



Weights and Measures Act 1985

CHAPTER 72

WEIGHTS AND MEASURES ACT 1985

PART I

UNITS AND STANDARDS OF MEASUREMENT

- 1 Units of measurement.
- 2 United Kingdom primary standards and authorised copies of the primary standards.
- 3 Department of Trade and Industry secondary, tertiary and coinage standards.
- 4 Local standards.
- 5 Working standards and testing and stamping equipment.
- 6 Testing of other standards and equipment.

PART II

WEIGHING AND MEASURING FOR TRADE

General

- 7 Meaning of “use for trade”.
- 8 Units of measurement, weights and measures lawful for use for trade.
- 9 Dual marking and conversion charts.
- 10 Multiples and fractions of measures and units.

Weighing or measuring equipment for use for trade

- 11 Certain equipment to be passed and stamped by inspector.
- 11A Approval of persons to verify equipment manufactured etc by them.
- 11B Testing by official EEA testers.
- 12 Approved patterns of equipment.

Status: Point in time view as at 01/10/1995.

Changes to legislation: There are currently no known outstanding effects for the Weights and Measures Act 1985. (See end of Document for details)

- 13 Offences in connection with approved patterns of equipment.
- 14 General specifications of equipment.

Miscellaneous

- 15 Regulations relating to weighing or measuring for trade.
- 15A Pre-test stamping by certain manufacturers.
- 16 Offences in connection with stamping of equipment.
- 17 Offences relating to false or unjust equipment or fraud.

PART III

PUBLIC WEIGHING OR MEASURING EQUIPMENT

- 18 Keepers of public equipment to hold certificate.
- 19 Provision of public equipment by local authorities.
- 20 Offences in connection with public equipment.

PART IV

REGULATION OF TRANSACTIONS IN GOODS

Transactions in particular goods

- 21 Transactions in goods mentioned in Schedules 4 to 7.
- 22 Orders relating to transactions in particular goods.
- 23 Regulations as to information.
- 24 Exemption from requirements imposed under sections 21 to 23.
- 25 Offences relating to transactions in particular goods.

Quantity to be stated in writing

- 26 Quantity to be stated in writing in certain cases.
- 27 Exemption from requirements of section 26.

General offences

- 28 Short weight, etc.
- 29 Misrepresentation.
- 30 Quantity less than stated.
- 31 Incorrect statements.
- 32 Offences due to default of third person.

Defences

- 33 Warranty.
- 34 Reasonable precautions and due diligence.
- 35 Subsequent deficiency.
- 36 Excess due to precautions.
- 37 Provisions as to testing.

Powers of inspectors

- 38 Special powers of inspectors with respect to certain goods.
- 39 Powers of inspectors with respect to certain documents.
- 40 Powers of inspectors with respect to goods carried on road vehicles.

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Miscellaneous and supplementary

- 41 Check-weighing of certain road vehicles.
- 42 Power to make test purchases.
- 43 Beer and cider.
- 44 Selling by quantity.
- 45 Making quantity known to a person.
- 46 Weighing in presence of a person.

PART V

PACKAGED GOODS

Quantity control

- 47 Duty of packers and importers as to quantity.
- 48 Duty of packers and importers as to marking of containers.
- 49 Duties as to equipment, checks and documentation.

Enforcement of control

- 50 Offences, etc.
- 51 Defences to certain charges under section 50.
- 52 Enforcement of Part V by local weights and measures authority.
- 53 Powers of inspectors and local weights and measures authority under Part V.

Special provision for certain packages

- 54 Special provision for certain packages.

Co-ordination of control

- 55 The national Metrological Co-ordinating Unit
- 56 General duties of Secretary of State.
- 57 Power of Secretary of State to require packers and importers to furnish particulars of marks.
- 58 Duty of Secretary of State to prepare scheme allocating marks.
- 59 Supervision by Secretary of State of certain functions of inspectors.
- 60
- 61
- 62 Power to extend or transfer Unit's functions and to abolish Unit.

