



Jersey

**WEIGHTS AND MEASURES (JERSEY)  
LAW 1967**

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Jersey

## WEIGHTS AND MEASURES (JERSEY) LAW 1967

### Arrangement

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Jersey

## WEIGHTS AND MEASURES (JERSEY) LAW 1967<sup>1</sup>

A LAW to make provision with respect to weights and measures and for connected purposes

Commencement [[see endnotes](#)]

### PART 1

#### PRELIMINARY

##### 1 Interpretation

(1) In this Law, unless the context otherwise requires –

“approved pattern” means a pattern of weighing or measuring equipment in respect of which there is for the time being in force a certificate of approval issued by the Board of Trade under section 12 of the Weights and Measures Act 1963 of the United Kingdom;

“capacity measurement” means measurement in terms of a unit of measurement included in Part 4 of Schedule 1;

“check-weighed”, in relation to any vehicle, means weighed with its load by means of the nearest suitable and available weighing equipment, and weighed again after it has been unloaded by means of the same or other suitable weighing equipment;

“constructional use”, in relation to any goods, means the use of those goods in constructional work (or, if the goods are explosives, in mining, quarrying or demolition work) in the course of the carrying on of a business;

“container” includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to, or winding the goods round, some other article, and in particular includes a wrapper or confining band;

“contravention”, in relation to any requirement, includes a failure to comply with that requirement, and cognate expressions shall be construed accordingly;

“designated country” in any provision of this Law means such, if any, of the following countries, that is to say, Northern Ireland, any of the other Channel Islands and the Isle of Man, as the Minister, having regard to the Law for the time being in force in that country, thinks it proper to designate for the purposes of that provision by Order; and any such Order may be varied or revoked by the Minister by a subsequent Order;

“drugs” include medicine for internal or external use;

“enactment” includes any enactment of the Parliament of the United Kingdom;

“food” includes drink, chewing gum and other products of a like nature and use, and articles and substances used as ingredients in the preparation of food and drink or of such products, but does not include –

- (a) water or live animals;
- (b) fodder or feeding stuffs for animals; or
- (c) articles or substances used only as drugs;

“gross weight”, in relation to any goods, means the aggregate weight of the goods and any container in or on which they are made up;

“indication of quantity”, in relation to any container in or on which goods are made up, means a statement in writing to the effect that those goods are of, or of not less than, a specified quantity by net weight, gross weight or other measurement or by number, as the case may require;

“industrial use”, in relation to any goods, means the use of those goods in the manufacture of, or for incorporation in, goods of a different description in the course of the carrying on of a business;

“inspector” means the Chief Inspector, the Deputy Chief Inspector of Weights and Measures and any inspector of weights and measures appointed under Article 2;

“international definition”, in relation to any unit of measurement, means the definition of that unit recognized by the General Conferences of Weights and Measures from time to time convened by the International Bureau of Weights and Measures;

“intoxicating liquor” has the same meaning as in the Licensing (Jersey) Law 1974;<sup>2</sup>

“mark” includes label;

“Minister” means the Minister for Economic Development, Tourism, Sport and Culture;

“occupier”, in relation to any stall, vehicle, ship or aircraft or in relation to the use of any place for any purpose, means the person for the time being in charge of the stall, vehicle, ship or aircraft or, as the case may be, the person for the time being using that place for that purpose;

“Order” means an Order made under this Law;

“premises”, except in Article 32(3), includes any place and any stall, vehicle, ship or aircraft;

“pre-packed” means made up in advance ready for retail sale in or on a container; and on any premises where articles of any description are so made up, or are kept or stored for sale after being so made up, any article of that description found made up in or on a container shall be deemed to be pre-packed unless the contrary is proved; and it shall not be sufficient proof of the contrary to show that the container has not been marked in accordance with the requirements of this Law or any Order made thereunder with respect to the pre-packing of such articles;

“prescribed” means prescribed by Order;

“ship” includes any boat and any other description of vessel used in navigation;

“stamp” means a mark for use as evidence of the passing of weighing or measuring equipment as fit for use for trade, whether applied by impressing, casting, engraving, etching, branding, or otherwise howsoever, and cognate expressions shall be construed accordingly;

“testing equipment” means testing equipment maintained under Article 9;

“Jersey Standard” means a standard maintained under Article 8;

“weighing or measuring equipment” means equipment for measuring in terms of length, area, volume, capacity, weight or number, whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement;

“working standard” means a standard maintained under Article 9;<sup>3</sup>

- (2) References in this Law to any enactment shall be construed as references to that enactment as amended by any other enactment.

