

1995 No. 231

CONSUMER PROTECTION

Price Marking (Amendment) Order (Northern Ireland) 1995

Made 31st May 1995
Coming into operation 3rd July 1995

The Department of Economic Development, in exercise of the powers conferred by section 4 of the Prices Act 1974(a) and now vested in it(b) and of every other power enabling it in that behalf, having consulted(c), in such manner as appeared to it to be appropriate having regard to the subject-matter and urgency of the Order, with such organisations representative of interests substantially affected by the Order as appeared to it, having regard to those matters, to be appropriate, hereby makes the following Order:—

Citation, commencement and interpretation

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

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

2.—(1) The Price Marking Order (Northern Ireland) 1992(e) (“the 1992 Order”) shall be amended in the manner specified in Part I of the Schedule.

(2) The Orders specified in Part II of the Schedule shall be amended in the manner specified in that Part with effect from 1st October 1995.

(3) The 1992 Order shall be amended in the manner specified in Part III of the Schedule with effect from 1st January 2000.

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

(L.S.)

A. L. Brown

Assistant Secretary

(a) 1974 c. 24; section 4 was amended by the Price Commission Act 1977 (c. 33), section 16(1) to (3)
 (b) By S.I. 1982/846 (N.I. 11) Art. 4
 (c) 1974 c. 24 *see* sections 2(6) and 4(3)
 (d) 1954 c. 33 (N.I.)
 (e) S.R. 1992 No. 59

Amendments to Orders made under the Prices Act 1974

PART I

<i>Order</i>	<i>Amendments</i>
Price Marking Order (Northern Ireland) 1992	<p>For Article 8 there shall be substituted—</p> <p><i>“Special provisions relating to unit prices of food sold by reference to metric units of measurement</i></p> <p>8.—(1) Where the unit price of any food required to be indicated under Article 5 or Article 6(2) or (3) is indicated by reference to the kilogram or to 100 grams either—</p> <ul style="list-style-type: none"> (a) that indication shall be accompanied in close proximity by an indication of what that unit price, calculated in accordance with paragraph (3), would be if that food were sold by reference, respectively, to the pound or ¼ lb, or (b) a chart, giving the information described in paragraphs (2) and (4), shall be displayed so as to be clearly legible in a conspicuous position in at least one place on that part of the premises where food to which such unit prices refer is displayed and sold. <p>(2) (a) A chart displayed in accordance with paragraph (1)(b) shall give, in juxtaposed columns, a series of unit prices by reference to the kilogram or to 100 grams and a series by reference, respectively, to the pound or ¼ lb, calculated in accordance with paragraph (3). The column which refers to the kilogram or to 100 grams shall be to the left of the column which refers to the pound or ¼ lb and each column shall be headed so as to identify that it relates to a unit price as well as the quantity by reference to which that price is given.</p>

(b) Where, on any premises, unit prices are indicated either by reference to the kilogram or to 100 grams but not partly by reference to the one and partly by reference to the other a chart displayed in accordance with paragraph (1)(b) shall only be required to give information relating to the particular quantity, that is to say, the kilogram or 100 grams, to which such unit prices refer.

(3) To calculate, for the purpose of the calculations referred to in paragraphs (1)(a) and (2)(a), a unit price by reference to the pound, the unit price indicated by reference to the kilogram shall be multiplied by 0.4536, and to calculate a unit price by reference to $\frac{1}{4}$ lb, the unit price indicated by reference to 100 grams shall be multiplied by 1.134, so as to produce, as a result of either calculation, a unit price, rounded up to the nearest penny if the calculation produces a sum which includes 0.5 or more of a penny but down if it produces a sum which includes any lesser part of a penny.

(4) Where a chart displayed in accordance with paragraph (1)(b)—

(a) displays a series of unit prices by reference to the kilogram, it shall display at least those unit prices that appear in the chart set out in Part I of Schedule 5 and may, in addition, display other unit prices by reference to the kilogram and the pound, and

(b) where a chart displays a series of unit prices by reference to 100 grams it shall display at least those unit prices that appear in the chart set out in Part II of that Schedule and may, in addition, display other unit prices by reference to 100 grams and $\frac{1}{4}$ lb.

