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SCHEDULES

SCHEDULE 4

Section 8.

SOLID FUEL

- 1 For paragraph 3 of Schedule 6 to the Act of 1963 there are substituted the following paragraphs—

“Quantities in containers

- 3 (1) Solid fuel shall be made up in a container for sale, or for delivery after sale, only if it is made up in one of the quantities by net weight specified in the following Table—

TABLE

<i>Imperial</i>	<i>Metric</i>
7 pounds	25 kilogrammes
14 pounds	50 kilogrammes
28 pounds	
56 pounds	
1 hundredweight	
1 1/4 hundredweight	

Any multiple of 1 hundredweight

- (2) This paragraph shall not apply to any solid fuel pre-packed in a quantity not exceeding 30 kilogrammes in a securely closed container.
- (3) References in this Schedule to solid fuel made up in an imperial quantity are references to solid fuel made up in one of the imperial quantities specified in the Table in sub-paragraph (1) above, and references to solid fuel made up in a metric quantity shall be construed in a corresponding way.
- (4) This paragraph, and paragraphs 3A, 3B and 3C below, have effect subject to the exemptions in paragraph 3D.

Indication of quantity

- 3A (1) This paragraph applies to solid fuel made up in a container for sale, or for delivery after sale, except where it is made up in a metric quantity in a container which is not securely closed.

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- (2) The solid fuel shall be made up in a container for sale, or for delivery after sale, only if the container is marked with an indication of quantity by net weight.

Loads on vehicles

- 3B (1) Solid fuel made up in containers in the quantity of 1 1/4 cwt. shall be carried on a road vehicle on a highway for sale, or for delivery after sale, only if all solid fuel carried on the vehicle which is made up in containers is so made up in that quantity.
- (2) Solid fuel made up in metric quantities in containers which are not securely closed shall be carried on a road vehicle on a highway for sale, or for delivery after sale, only if all solid fuel carried on the vehicle in containers which are not securely closed is made up in metric quantities.
- (3) If this paragraph is contravened the seller shall be guilty of an offence.

Information about containers made up in metric quantities

- 3C (1) This paragraph applies where solid fuel is carried on a road vehicle on a highway for sale, or for delivery after sale, and is made up in metric quantities in containers which are not securely closed or is delivered from the vehicle in such containers in any metric quantity.
- (2) There shall be displayed on the vehicle—
- (a) an indication of the quantity, or quantities, by net weight of the fuel comprised in the containers (other than any securely closed containers) on, or delivered from, the vehicle, and
 - (b) a statement of the name and address of the seller.
- (3) Regulations under section 21(4) of this Act may prescribe the manner in which the information required by sub-paragraph (2) above is to be displayed, and a person who contravenes any such regulation shall be guilty of an offence.
- (4) If this paragraph is contravened, the seller, and any other person who is in charge of the vehicle at the time of the contravention, shall each be guilty of an offence.

Exemptions

- 3D There shall be exempted from all the requirements of paragraphs 3, 3A, 3B and 3C of this Schedule—
- (a) solid fuel supplied under arrangements made in the coal industry for the supply of solid fuel to persons who are or have been employed in that industry or to the dependants of such persons ;
 - (b) solid fuel made up in a container only for ease of handling as part of the load of a vehicle or ship where the whole of that load so far as it consists of solid fuel is being delivered to a single buyer.”

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“6A (1) This paragraph applies to any vehicle which is used on highways for carrying solid fuel for sale, or for delivery after sale, and in this paragraph 'container' means any container in which solid fuel is carried on such a vehicle, or is delivered from such a vehicle.

(2) The Secretary of State may by order make provision—

- (a) for securing the display on any such vehicle of an indication of the quantities in which solid fuel is made up in containers ;
- (b) for requiring all containers carried on or delivered from any one vehicle to be made up in the same quantity, or for regulating in any other way the quantities in which they are made up ;
- (c) for imposing any requirement as to the loading of the vehicle, or the delivery of solid fuel from the vehicle, which appears to the Secretary of State appropriate for securing that purchasers are not misled as to the quantity of fuel they purchase.

(3) An order under sub-paragraph (2) of this paragraph may—

- (a) make provision for any of the purposes mentioned in that sub-paragraph by means of amending, or of applying with or without modifications, or of excluding the application in whole or in part of, any of the preceding paragraphs of this Schedule ;
- (b) contain such consequential, incidental or supplementary provision, whether of such kinds as aforesaid or otherwise, as appear to the Secretary of State to be expedient;
- (c) may in particular make provision, in respect of contraventions of the order for which no penalty is provided by this Act, for the imposition of penalties not exceeding those provided by section 52 of this Act for an offence under this Act.

(4) An order made under this paragraph may be varied or revoked by a subsequent order so made.

6B An order under section 21 of this Act may amend or repeal any of the preceding paragraphs of this Schedule.”

3 (1) In section 54(2) of the Act of 1963 (consultation on orders) for the words " paragraph 2(3) of Schedule 6 " substitute the words " paragraphs 2(3) and 6A of Schedule 6 ".

(2) In section 54(3) of the Act of 1963 (orders subject to affirmative procedure) after paragraph (c) there is inserted the following paragraph—

“(d) paragraph 6A of Schedule 6”.

4 This Schedule shall come into force on such date as the Secretary of State may by order contained in a statutory instrument appoint, and different dates may be appointed for different provisions or different purposes.