



# Weights and Measures Act 1985

## 1985 CHAPTER 72

### PART II

#### WEIGHING AND MEASURING FOR TRADE

##### *General*

### **8 Units of measurement, weights and measures lawful for use for trade.**

(1) No person shall—

- (a) use for trade any unit of measurement which is not included in Parts I to V of Schedule 1 to this Act, or
- (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) No person shall use for trade—

- (a) the ounce troy, 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, or
- (b) the carat (metric), except for the purposes of transactions in precious stones or pearls, or
- (c) a capacity measure of [<sup>F1</sup>35.] 125, 150 or 175 millilitres, except for the purposes of transactions in intoxicating liquor [<sup>F2</sup>or
- (d) the pint except for—
  - (i) the purposes of the sale of draught beer or cider, or
  - (ii) the purposes of the sale of milk in returnable containers, <sup>F3</sup> . . .
  - (iii) . . . . .

<sup>F4</sup>(e) . . . . .

<sup>F4</sup>(f) . . . . .]

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*Status: Point in time view as at 08/02/2001. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 8. (See end of Document for details)*

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- (3) Subsection (1)(a) above shall not apply to the prescribing of, or the dispensing of a prescription for, drugs.
- (4) A person who contravenes subsection (1) or (2) above shall be guilty of an offence, and any measure or weight used, or in any person's possession for use, in contravention of that subsection shall be liable to be forfeited.
- [<sup>F5</sup>(5) The preceding provisions have effect subject to—
- (a) subsection (5A) below, and
  - (b) sections 9 and 89 below.
- (5A) Nothing in this section precludes the use for trade [<sup>F6</sup>up to and including 31 December 2009,] of any supplementary indication; and for this purpose any indication of quantity (“the imperial indication”) is a supplementary indication if—
- (a) it is expressed in a unit of measurement other than a metric unit,
  - (b) it accompanies an indication of quantity expressed in a metric unit (“the metric indication”) and is not itself authorised for use in the circumstances as a primary indication of quantity, and
  - (c) the metric indication is the more prominent, the imperial indication being, in particular, expressed in characters no larger than those of the metric indication.]
- (6) The Secretary of State may by order—
- (a) amend Schedule 3 to this Act by adding to or removing from it any linear, square, cubic or capacity measure, or any weight;
  - (b) add to, vary or remove from subsection (2) above 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.
- (7) An order under subsection (6) above may contain such transitional or other supplemental or incidental provisions as appear to the Secretary of State expedient.
- (8) In this section “unit of measurement” means a unit of measurement of length, area, volume, capacity, mass or weight.

#### **Textual Amendments**

- F1** Words in s. 8(2)(c) inserted (14.7.1994) by S.I. 1994/1883, **arts. 1, 2(a)**
- F2** S. 8(2)(d)-(f) inserted (1.10.1995) by S.I. 1994/2866, **regs. 1, 3(2)**
- F3** S. 8(2)(d)(iii) and the preceding “or” omitted (1.1.2000) by virtue of S.I. 1994/2866, **arts. 1, 4(2)**
- F4** S. 8(2)(e)(f) omitted (1.1.2000) by virtue of S.I. 1994/2866, **arts. 1, 4(2)**
- F5** S. 8(5)(5A) substituted (7.11.1994) for s. 8(5) by S.I. 1994/2867, **regs. 1, 5(2)**
- F6** Words in s. 8(5A) inserted (8.2.2001) by S.I. 2001/55, **art. 3**

#### **Modifications etc. (not altering text)**

- C1** S. 8(1)(b) excluded by S.I. 1988/186, **arts. 3, 6(1)**

**Status:**

Point in time view as at 08/02/2001. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 8.