



# Weights and Measures Act 1985

## 1985 CHAPTER 72

### PART II

#### WEIGHING AND MEASURING FOR TRADE

##### *General*

#### **7 Meaning of " use for trade "**

- (1) In this Act " use for trade " means, subject to subsection (3) below, use in Great Britain in connection with, or with a view to, a transaction falling within subsection (2) below where—
  - (a) the transaction is by reference to quantity or is a transaction for the purposes of which there is made or implied a statement of the quantity of goods to which the transaction relates, and
  - (b) the use is for the purpose of the determination or statement of that quantity.
- (2) A transaction falls within this subsection if it is a transaction for—
  - (a) the transferring or rendering of money or money's worth in consideration of money or money's worth, or
  - (b) the making of a payment in respect of any toll or duty.
- (3) Use for trade does not include use in a case where—
  - (a) the determination or statement is a determination or statement of the quantity of goods required for despatch to a destination outside Great Britain and any designated country, and
  - (b) the transaction is not a sale by retail, and
  - (c) no transfer or rendering of money or money's worth is involved other than the passing of the title to the goods and the consideration for them.
- (4) The following equipment, that is to say—
  - (a) any weighing or measuring equipment which is made available in Great Britain for use by the public, whether on payment or otherwise, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) any equipment which is used in Great Britain for the grading by reference to their weight, for the purposes of trading transactions by reference to that grading, of hens' eggs in shell which are intended for human consumption, shall be treated for the purposes of this Part of this Act as weighing or measuring equipment in use for trade, whether or not it would apart from this subsection be so treated.
- (5) Where any weighing or measuring equipment is found in the possession of any person carrying on trade or on any premises which are used for trade, that person or, as the case may be, the occupier of those premises shall be deemed for the purposes of this Act, unless the contrary is proved, to have that equipment in his possession for use for trade.