Instructions by inspectors

- 63 Instructions by inspectors.

Miscellaneous

- 64 Disclosure of information.
- 65 Power to modify Part V.
- 66 Regulations under Part V.
- 67 Service of documents.
- 68 Interpretation of Part V.

PART VI

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Local administration

- 69 Local weights and measures authorities.
- 70 Annual reports by local weights and measures authorities.
- 71 Inspection of local weights and measures arrangements.

Inspectors of weights and measures

- 72 Appointment of inspectors.
- 73 Certificate of qualification to act as inspector.
- 74 Performance by inspectors of additional functions.
- 75 Offences in connection with office of inspector.

Fees

- 76 Fees for performance of Community obligations.
- 77 Reduction of fees.
- 78 Fees received by inspectors.

PART VII

GENERAL

Enforcement and legal proceedings

- 79 General powers of inspection and entry.
- 80 Obstruction of inspectors.
- 81 Failure to provide assistance or information.
- 82 Offences by corporations.
- 83 Prosecution of offences.
- 84 Penalties.
- 85 Determination of certain questions by Secretary of State.

Miscellaneous and supplementary

- 86 Regulations and orders.
- 87 Secretary of State to report to Parliament.
- 88 Application to Crown.
- 89 Saving for use of certain units in wholesale transactions.
- 90 Saving for certain rights in City of London.
- 91 Validity of contracts.
- 92 Spelling of “gram”, etc.
- 93 Powers under other Acts with respect to marking of food.
- 94 General interpretation.
- 95 Application to Northern Ireland.
- 96 Transitional provisions and savings.
- 97 Consequential amendments.
- 98 Repeals and revocations.
- 99 Short title and commencement.

SCHEDULES

SCHEDULE 1 — Definitions of Units of Measurement **Part I — MEASUREMENT OF LENGTH**

Status: Point in time view as at 01/10/1995.

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Metric units

Part II — MEASUREMENT OF AREA

Imperial units

Metric units

Part III — MEASUREMENT OF VOLUME

Metric units

Part IV — MEASUREMENT OF CAPACITY

Imperial units

Metric units

Part V — MEASUREMENT OF MASS OR WEIGHT

Imperial units

Metric units

PART VI — DEFINITIONS OF CERTAIN UNITS WHICH MAY NOT BE USED FOR
TRADE EXCEPT AS SUPPLEMENTARY INDICATIONS

Measurement of length Mile = 1760 yards. Furlong = 220...

Part VII — MEASUREMENT OF ELECTRICITY

SCHEDULE 2 — Existing United Kingdom Primary Standards and Authorised
Copies

Part I — DESCRIPTION OF UNITED KINGDOM PRIMARY STANDARD OF THE
YARD

Part II — DESCRIPTION OF UNITED KINGDOM PRIMARY STANDARD OF THE
POUND

Part III — DESCRIPTION OF UNITED KINGDOM PRIMARY STANDARD OF THE
METRE

The British copy of the prototype metre, being a bar...

Part IV — DESCRIPTION OF UNITED KINGDOM PRIMARY STANDARD OF THE
KILOGRAM

Part V — AUTHORISED COPIES OF UNITED KINGDOM PRIMARY
STANDARDS OF THE YARD AND POUND

Copies of the bar and cylinder described in Parts I...

SCHEDULE 3 — Measures and Weights Lawful for Use for Trade

Part I — LINEAR MEASURES

Metric system

Part II — SQUARE MEASURES

Metric system

Part III — CUBIC MEASURES

*Status: Point in time view as at 01/10/1995.**Changes to legislation: There are currently no known outstanding effects for the Weights and Measures Act 1985. (See end of Document for details)**Metric system*

Part IV — CAPACITY MEASURES

Imperial system

1. Measures of—
any multiple of 1 gallon

Metric system

2. Measures of—
any multiple of 10 litres
- Part V — WEIGHTS

Imperial system

- 1 Weights of— 56 pounds any of the following multiples 50...
- 2 Weights of— 500 ounces troy 0.4 ounce troy 400 ounces...

