

1995 No. 227

WEIGHTS AND MEASURES

Weights and Measures (Metrication) (Amendment) Order
(Northern Ireland) 1995

Made 31st May 1995

Coming into operation 3rd July 1995

Whereas the Department of Economic Development (“the Department”) pursuant to Article 48(2) of the Weights and Measures (Northern Ireland) Order 1981(a), having had particular regard to the need to consult organisations representative of the interests of consumers, has consulted with, and considered any representations with respect to the subject-matter of this Order made to the Department by such organisations as appear to the Department to be representative of interests substantially affected by this Order;

Now, therefore, the Department, in exercise of the powers conferred by Articles 6(4) and 19(2) and (3) of that Order and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Weights and Measures (Metrication) (Amendment) Order (Northern Ireland) 1995 and shall come into operation on 3rd July 1995.

(2) In this Order “the 1981 Order” means the Weights and Measures (Northern Ireland) Order 1981.

Amendment of the 1981 Order in 1995

2. On 1st October 1995 the 1981 Order shall be amended as follows—

(a) in Schedule 1 (Measures and weights lawful for use for trade)—

(i) in each of Parts I and II paragraph 1 shall be omitted;

(ii) in Part IV for paragraph 1 there shall be substituted the following paragraph—

“*Imperial system*

1. Measures of—

16 pints

(a) S.I. 1981/231 (N.I. 10)

(b) By S.I. 1982/846 (N.I. 11) Art. 4

8 pints

4 pints

2 pints

1 pint

$\frac{1}{2}$ pint

$\frac{1}{3}$ pint"; and

(iii) in Part VI after paragraph 3(a) there shall be added the following paragraphs—

“4. No person shall use the pint for trade except for—

(a) the purposes of the sale of draught beer and cider; or

(b) the purposes of the sale of milk in returnable containers;
or

(c) the purposes of the sale of beer, cider, water, lemonade or fruit juice in returnable containers.

5. No person shall use the pound or the ounce (avoirdupois) for trade except for the purposes of the sale of goods sold loose from bulk.”;

(b) in Part VI of Schedule 2 (Units of measurement lawful for use for trade) after paragraph 2 there shall be added the following paragraphs—

“3. No person shall use the pint for trade except for—

(a) the purposes of the sale of draught beer and cider; or

(b) the purposes of the sale of milk in returnable containers;
or

(c) the purposes of the sale of beer, cider, water, lemonade or fruit juice in returnable containers.

4. No person shall use the fluid ounce for trade except for the purposes of the sale of beer, cider, water, lemonade or fruit juice in returnable containers.

5. No person shall use the pound or the ounce (avoirdupois) for trade except for the purposes of the sale of goods sold loose from bulk.”;

(c) in paragraph 3(a) of Schedule 4 (Sand and other ballast) for “2240 pounds” there shall be substituted “1 tonne”;

(d) in Schedule 5 (Solid fuel)—

(i) in paragraph 3—

(aa) in head (a) of sub-paragraph (1) the words “7, 14, 28, 56, 84, 112 or 140 pounds or” shall be omitted; and

(bb) in sub-paragraph (2) the words “84, 112 or 140 pounds or” shall be omitted;

- (ii) in paragraph 5—
 - (aa) in sub-paragraph (1) the words “420 pounds or less or” shall be omitted;
 - (bb) in head (b)(i) of sub-paragraph (3) for “two and a half inches” there shall be substituted “62.5 millimetres”; and
 - (cc) in head (b)(ii) of sub-paragraph (3) for “half an inch” there shall be substituted “12.5 millimetres”; and
- (iii) in paragraph 14(2) for “280 pounds” there shall be substituted “125 kilograms”;
- (e) in Schedule 6 (Miscellaneous goods other than foods)—
 - (i) in Part I—
 - (aa) in paragraph 2(c) for “one quart” there shall be substituted “one litre”; and
 - (bb) in paragraph 3 for “half a pound” and “half a pint” there shall be substituted “250 grams” and “250 millilitres” respectively;
 - (ii) in Part III—
 - (aa) in head (b) of both paragraphs 2(1) and 2(2) for “56 pounds” there shall be substituted “25 kilograms”; and
 - (bb) in paragraph 2(3) for “24 ounces per 112 pounds” there shall be substituted “650 grams per 50 kilograms”;
 - (iii) in paragraph 2 of Part IV for “14 pounds” and “1120 pounds” there shall be substituted “7.5 kilograms” and “500 kilograms” respectively;
 - (iv) in paragraph 2 of Part VI for “5 fluid ounces” and “one ounce” there shall be substituted “125 millilitres” and “25 grams” respectively;
 - (v) in paragraph 3 of Part VII for “one yard” there shall be substituted “one metre”;
 - (vi) for paragraph 3 of Part VIII there shall be substituted the following paragraph—