Order

Amendments

(5) The provisions of this Article shall cease to have effect in relation to the indication of the unit price of—

(a) any food sold otherwise than loose from bulk on 1st October 1995;

(b) any food sold loose from bulk on 1st January 2000.”

After Schedule 4 there shall be inserted—

“SCHEDULE 5

Article 8

PART I

Unit Price per Kilogram

Unit Price per Pound

£ 0·10	£0·05
£ 0·20	£0·09
£ 0·30	£0·14
£ 0·40	£0·18
£ 0·50	£0·23
£ 0·60	£0·27
£ 0·70	£0·32
£ 0·80	£0·36
£ 0·90	£0·41
£ 1·00	£0·45
£ 2·00	£0·91
£ 3·00	£1·36
£ 4·00	£1·81
£ 5·00	£2·27
£10·00	£4·54

Order	Amendments																						
	PART II																						
	<table border="0"> <thead> <tr> <th><i>Unit Price per 100 g</i></th> <th><i>Unit Price per ¼ lb</i></th> </tr> </thead> <tbody> <tr><td>£0·10</td><td>£0·11</td></tr> <tr><td>£0·20</td><td>£0·23</td></tr> <tr><td>£0·30</td><td>£0·34</td></tr> <tr><td>£0·40</td><td>£0·45</td></tr> <tr><td>£0·50</td><td>£0·57</td></tr> <tr><td>£0·60</td><td>£0·68</td></tr> <tr><td>£0·70</td><td>£0·79</td></tr> <tr><td>£0·80</td><td>£0·91</td></tr> <tr><td>£0·90</td><td>£1·02</td></tr> <tr><td>£1·00</td><td>£1·13”.</td></tr> </tbody> </table>	<i>Unit Price per 100 g</i>	<i>Unit Price per ¼ lb</i>	£0·10	£0·11	£0·20	£0·23	£0·30	£0·34	£0·40	£0·45	£0·50	£0·57	£0·60	£0·68	£0·70	£0·79	£0·80	£0·91	£0·90	£1·02	£1·00	£1·13”.
<i>Unit Price per 100 g</i>	<i>Unit Price per ¼ lb</i>																						
£0·10	£0·11																						
£0·20	£0·23																						
£0·30	£0·34																						
£0·40	£0·45																						
£0·50	£0·57																						
£0·60	£0·68																						
£0·70	£0·79																						
£0·80	£0·91																						
£0·90	£1·02																						
£1·00	£1·13”.																						

PART II

AMENDMENTS WITH EFFECT FROM 1ST OCTOBER 1995

<i>Order</i>	<i>Amendments</i>
Price Marking (Pre-packed Milk in Vending Machines) Order (Northern Ireland) 1979(a)	In Article 3(1) in the definition of “unit price” the words “pint or thew price per” shall be deleted. In Article 4 for the words “half a pint” there shall be substituted “250 millilitres”.
Price Marking Order (Northern Ireland) 1992	In Article 6 paragraph (5)(b) shall be omitted. In Article 7— in paragraph (a) after the words “kilogram or” there shall be inserted “in the case of any such item sold from bulk, by reference to”;

in paragraph (b) the word “any” where it appears for the second time shall be omitted and to the end of that paragraph there shall be added—

“or, in the case of the sale of any such item from bulk, by reference to the pound or the quarter pound ($\frac{1}{4}$ lb) or, in the case of beer, cider, water, lemonade, fruit juice or milk sold in returnable containers, by reference to the pint”, and

in paragraph (d) for “any” where it appears for the second time there shall be substituted “one”, and at the end of that paragraph there shall be added—

“or in the case of the sale of such items sold from bulk, by reference to the pound”.

In Article 13—

the definition of “equivalent price per gallon” shall be omitted; and in the definition of “price” the words “per gallon or” shall be omitted.

Article 16 shall be omitted.

