STATUTORY INSTRUMENTS

1978 No. 1080

WEIGHTS AND MEASURES

The Weights and Measures Act 1963 (Various Goods) (Termination of Imperial Quantities) Order 1978

Laid before Parliament in draft.

Made - - - - 27*th July* 1978

Coming into Operation 28*th July* 1978

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 sections 21(2), (3) and (5) and 54(1) and (4) 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.—(1) This Order may be cited as the Weights and Measures Act 1963 (Various Goods) (Termination of Imperial Quantities) Order 1978 and shall come into operation on 28th July 1978.

(2) The Interpretation Act 1889(**c**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2.—(1) Article 4(*a*)(i) of the Weights and Measures Act 1963 (Pasta) Order 1973(**d**) and of the Weights and Measures Act 1963 (Flour and Flour Products) Order 1975(**e**) shall cease to have effect after 31st August 1978.

(2) Article 4(*a*)(i) of the Weights and Measures Act 1963 (Dried Vegetables) Order 1975(**f**) and of the Weights and Measures Act 1963 (Dried Fruits) Order 1976(**g**) shall cease to have effect after 31st December 1978.

(**a**) 1963 c. 31.
(**b**) S.I. 1970/1537.
(**c**) 1889 c. 63.
(**d**) S.I. 1973/1967.
(**e**) S.I. 1975/1178.
(**f**) S.I. 1975/1179.
(**g**) S.I. 1976/431.

3.—(1) The application of section 22(2) of the Act as it applies for the purposes of section 21(2)(*c*) in relation to goods to which an Order mentioned in Article 2 above applies, being goods pre-packed in imperial quantities specified in Article 4(*a*)(i) of each of those Orders, shall be excluded—

(*a*) in the case of such goods pre-packed in Great Britain on or before the date which, for the purposes of this paragraph, is the relevant date in relation to the goods in question and of such goods imported into Great Britain on or before that date and pre-packed before importation, in relation to all persons;

(*b*) in the case of such goods pre-packed in Great Britain after that date and of such goods imported into Great Britain after that date and pre-packed before importation, in relation to any person other than—

(i) where the goods were pre-packed in Great Britain, the person who pre-packed them and if he pre-packed them on behalf of another person, that other person;

(ii) where the goods were imported into Great Britain, the person who imported them and if he imported them on behalf of another person, that other person.

(2) For the purposes of paragraph (1) above, the relevant date in relation to the goods there mentioned is—

(*a*) as respects the goods to which the Orders referred to in Article 2(1) above apply, 31st August 1978; and

(*b*) as respects the goods to which the Orders referred to in Article 2(2) apply, 31st December 1978.

John Fraser,
Minister of State,
Department of Prices and
Consumer Protection.

27th July 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the following Orders, that is to say—

The Weights and Measures Act 1963 (Pasta) Order 1973

The Weights and Measures Act 1963 (Flour and Flour Products) Order 1975

The Weights and Measures Act 1963 (Dried Vegetables) Order 1975, and

The Weights and Measures Act 1963 (Dried Fruits) Order 1976,

so as to provide for the withdrawal, after 31st August 1978 in the case of the first two of those Orders and after 31st December 1978 in the case of the other two, of the ranges of imperial weights respectively prescribed in each Order as those in which the various goods concerned may be pre-packed.

Provision is made for the exclusion, for all persons, from the offences connected with selling, agreeing to sell, or being in possession for sale of the various goods when pre-packed in Great Britain, or imported into Great Britain and pre-packed before importation, in imperial quantities on or before the dates in question. Where the goods were pre-packed in Great Britain, or imported into Great Britain and pre-packed before importation, in imperial quantities after those dates, the application of those offences is restricted to the persons who pre-packed or imported the goods and the persons on whose behalf they were pre-packed or imported.

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