“3. There shall be exempted from all the requirements of this Part—

 - (a) distemper or paste paint in a quantity of less than 250 grams,
 - (b) bird seed in a quantity of less than 125 grams, and
 - (c) any other goods in a quantity of less than 25 grams;
 and, notwithstanding anything in paragraph 2, nails—
 - (i) when not pre-packed may be sold by retail by number;
 - (ii) may be pre-packed in or on a container marked with indication of quantity by number.”;
 - (vii) in paragraph 3 of Part IX for “one ounce” there shall be substituted “25 grams”;

- (viii) in paragraph 3 of Part X for “5 fluid ounces” there shall be substituted “150 millilitres”;
- (ix) for paragraph 3 of Part XI there shall be substituted the following paragraph—

“3. There shall be exempted from the requirements of this Part—

 - (a) liquid detergents in a quantity of less than 125 millilitres, and
 - (b) goods of any other description in a quantity of less than 150 millilitres.”; and
- (x) in paragraph 3 of Part XII for “half a pound”, “half a pint”, “one ounce” and “one fluid ounce” there shall be substituted “250 grams”, “250 millilitres”, “30 grams” and “30 millilitres” respectively; and
- (f) in Schedule 7 (Composite goods and collection of articles) in paragraph 5(a) for “one ounce” and “one fluid ounce” there shall be substituted “25 grams” and “25 millilitres” respectively.

Amendment of the 1981 Order in 2000

3. On 1st January 2000 the 1981 Order shall be amended as follows—
- (a) paragraph 1 of Part V of Schedule 1 shall be omitted; and
 - (b) in Part VI of Schedule 1 the word “or” at the end of paragraph 4(b) shall be omitted and paragraphs 4(c) and 5 shall be omitted; and
 - (c) in Part VI of Schedule 2 the word “or” at the end of paragraph 3(b) shall be omitted and paragraphs 3(c), 4 and 5 shall be omitted.

Sealed with the Official Seal of the Department of Economic Development on 31st May 1995.

(L.S.)

A. L. Brown

Assistant Secretary

(This note is not part of the Order.)

This Order partially implements, so far as the Weights and Measures (Northern Ireland) Order 1981 ("the 1981 Order") is concerned, the amendments made by Council Directive 89/617/EEC (O.J. No. L357, 7.12.89, p. 28) to Council Directive 80/181/EEC (O.J. No. L39, 15.2.80, p. 40) ("the Directive") which relates to the use of units of measurement for economic, public health, public safety or administrative purposes.

The 1981 Order is also amended to reflect the requirements of the Directive by the Units of Measurement Regulations (Northern Ireland) 1995 (S.R. 1995 No. 226) which should be read in conjunction with this Order to see how the 1981 Order's provisions as a whole are amended in implementation of the Directive.

Schedules 1 and 2 to the 1981 Order are amended so as to make unlawful the use for trade of the pint, fluid ounce, pound or ounce except as supplementary indications of quantity or where a derogation which is reflected in Part VI of Schedule 1 or Part VI of Schedule 2 to the 1981 Order permits their use as primary units. The pound (lb), for example, may be used either as a supplementary indication or, until 1st January 2000 (see Article 2(a) and (b) of this Order), as a primary indication for the sale of goods loose from bulk.

One of the most significant of the amendments made by this Order to the 1981 Order is made by Articles 3(b) and (c), the effect of which will be to prohibit, on and after 1st January 2000, the sale of fruit and vegetables loose from bulk by the pound. Another important amendment, made by Article 2(a) and (b), preserves the use of the pint for the sale of draught beer and cider and for milk in a returnable bottle beyond that date.

A Compliance Cost Assessment of the impact that this Order will have on business is available, copies of which can be obtained from the Department of Economic Development, Trading Standards Branch, 176 Newtownbreda Road, Belfast BT8 4QS.