



Weights and Measures Act 1985

1985 CHAPTER 72

PART V

PACKAGED GOODS

Miscellaneous

64 Disclosure of information

- (1) If a person discloses information which—
- (a) relates to a trade secret or secret manufacturing process, and
 - (b) was obtained by him by virtue of this Part of this Act when he was—
 - (i) a member of the Unit,
 - (ii) a person employed by the Unit,
 - (iii) an inspector,
 - (iv) a person who accompanied an inspector by virtue of paragraph 3(1) of Schedule 8 to this Act, or
 - (v) a person appointed by the Secretary of State in pursuance of section 59(4)(b)(iii) above,
- he shall be guilty of an offence unless the disclosure was made in the performance of his duty as a member, inspector or other person mentioned in paragraph (b) above, or, in the case of an inspector, was made to the Unit in consequence of a request by the Unit
- (2) For the purposes of subsection (1) above information disclosing the identity of the packer of a package or the identity of the person who arranged with the packer of a package for the package to be made up shall be treated as a trade secret unless the information has previously been disclosed in a manner which made it available to the public.

65 Power to modify Part V

Regulations may provide—

- (a) that in relation to packages of a prescribed kind the provisions of this Part of this Act, except this section, shall have effect with prescribed modifications ;
- (b) for the said provisions to apply, with prescribed modifications, to goods of a prescribed kind which are not comprised in packages.

66 Regulations under Part V

Without prejudice to section 86(1) below, any power to make regulations conferred by this Part of this Act includes power—

- (a) to make provision relating only to specified circumstances,
- (b) to make provision by reference to documents which do not form part of the regulations, and
- (c) to include in the regulations such supplemental and incidental provisions as the Secretary of State considers appropriate.

67 Service of documents

- (1) Any document required or authorised by virtue of this Part of this Act to be served on a person may be so served—
 - (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address, or
 - (b) if the person is a body corporate, by serving it in accordance with paragraph (a) above on the secretary or clerk of that body, or
 - (c) if the person is a partnership, by serving it in accordance with paragraph (a) above on a partner or on a person having the control or management of the partnership business.
- (2) For the purposes of subsection (1) above and of section 7 of the Interpretation Act 1978 (which relates to the service of documents by post) in its application to that subsection, the proper address of any person on whom a document is to be served by virtue of this Part of this Act shall be his last known address except that—
 - (a) in the case of service on a body corporate or its secretary or clerk, it shall be the address of the registered or principal office of the body, and
 - (b) in the case of service on a partnership or a partner or a person having the control or management of a partnership business, it shall be the principal office of the partnership;

and for the purposes of this subsection, the principal office of a company registered outside the United Kingdom or a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

68 Interpretation of Part V

- (1) In this Part of this Act—
 - " container " includes any wrapping ;
 - " goods ", in relation to a package, excludes the container included in the package ;

Status: This is the original version (as it was originally enacted).

" importer", in relation to a package, means, subject to section 54(3) above, the person by whom or on whose behalf the package is entered for customs purposes on importation;

" modifications " includes additions, omissions and alterations ;

" nominal quantity ", in relation to a package, means the units of weight or volume prescribed for the package and the number of them in the statement of quantity marked on the container included in the package (any other matter in the statement being disregarded);

" notice " means notice in writing ;

" package " means, subject to section 54(1) above, a container containing prescribed goods together with the goods in the container in a case where—

- (a) the goods are placed for sale in the container otherwise than in the presence of a person purchasing the goods, and
- (b) none of the goods can be removed from the container without opening it;

" packer " means, in relation to a package, the person who placed in the container included in the package the goods included in it;

" regulated package " means any package which—

- (a) was made up in the United Kingdom on or after the date on which the goods in the package became prescribed goods, or
- (b) was imported on or after that date ;

" regulations " means regulations made by the Secretary of State by virtue of this Part of this Act;

" the Unit" means the National Metrological Co-ordinating Unit.

- (2) For the purposes of this Part of this Act a package—
 - (a) is non-standard if the quantity of the goods it contains is less by more than a prescribed amount than the nominal quantity on the package, and
 - (b) is inadequate if the quantity of the goods it contains is less by more than twice that amount than the nominal quantity on the package.
- (3) Regulations may make provision, in relation to a package which contains more than one container or goods of more than one kind, as to which of the containers or goods shall be disregarded for the purposes of prescribed provisions of this Part of this Act.
- (4) If two or more different nominal quantities are marked on a package, each of those quantities except the one which indicates the larger or largest quantity shall be disregarded for the purposes of this Part of this Act.