## **2 Appointment of inspectors etc.**

- (1) There shall be appointed a Chief Inspector of Weights and Measures (in this Law referred to as the “Chief Inspector”), a Deputy Chief Inspector of Weights and Measures, such other inspectors of weights and measures and such other officers (all of whom shall be States’ employees within the meaning of Article 2 of the Employment of States of Jersey Employees (Jersey) Law 2005<sup>4</sup>) and such other persons as may be necessary to exercise the powers conferred and perform the duties imposed on them respectively by or under this Law or any other enactment, and to perform such other duties as the Minister may from time to time impose on them.<sup>5</sup>
- (2) In the event of the absence from duty of the Chief Inspector either by reason of illness or for any other cause, or in the event of a vacancy in the office of Chief Inspector, the duties imposed and the powers conferred on the Chief Inspector shall be exercised by the Deputy Chief Inspector.

- (3) The Chief Inspector shall be responsible to the Minister for the custody and maintenance of the Jersey standards, working standards and the testing and stamping equipment provided under this Law.
- (4) The Minister may make such arrangements as he or she thinks fit for the purpose of ascertaining whether persons possess sufficient skill and knowledge for the proper performance of the powers and duties of an inspector and for the grant of certificates of qualification to persons who satisfy the Minister they are suitable for appointment as an inspector.

### **3 Performance by inspectors of additional functions**

Without prejudice to the powers and duties of the Minister or inspectors under any other provision of this Law, the Minister may make arrangements whereby an inspector may, at the request of any person and subject to payment by that person of such fee, if any, as the Minister may think fit, carry out –

- (a) a weighing or other measurement of any goods submitted for the purpose by that person at such place as the Minister may direct or approve and submit a report thereon to that person;
- (b) a test of the accuracy of any weighing or measuring equipment so submitted and submit a report thereon to that person;
- (c) an adjustment of weights or measures, but not of other weighing or measuring equipment.

### **4 Inspectors' fees**

No discount, commission or rebate of any kind in respect of any fees chargeable by an inspector shall be given, nor any allowance made, by the Minister or any inspector for assistance rendered by any person, whether by way of permitting the use of premises, tools, machinery or instruments or otherwise howsoever, in the inspection, testing or stamping of weighing or measuring equipment except where that assistance is rendered by a manufacturer of such equipment, in which case such adequate and reasonable allowance may be made as the Minister decides.

### **5 Offences in connection with office of inspector**

- (1) Any inspector who –
  - (a) stamps any weighing or measuring equipment in contravention of any provision of this Law or of any instrument made thereunder or without duly testing it;
  - (b) derives any profit or is employed in, the making, adjusting or selling of weighing or measuring equipment; or
  - (c) knowingly commits any breach of any duty imposed on the inspector by or under this Law or otherwise misconducts himself or herself in the execution of the inspector's office,shall be guilty of an offence.

- (2) If any person who is not an inspector acts or purports to act as an inspector the person shall be guilty of an offence.

## **6 General administrative Orders**

The Minister may make Orders with respect to the manner of the performance by inspectors of their functions under this Law.

## **PART 2**

### UNITS AND STANDARDS OF MEASUREMENT

## **7 Units of measurement**

- (1) The yard or the metre shall be the unit of measurement of length and the pound or the kilogramme shall be the unit of measurement of mass by reference to which any measurement involving a measurement of length or mass shall be made in Jersey; and
  - (a) the yard shall be 0.9144 metre exactly;
  - (b) the pound shall be 0.453 592 37 kg exactly.
- (2) Schedule 1 shall have effect for defining for the purposes of measurements falling to be made in Jersey the units of measurement set out in that Schedule; and for the purposes of any measurement of weight falling to be so made, the weight of any thing may be expressed, by reference to the units of measurement set out in Part 5 of that Schedule, in the same terms as its mass.

## **8 Jersey standards**

- (1) The Minister shall provide and maintain standards (in this Law referred to as “Jersey Standards”) of such measures and weights set out in Schedule 2 as may from time to time be required as being proper and sufficient for the purposes of this Law.
- (2) Jersey Standards shall be provided and replaced by the Minister from time to time as may be necessary or expedient and shall be of a material and form approved by the Board of Trade of the United Kingdom and shall be kept at premises approved for the purpose by the Minister; and a Jersey Standard of any linear or capacity measure may –
  - (a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and
  - (b) either be marked in whole or in part with subdivisions representing any smaller unit of measurement or multiples or fractions of such a unit or have no such markings,as the Minister may from time to time direct.