Metric system

- 3 Weights of— 25 kilograms 3 grams 20 kilograms 2 grams...
- 4 Weights of— 500 carats (metric) 1 carat (metric) 200 carats...

SCHEDULE 4 — Sand and Other Ballast

Part I — GENERAL PROVISIONS

- 1 In this Schedule, “ballast” means any of the following materials,...
- 2 Subject to paragraphs 3 and 11 below, ballast shall be...
- 3 There shall be exempted from the requirements of paragraph 2...
- 4 Without prejudice to section 15 of this Act, no article...
- 5 In measuring any ballast against a calibration mark on such...

Part II — CARRIAGE OF BALLAST BY ROAD

- 6 This Part of this Schedule shall have effect with respect...
- 7 (1) If any of the ballast is being carried for...
- 8 (1) Subject to sub-paragraph (2) below, if all or any...
- 9 Any document required by paragraph 7 or 8 above shall...
- 10 In the case of any document such as is mentioned...

Part III — APPLICATION TO SCOTLAND

- 11 (1) In Scotland, paragraph 2 above and Part II of...

SCHEDULE 5 — Solid Fuel

Part I — GENERAL

Introductory

- 1 This Schedule applies to goods of any of the following...

Sales by net weight

- 2 (1) Subject to sub-paragraphs (2) and (3) below, solid fuel...

Quantities in containers

- 3 (1) Solid fuel shall be made up in a container...

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Indication of quantity

4 (1) This paragraph applies to solid fuel made up in...

Loads on vehicles

5

Information about containers . . .

6 (1) This paragraph applies where solid fuel is carried on...

Exemptions

7 There shall be exempted from all the requirements of paragraphs...

Vending machines

8 Solid fuel shall be sold by means of, or offered...

Byelaws

9 A local weights and measures authority may make byelaws, subject...

Damping of fuel

10 Any person who with intent to defraud or deceive damps...

Sale of fuel from vehicles

11 (1) This paragraph applies to any vehicle which is used...

12 An order under section 22 of this act may amend...

Part II — WEIGHING OF SOLID FUEL AT BUYER'S REQUEST

13 If in the case of any solid fuel sold otherwise...

14 Where a request under paragraph 13 above is made in...

15 Where after any weighing in pursuance of a request under...

Part III — CARRIAGE OF SOLID FUEL BY ROAD

16 This Part of this Schedule shall have effect with respect...

17 (1) If the vehicle is carrying any relevant goods for...

18 (1) Subject to sub-paragraph (2) below, if all or any...

19 Any document required by paragraph 17 or 18 above shall...

Part IV — CARRIAGE OF SOLID FUEL BY RAIL

20 Where any seller of solid fuel causes that fuel to...

21 Subject to paragraphs 22 and 28 below, the vehicle shall...

22 (1) Paragraph 21 above shall not apply to any rail...

23 (1) Subject to subparagraph (2) and paragraph 24 below ,...

24 (1) Paragraph 23 above shall not apply to any vehicle...

25 (1) The following provisions of this paragraph apply—

26 Where, in the case of any rail vehicle used on...

27 (1) If paragraph 21 or 23 above is contravened, the...

28 (1) Paragraph 21 above shall not apply to any rail...

SCHEDULE 6 — Miscellaneous Goods other than Foods

Part I — LIQUID FUEL AND LUBRICANTS

1 This Part of this Schedule applies to—

2 Subject to paragraph 3 below, goods to which this Part...

3 Notwithstanding anything in paragraph 2 above, liquid fuel—

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Part II — READY-MIXED CEMENT MORTAR AND READY-MIXED
CONCRETE

- 4 This Part of the Schedule applies to ready-mixed cement mortar...
5 (1) Subject to the following provisions of this Part...
6 Part II of Schedule 4 to this Act, except sub-paragraph...
7 Paragraph 5 and 6 above shall not have effect in...

