

## SCHEDULES

### SCHEDULE 12

Section 97.

#### CONSEQUENTIAL AMENDMENTS

##### *The Petroleum, (Consolidation) Act 1928*

- 1 In section 20(1) of the Petroleum (Consolidation) Act 1928, for the words " may from time to time prescribe" there shall be substituted the words " may from time to time with the approval of the Treasury determine ".

##### *The Agriculture Act 1967*

- 2 In section 8(3) of the Agriculture Act 1967, for paragraph (b) there shall be, substituted the following—  
“(b) conferring powers of entry on inspectors appointed under section 72 of the Weights and Measures Act 1985.”.

##### *The Trade Descriptions Act 1968*

- 3 In section 22(1) of the Trade Descriptions Act 1968—  
(a) for the words " Weights and Measures Act 1963 " there shall be substituted the words " Weights and Measures Act 1985 ";
- (b) in sub-paragraph (a) for the words " subsection (2) of section 51 of the said Act of 1963 " there shall be substituted the words " subsection (3) of section 83 of the said Act of 1985 ";
- (c) in sub-paragraph (b) for the words " subsections (2), (3) and (5) to (7) of section 26 of the said Act of 1963 " there shall be substituted the words " sections 35, 36 and 37(1) and (2) of the said Act of 1985 ".
- 4 (1) In section 32 of the Trade Descriptions Act 1968—  
(a) in paragraph (a) for the words "section 21(5)(6) of the Weights and Measures Act 1963" there shall be substituted the words " section 24(2)(6) of the Weights and Measures Act 1985 ";
- (b) for paragraph (d) there shall be substituted the following—  
“(d) for industrial use within the meaning of the Weights and Measures Act 1985 or for constructional use ;”
- (2) At the end of that section there shall be inserted the following—  
“(2) In this section " constructional use ", in relation to any goods, means the use of those goods in constructional work (or, if the goods are explosives within the meaning of the Explosives Acts 1875 and 1923, in mining, quarrying or demolition work) in the course of the carrying on of a business ;”.

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*Status: This is the original version (as it was originally enacted).*

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*The Greater London Council (General Powers) Act 1972*

- 5 In section 17(5)(b) of the Greater London Council (General Powers) Act 1972, for the words "Weights and Measures Act 1963" there shall be substituted the words "Weights and Measures Act 1985".

*The Fair Trading Act 1973*

- 6 In section 3(5)(b) of the Fair Trading Act 1973, for the words "Weights and Measures Act 1963" there shall be substituted the words "Weights and Measures Act 1985".

*The Weights and Measures &c. Act 1976*

- 7 (1) Section 12 of the Weights and Measures &c. Act 1976 shall be amended as follows.
- (2) In subsection (1), for paragraph (d) there shall be substituted the following—  
 “(d) section 21, 22 or 23 of the 1985 Act;”.
- (3) In subsection (9)(c), for the words "the 1963 Act" there shall be substituted the words "the 1985 Act".
- 8 In section 14 of the Weights and Measures &c. Act 1976, for the definition of "the 1963 Act" there shall be substituted the following—  
 “"the 1985 Act" means the Weights and Measures Act 1985 ;”.
- 9 In Schedule 6 to the Weights and Measures &c. Act 1976, for paragraph 5 there shall be substituted the following—

*“Weights and Measures Act 1985*

- 5 (1) This paragraph applies where the relevant requirement took effect under or by virtue of the 1985 Act.
- (2) The following provisions of that Act—  
 (a) sections 25 to 31 (offences),  
 (b) sections 32 to 37 (liability of third parties and defences),  
 (c) sections 38 to 42 and 44 to 46 (powers of inspectors, etc.), and  
 (d) sections 79 to 83 (further powers of inspectors and prosecution of offences),  
 shall apply as if the substituted requirement were imposed under Part IV of the Act.”

*The Weights and Measures (Northern Ireland) Order 1981*

- 10 (1) The Weights and Measures (Northern Ireland) Order 1981 shall be amended as follows.
- (2) In Article 1(3), for the words from "and Article 54(2)" to the end there shall be substituted the words "shall come into operation on such date or dates as may be appointed by the Secretary of State under subsection (2) of section 43 of the Act of 1985 for the coming into force of that section".
- (3) In Article 2(2)—

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- (a) for the definition of " the Act of 1963 " there shall be substituted the following—
    - “" the Act of 1985 " means the Weights and Measures Act 1985 ;”, and
  - (b) in the definition of " capacity measurement", for the words " Act of 1963 " there shall be substituted the words " Act of 1985 " .
- (4) In Articles 3(3), 4(6), 10(8) and 53(1), for the words " Act of 1963 ", wherever they occur, there shall be substituted the words " Act of 1985 " .
- (5) In Article 8—
- (a) in paragraph (3), for the words "Schedule 1 to the Act of 1963" there shall be substituted the words " Schedule 1 to the Act of 1985 " and for the words " section 10(6) of the Act of 1963 " there shall be substituted the words " section 10(3) of the Act of 1985 " , and
  - (b) in paragraph (5)(a), for the words " which is or on 25th October 1967 was included in Schedule 1 to the Act of 1963 " , there shall be substituted the words " which is included in Schedule 1 to the Act of 1985 or was on 25th October 1967 included in Schedule 1 to the Weights and Measures Act 1963 " .
- (6) In Article 12(5), for the words " section 13 of the Act of 1963 " there shall be substituted the words " section 14 of the Act of 1985 " .

*The Local Government Act 1985*

- 11 In paragraph 15 of Schedule 8 to the Local Government Act 1985—
- (a) in sub-paragraph (4), after the words " this paragraph " there shall be inserted the words " and section 69(1)(a) of the Weights and Measures Act 1985 " ,
  - (b) in sub-paragraph (5), for the words " (1) to (3) above " there shall be substituted the words " (2) and (3) above and the said section 69(1)(a) " , and
  - (c) at the end of sub-paragraph (6), there shall be inserted the words " and the said section 69(1)(a) " .