
STATUTORY INSTRUMENTS

1979 No. 955**WEIGHTS AND MEASURES****The Weights and Measures (Solid Fuel) (Carriage by Rail)
(Amendment) Order 1979***Laid before Parliament in draft**Made - - - - 30th July 1979**Coming into Operation 1st September 1979*

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 powers conferred by section 21(2), (3) and (5) 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 1979 and shall come into operation on 1st September 1979.

2. The Weights and Measures (Solid Fuel) (Carriage by Rail) Order 1966(c) shall be amended in accordance with the following provisions of this Order.

3. In Article 1—

(a) for the words "a steel rail vehicle of a capacity of not less than 24 tons" there shall be substituted the words "any rail vehicle"; and

(b) after paragraph (ii)(c) there shall be added the following:—

"or

(d) where

(i) all the vehicles comprised in the train are coupled together in such a manner that they may be weighed while in motion by equipment designed to determine the total weight of the train; and

(ii) the buyer has agreed with the seller that the total net weight of fuel carried in the train shall be ascertained by deducting the

(a) 1963 c. 31.

(b) S.I. 1970/1537.

(c) S.I. 1966/238.

total weight of the train so determined before loading from the total weight thereof so determined when loaded:”.

4. In Article 3, at the beginning there shall be added the words “Except as provided in Article 3A below,”.

5. After Article 3 there shall be added the following Article—

“3A. In the case of any such train as is mentioned in sub-paragraph (d) of Article 1(ii) above, the information included in a train bill shall be the following—

- (a) the names of the seller and the consignee and the destination of the train;
- (b) the date and place of loading of the train;
- (c) the number of vehicles in the train;
- (d) the total net weight of fuel carried in the train;
- (e) a statement of the type of fuel carried in the train;
- (f) a statement that the buyer has agreed that the total net weight of fuel carried in the train shall be ascertained in the manner mentioned in the said sub-paragraph (d).”.

6. In Article 4—

- (a) at the end of paragraph (ii) there shall be added the word “and”, and
- (b) after the said paragraph (ii) there shall be added the following paragraph—

“(iii) in the case of any such train as is mentioned in sub-paragraph (d) of Article 1(ii) above, paragraph 17(3) shall have effect as if for references therein to a vehicle there were substituted references to a train, and as if sub-paragraph (b) were omitted.”.

Sally Oppenheim,
Minister of State,
Department of Trade.

30th July 1979.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Weights and Measures (Solid Fuel) (Carriage by Rail) Order 1966. The Order brings within the 1966 Order rail vehicles in the specified circumstances, not only, as previously, steel rail vehicles of a capacity of not less than 24 tons.

The Order also provides a simplified form of train bill where the vehicles comprised in the train are permanently coupled in such a manner that the train is weighed while in motion.

SI 1979/955
ISBN 0-11-093955-7



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