Part III — AGRICULTURAL LIMING MATERIALS, AGRICULTURAL SALT AND
INORGANIC FERTILISERS

- 8 This Part of this Schedule applies— (a) to agricultural liming...
9 (1) Goods to which this Part of this Schedule...
10 Paragraph 4 and 5 of Schedule 4 to this Act...

Part IV — WOOD FUEL

- 11 Subject to paragraphs 12 and 13 below—
12 (1) Paragraph 11 above shall not have effect in...
13 There shall be exempted from the requirements of paragraph 11...
14 Paragraphs 9 and 10 of Schedule 5 to this Act...

Part V — COSMETIC PRODUCTS

- 15 In this Part of this Schedule, “cosmetic product” means any...
16 (1) Subject to sub-paragraph (2) below, cosmetic products shall be...

Part VI — SOAP

- 16A In this Part of this Schedule “soap” does not include...
17 Subject to paragraph 18 below— (a) soap in the form...
18 There shall be exempted from the requirements of this Part...

Part VII — MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH
LENGTH

- 19 This Part of this Schedule applies to goods of any...
20 Subject to paragraph 21 below, goods to which this Part...
21 There shall be exempted from all requirements of paragraph 20...

Part VIII — MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH
NET WEIGHT

- 22 This Part of this Schedule applies to—
23 Subject to paragraphs 24 and 25 below, goods to which...
24 The following shall be exempted from the requirements of this...
25 Notwithstanding anything in paragraph 24 above, nails—

Part IX — MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-PACKED
WITH NET WEIGHT

- 26 This Part of this Schedule applies to—
27 Subject to paragraph 28 below, goods to which this Part...
28 There shall be exempted from the requirements of this Part...

Part X — MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH
CAPACITY MEASUREMENT

- 29 This Part of this Schedule applies to antifreeze fluid for...
30 Subject to paragraph 31 below, goods to which this Part...
31 There shall be exempted from all requirements of this Part...

Part XI — MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-PACKED
WITH CAPACITY MEASUREMENT

- 32 This Part of this Schedule applies to enamel, lacquer, liquid...
33 Subject to paragraph 34 below, goods to which this Part...
34 The following shall be exempted from the requirements of paragraph...

Part XII — MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH
NET WEIGHT OF CAPACITY MEASUREMENT

- 35 This Part of this Schedule applies to—
36 Subject to paragraph 37 below, goods to which this Part...

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- 37 The following shall be exempted from all the requirements of...
Part XIII — MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-
PACKED WITH QUANTITY BY NUMBER
- 38 This Part of this Schedule applies— (a) to cheroots, cigarettes...
39 Subject to paragraphs 40 and 41 below, goods to which...
40 In relation to postal stationery, the reference to number in...
41 There shall be exempted from the requirements of this Part...

SCHEDULE 7 — Composite Goods and Collections of Articles

- 1 (1) This paragraph applies to any goods which, not being...
2 (1) This paragraph applies to any goods which, not being...
3 (1) This paragraph applies to aerosol products containing any goods...
4 (1) This paragraph applies to any collection of two or...
5 There shall be exempted from any requirement of paragraph 1,...

SCHEDULE 8 — Powers of Inspectors and Local Weights and Measures Authority
Under Part V

Powers of entry and inspection

- 1 An inspector may, within the area for which he is...
2 If a justice of the peace, on sworn information in...
3 (1) An inspector entering any premises by virtue of...

Power of seizure

- 4 Where an inspector has reasonable cause to believe that an...

Power to require information

- 5 (1) An inspector may serve, on any person carrying on...

Purchase of goods

- 6 (1) A local weights and measures authority shall have power...

Failure to provide assistance or information

- 7 Any person who without reasonable cause fails to comply with...

SCHEDULE 9 — . . .

