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STATUTORY INSTRUMENTS

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**1979 No. 241**

**The Alcoholic Liquors (Amendment of Enactments Relating to Strength and to Units of Measurement) Order 1979**

*Amendments to the Alcoholic Liquor Duties Act 1979*

6. For section 2 (ascertainment of strength, etc., of spirits, etc.), substitute the following section—

**“Ascertainment of strength volume and weight of alcoholic liquors**

2.—(1) Subject to subsections (5) and (6) below, this section applies to spirits, methylated spirits and any fermented liquor other than wash, and “liquor” shall be construed accordingly.

(2) For all purposes of this Act—

- (a) except where some other measure of quantity is specified, any computation of the quantity of any liquor or of the alcohol contained in any liquor shall be made in terms of the volume of the liquor or alcohol, as the case may be;
- (b) any computation of the volume of any liquor or of the alcohol contained in any liquor shall be made in litres as at 20°C; and
- (c) the alcoholic strength of any liquor is the ratio of the volume of the alcohol contained in the liquor to the volume of the liquor (inclusive of the alcohol contained in it);

and in this Act, unless the context otherwise requires—

“alcohol” means ethyl alcohol; and

“strength” in relation to any liquor, means its alcoholic strength computed in accordance with this section, the ratio referred to in paragraph (c) above being expressed as a percentage.

(3) The Commissioners may make regulations prescribing the means to be used for ascertaining for any purpose the strength, weight or volume of any liquor, and any such regulations may provide that in computing for any purpose the strength of any liquor any substance contained therein which is not alcohol or distilled water may be treated as if it were.

(4) Different regulations may be made under subsection (3) above for different purposes.

(5) Nothing in this section shall prevent the strength, weight or volume of wine, made-wine or cider from being computed for the purpose of charging duty thereon by methods other than that provided in this section.

(6) Except for the purpose of determining whether liquor is or is not beer (within the meaning of this Act), nothing in this section applies for purposes of the charge of duty on beer.

(7) Except as provided in subsection (8) below, where the quantity of alcohol contained in any spirits or in any methylated spirits falls to be computed in accordance with this section on or after 1st January 1980 and the quantity of those spirits or methylated spirits was last computed in accordance with this section before that date the following conversion factor shall be applied in making the first-mentioned computation, that is to say, one gallon of spirits at proof shall be taken to be equivalent to 2.595 litres of alcohol.

(8) The Commissioners may, if they think fit in any particular case, require the quantity of alcohol contained in any spirits or methylated spirits falling within subsection (7) above to be

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computed in accordance with this section without applying the conversion factor specified in that subsection.”.