STATUTORY INSTRUMENTS

1976 No. 1120

WEIGHTS AND MEASURES

The Weights and Measures (Sale of Wine) Order 1976

Laid before Parliament in draft

Made - - - - 19*th July* 1976

Coming into Operation 1*st January* 1977

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 her to be representative of interests substantially affected by this Order and considered the representations made to her 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 a 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) and (3), and 54(4) of the Act and now vested in her **(b)** and of all other powers enabling her in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Weights and Measures (Sale of Wine) Order 1976 and shall come into operation on 1st January 1977.

(2) The Weights and Measures (Sale of Wine) Order 1974**(c)** is hereby revoked.

(3) In this Order "wine" and "British wine" have the same meanings respectively as they had for the purposes of the Customs and Excise Act 1952**(d)** immediately before the end of 1975.

(4) The Interpretation Act 1889**(e)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

2.—(1) Subject to paragraph (2) of this Article, wine and British wine for consumption on the premises at which it is sold shall—

(*a*) be pre-packed only in one of the following quantities, that is to say—

(i) 25 cl, 50 cl, 75 cl, or 1 litre; or

(ii) 10 fl oz, or 20 fl oz;

(*b*) when not pre-packed, be sold only in those quantities; and

(*c*) whether pre-packed or not be sold only if a statement in writing showing the quantities in which wine or British wine is for sale is either displayed on those premises in such a position and manner as to be readily available without special request for inspection by the buyer before the sale is made, or is contained in every winelist and

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(a) 1963 c. 31.
(b) S.I. 1970/1537 (1970 III, p. 5293).
(c) S.I. 1974/875 (1974 II, p. 3340).
(d) 1952 c. 44.
(e) 1889 c. 63.

menu which is available to the buyer on those premises before the sale is made and which indicates that wine or British wine is for sale for consumption on those premises.

(2) Paragraph (1) shall not apply in the case of wine or British wine which—

(*a*) is pre-packed in a securely closed bottle whether or not it is to be decanted at the request of the buyer before being served; or

(*b*) is sold in the glass or other vessel from which it is intended to be drunk.

3.—(1) Without prejudice to the provisions of section 22 of the Act, if paragraph (1)(*c*) of Article 2 of this Order is contravened, the occupier of the premises in question shall be guilty of an offence.

(2) Any person guilty of an offence under paragraph (1) of this Article shall be liable on summary conviction to a fine not exceeding £100.

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

19th July 1976.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order which revokes the Weights and Measures (Sale of Wine) Order 1974 requires that wine, when sold on the premises at which it is to be consumed otherwise than pre-packed in a securely closed bottle or in a drinking glass, shall be sold in certain prescribed quantities, namely 25 cl, 50 cl, 75 cl or 1 litre, 10 fl oz or 20 fl oz.

This Order also requires a written statement showing the quantities in which wine is offered on those premises to be either displayed thereon so that it can be seen by a prospective buyer, or contained in every winelist and menu indicating that wine is available for consumption on those premises.

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