SCHEDULE 10 — Provisions Relating to Northern Ireland

Part I — PROVISIONS OF THIS ACT EXTENDING TO NORTHERN IRELAND

- 1 The following provisions of this Act shall extend to Northern...

Part II — STANDARDS IN NORTHERN IRELAND

- 2 (1) The Department of Economic Development for Northern Ireland...
3 For the purposes of providing the Northern Ireland primary standards...
4 The Secretary of State shall from time to time as...
5 Any Northern Ireland primary standard maintained under this Part of...

SCHEDULE 11 — Transitional Provisions and Savings

General

- 1 In this Schedule— “the 1963 Act” means the Weights and...

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- 2 Any reference, whether express or implied, in any enactment, instrument...
- 3 Any reference, whether express or implied, in any enactment, instrument...
- 4 Where a period of time specified in an enactment repealed...

Acts passed before 31st July 1963

- 5 In any Act passed before 31st July 1963—
- 6 Any local Act passed before 31st July 1963 shall continue...
- 7 Where an enactment contained in any local Act passed before...

Standards, etc.

- 8 Any standard which immediately before the commencement of this Act...
- 9 A certificate of fitness for use as a local standard...

Stamping of equipment

- 10 Any equipment to which section 11 of this Act applies...

Approved patterns of equipment

- 11 (1) Each of the following instruments, namely—

Weighing equipment passed etc. before 27th April 1978

- 12 (1) Weighing equipment (including weights) which weighs wholly or partly...

Products and equipment used etc. before 1st December 1980

- 13 (1) Nothing in section 8 of this Act shall prevent...
- 14 (1) Weighing equipment (including weights) which weighs wholly or partly...
- 15 Paragraphs 12(1) and 14(1) and (2) above have effect notwithstanding...
- 16 (1) Nothing in section 8 of this Act shall prevent...
- 17 (1) This paragraph applies to any pattern of weighing equipment—...

Joint local weights and measures authorities in Greater London

- 18 (1) This paragraph applies to any agreement which—

Relaxation of Ministerial controls

- 19 Subsection (3) of section 35 of the Local Government Act...
- 20

Inspectors

- 21 (1) Any person who immediately before the commencement of section...

“Gallon” and “litre”

- 22 Nothing in the definition of “gallon” or “litre” in Schedule...

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Byelaws

- 23 Any byelaws made by a local authority for any of...
- 24 Any provision contained in a byelaw made under paragraph 5...
- 25 In any of the following, namely— (a) any byelaw made...
- 26 Where any byelaw to which paragraph 25 above applies contains...

SCHEDULE 12 — Consequential Amendments

The Petroleum (Consolidation) Act 1928

- 1 In section 20(1) of the Petroleum (Consolidation) Act 1928, for...

The Agriculture Act 1967

- 2 In section 8(3) of the Agriculture Act 1967, for paragraph...

The Trade Descriptions Act 1968

- 3 In section 22(1) of the Trades Descriptions Act 1968—
- 4 (1) In section 32 of the Trade Descriptions Act...

The Greater London Council (General Powers) Act 1972

- 5 In section 17(5)(b) of the Greater London Council (General Powers)...

The Fair Trading Act 1973

- 6 In section 3(5)(b) of the Fair Trading Act 1973, for...

The Weights and Measures &c. Act 1976

- 7 (1) Section 12 of the Weights and Measures &c. Act...
- 8 In section 14 of the Weights and Measures &c. Act...
- 9 In Schedule 6 to the Weights and Measures &c. Act...

The Weights and Measures (Northern Ireland) Order 1981

- 10 (1) The Weights and Measures (Northern Ireland) Order 1981 shall...

The Local Government Act 1985

- 11 In paragraph 15 of Schedule 8 to the Local Government...

SCHEDULE 13 — Repeals and Revocations

Part I — REPEALS

Part II — REVOCATIONS

— TABLE OF DERIVATIONS

- (1) This Table does not take into account transfers of...

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