In Schedule 2—

in Part I paragraph 1—

sub-paragraph (c) shall be omitted; and

in sub-paragraph (d) the words “by reference to the litre” shall be omitted;

in Part II—

in paragraph 5(3) the words “of a gallon or” shall be omitted; and

in paragraph 7 the words before “the information referred to” shall be omitted; and

in Part III, paragraph 9(2) the words “gallons or” shall be omitted; and
paragraph 10 shall be omitted.

In Schedule 4—

for Part II there shall be substituted—

“PART II

UNITS OF MEASUREMENT TO BE USED IN THE CASE OF OTHER ITEMS OF
FOOD

kilogram
100-gram (g)

litre
100 millilitre (ml)’; and
for Part IV there shall be substituted—

PART IV

UNITS OF MEASUREMENT TO BE USED IN THE CASE OF OTHER ITEMS OF
GOODS

tonne
kilogram

litre
cubic metre

metre
square metre’.

PART III

AMENDMENTS WITH EFFECT FROM 1ST JANUARY 2000

<i>Order</i>	<i>Amendments</i>
Price Marking Order (Northern Ireland) 1992	<p data-bbox="822 366 969 388">In Article 7—</p> <p data-bbox="861 401 1593 572">in paragraph (a) the words after “kilogram” shall be omitted; in paragraph (b) for the words after “Schedule” where it appears for the second time there shall be substituted “or, in the case of milk sold in returnable containers, by reference to the pint;”; and in paragraph (d) the words after “Schedule” where it appears for the second time shall be omitted.</p> <p data-bbox="822 600 1094 622">Article 8 shall be omitted.</p> <p data-bbox="822 653 1593 729">In Schedule 1 in Part I the references to quantities given in imperial units of measurement in column (3) in respect of the goods numbered 1, 3, 4 and 5 in column (1) shall be omitted.</p> <p data-bbox="822 760 1593 803">In Schedule 4 in the heading to Part I the words “OR POUNDS” shall be omitted.</p> <p data-bbox="822 834 1121 856">Schedule 5 shall be omitted.</p>

EXPLANATORY NOTE

(This note is not part of the Order.)

The Price Marking (Amendment) Order (Northern Ireland) 1995 ("the 1995 Order") amends subordinate legislation made under the Prices Act 1974.

On its coming into operation it substitutes a new Article 8 in the Price Marking Order (Northern Ireland) 1992 ("the 1992 Order") which required any indication of the unit price of food given by reference to a metric unit of measurement to be accompanied by a unit price given by reference to an imperial unit. The new Article 8, substituted by Article 2(1) of the 1995 Order, provides instead 2 new requirements that are alternatives to each other.

Unit prices of food given by reference to the kilogram or to 100 grams must be accompanied either by unit prices given by reference, respectively, to the pound (lb) or the $\frac{1}{4}$ lb or they must be accompanied by the display, on the premises where the food is sold, of at least one price conversion chart which will enable comparisons to be made between specimen metric and imperial unit prices.

These alternatives will apply wherever food is sold loose from bulk until 1st January 2000 but will cease to apply to food sold otherwise on 1st October 1995.

Article 2(2) of the 1995 Order amends, on 1st October 1995, provisions of the 1992 Order and the Price Marking (Pre-packed Milk in Vending Machines) Order (Northern Ireland) 1979. Their amendment is required by 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) which relates to the units of measurement for economic, public health, public safety or administrative purposes.

Those provisions of the 1992 Order which relate to the price marking of petrol by reference to the gallon are amended or revoked on 1st October 1995 so as to discontinue the obligation, imposed by Article 16, to display gallon equivalent prices. Amendments are also made to Article 7 of the 1992 Order on 1st October 1995 by Article 2(2) of the 1995 Order to permit the use of the pound (lb) and the ounce in connection with the unit pricing of goods (including food) sold loose from bulk until 1st January 2000. Article 7 is further amended by Article 2(3) of the 1995 Order so as to permit the continued use of the pint in connection with the price marking of milk in a returnable bottle without a fixed time limit.

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.