuel they purchase.

(3) An order under sub-paragraph (2) may—

- (a) make provision for any of the purposes mentioned in that sub-paragraph by means of amending, or of applying with or without modifications, or of excluding the

application in whole or in part of, any of the provisions of this Part ; SCH. 5

- (b) contain such consequential, incidental or supplementary provisions, whether of such kinds as aforesaid or otherwise, as appear to the Department to be expedient ;
- (c) make provision, in respect of contraventions of the order for which no penalty is provided by this Act, for the imposition of penalties not exceeding those provided by section 34 for an offence under this Act.

6B. An order under section 15 may amend or repeal this Part.”.

3. In section 35(2) of the 1967 Act (consultation on orders) for the words “ and 43(1) ” substitute the words “ 43(1) and paragraph 6A of Schedule 4 ”.

4.—(1) This Schedule shall come into force on such date as the Department of Commerce for Northern Ireland may by order appoint and different dates may be appointed for different provisions or different purposes.

(2) An order under sub-paragraph (1) above shall be made by statutory rule for the purposes of the Statutory Rules Act (Northern Ireland) 1958. 1958 c. 18 (N.I.).

SCHEDULE 6

Section 12.

TEMPORARY REQUIREMENTS IMPOSED BY EMERGENCY ORDERS

1. Where—

- (a) a relevant requirement as defined in section 12(1) of this Act is excluded or modified by an order under that section, and
- (b) a requirement (the “ substituted requirement ”) is imposed under subsection (4)(a) of that section,

the Act under or by virtue of which the relevant requirement took effect shall, to the extent provided in this Schedule, apply to the substituted requirement.

Food and Drugs Act 1955 (c. 16)

2.—(1) This paragraph applies where the relevant requirement took effect under or by virtue of the Food and Drugs Act 1955.

(2) The following provisions of that Act—

- (a) Part V (administration, enforcement and legal proceedings), and
- (b) sections 126, 127, 128 and 131 (default powers and other supplemental provisions),

shall apply as if the substituted requirement were imposed by regulations under section 4 or 7 of the Act.

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Food and Drugs (Scotland) Act 1956 (c. 30)

3.—(1) This paragraph applies where the relevant requirement took effect under or by virtue of the Food and Drugs (Scotland) Act 1956.

(2) The following provisions of that Act—

- (a) Part II (administration and enforcement),
- (b) Part III (procedure and evidence), and
- (c) sections 55 and 57 (default powers and other supplemental provisions),

shall apply as if the substituted requirement were imposed by regulations under section 4 or 7 of the Act.

Food and Drugs Act (Northern Ireland) 1958 (N.I. c. 27)

4.—(1) This paragraph applies where the relevant requirement took effect under or by virtue of the Food and Drugs Act (Northern Ireland) 1958.

(2) The following provisions of that Act—

- (a) Part II (administration and enforcement),
- (b) Part III (procedure and evidence), and
- (c) sections 63, 64 and 69 (default powers and other supplemental provisions),

shall apply as if the substituted requirement were imposed by regulations under section 4 or 7 of the Act.

Weights and Measures Act 1963 (c. 31)

5.—(1) This paragraph applies where the relevant requirement took effect under or by virtue of the Weights and Measures Act 1963.

(2) The following provisions of that Act—

- (a) sections 22 to 24 (offences),
- (b) sections 25 to 28 (defences, liability of third parties and offences with extra-territorial element),
- (c) sections 29 to 33 (powers of inspectors, etc.), and
- (d) sections 48 to 51 (further powers of inspectors and prosecution of offences),

shall apply as if the substituted requirement were imposed under Part IV of the Act.

Weights and Measures Act (Northern Ireland) 1967 (N.I. c. 6)

6.—(1) This paragraph applies where the relevant requirement took effect under or by virtue of the Weights and Measures Act (Northern Ireland) 1967.

(2) The following provisions of that Act—

- (a) sections 16 to 18 (offences),
- (b) sections 19 to 22 (defences, liability of third parties and offences with extra-territorial element),

(c) sections 23 to 26 (powers of inspectors, etc.), and

(d) sections 28, 29 and 33 (further powers of inspectors and prosecution of offences),

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shall apply as if the substituted requirement were imposed under Part IV of the Act.

Supplemental

7.—(1) The provisions applied by this Schedule shall have effect subject to any necessary adaptations and modifications.

(2) The provisions in this Schedule have effect subject to the provisions of any order under section 12 of this Act.

SCHEDULE 7

Section 15(4).

REPEALS

Chapter	Short Title	Extent of Repeal
1963 c. 31.	Weights and Measures Act 1963.	In section 8(2) the words from "but without prejudice to section 10(10) of this Act" to the end of the subsection. In section 10, subsections (1) to (3) and (8) to (10). In section 21(4)(d) the words "as to quantity". In section 54(4), in paragraph (a) the words "other than section 10(9)", and in paragraph (d) the words "4 of Part IV".
1967 c. 6(N.I.).	Weights and Measures Act (Northern Ireland) 1967.	In Schedule 10, paragraph 1(c). In section 4, subsections (1) to (3) and (9) to (11). In section 15(4)(d) the words "as to quantity". In Schedule 4 paragraph 2 (2) (a), in paragraph 3 (1) the words from "and except" to "twenty-four pounds", and in paragraph 7 the words from "except" to "twenty-four pounds".
1967 c. 80.	Criminal Justice Act 1967.	In Schedule 3 the amendment of the 1963 Act.
1967 c. 29 (N.I.).	Increase of Fines Act (Northern Ireland) 1967.	In Part I of the Schedule the amendment of the 1967 Act.

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Instruments

Serial Number	Short title	Extent of repeal
S.I. 1968/320.	Weights and Measures (Additional Metric Weights) Order 1968.	The whole order.
S.I. 1970/1709.	Weights and Measures Act (Amendment of Schedules 1 and 3) Order 1970.	Articles 3 to 8 and the Schedule.
S.R. & O. (N.I.) 1968/253.	Weights and Measures (Additional Metric Weights) Order (Northern Ireland) 1968.	The whole order.
S.R. & O. (N.I.) 1970/341.	Weights and Measures (Amendment of Schedule 1) Order (Northern Ireland) 1970.	The whole order.

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