- (3) No article shall be used as a Jersey Standard unless there is for the time being in force a certificate of its fitness for the purpose issued by the Board of Trade.
- (4) The Minister shall, from time to time as he or she deems necessary, cause any Jersey Standard to be submitted to the Board of Trade to have its value or values determined or redetermined by comparison with the appropriate standard of the United Kingdom.
- (5) Any Jersey Standard lawfully in use before the date of the coming into force of this Article shall be deemed for the purposes of this Law to be a Jersey Standard provided under this Article.

## **9 Working standards and testing and stamping equipment**

- (1) The Minister shall provide for use by the inspectors, and maintain or from time to time replace, such standards (in this Law referred to as “working standards”) of such measures and weights set out in Schedule 2 and such testing equipment and such stamping equipment as may from time to time appear to the Minister to be required for the efficient discharge by the inspectors of their duties.
- (2) Working standards and testing and stamping equipment provided under paragraph (1), shall be of material and form approved by the Board of Trade of the United Kingdom and, except so far as may be necessary for the purposes of their use elsewhere, shall be kept at premises approved for the purpose by the Minister; and a working standard of a linear or capacity measure shall –
  - (a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and
  - (b) either be marked in whole or in part with subdivisions representing any smaller unit of measurement or multiples or fractions of such a unit or have no such markings,as the Minister may from time to time direct.
- (3) The Minister shall by Order make provision –
  - (a) for working standards to be tested from time to time by comparison with, and if necessary adjusted to within such limits of error as may be specified in the Order, by reference to the Jersey Standards, or other working standards more recently tested;
  - (b) with respect to the testing, adjustment and limits of error of testing equipment provided under paragraph (1),and no article shall be used by an inspector as a working standard or as such testing equipment unless the relevant requirements of any Order are for the time being satisfied with respect thereto.
- (4) Any working standard or testing or stamping equipment, lawfully in use by an inspector immediately before the date of the coming into force of this Article shall be deemed for the purposes of this Law to have been provided under paragraph (1).

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**PART 3****WEIGHING AND MEASURING FOR TRADE****10 Meaning of “use for trade”**

- (1) For the purposes of this Law, the expression “use for trade” means, subject to paragraph (2), use in Jersey in connection with, or with a view to, a transaction for –
- (a) the transferring or rendering of money or money’s worth in consideration of money or money’s worth; or
  - (b) the making of a payment in respect of any toll or duty,
- where –
- (i) the transaction is by reference to quantity or is a transaction for the purposes of which there is made or implied a statement of the quantity of goods to which the transaction relates, and
  - (ii) the use is for the purpose of the determination or statement of that quantity.
- (2) Paragraph (1) shall not apply where –
- (a) the determination or statement is a determination or statement of the quantity of goods required for despatch to a destination outside Jersey, Great Britain and any designated country;
  - (b) the transaction is not a sale by retail; and
  - (c) no transfer or rendering of money or money’s worth is involved other than the passing of the title to the goods and the consideration therefor.
- (3) Any such equipment as follows, that is to say –
- (a) any weighing or measuring equipment which is made available in Jersey for use by the public, whether on payment or otherwise; and
  - (b) any equipment which is used in Jersey for the grading by reference to their weight, for the purposes of trading transactions by reference to that grading, of hens’ eggs in shell which are intended for human consumption,

shall be treated for the purposes of this Part as weighing or measuring equipment in use for trade, whether or not it would apart from this paragraph be so treated.

**11 Units of measurement, weights and measures lawful for use for trade**

- (1) Subject to Article 39(1), no person shall –
- (a) use for trade any unit of measurement of length, area, volume, capacity, mass or weight which is not included in Schedule 1;

- (b) use for trade, or have in the person's possession for use for trade, any linear, square, cubic or capacity measure which is not included in Schedule 2 or any weight which is not so included.
- (2) No person shall use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls; and no person shall use the ounce troy for trade except for the purposes of transactions in, or in articles made from, gold, silver or other precious metals, including transactions in gold or silver thread, lace or fringe.
- (3) No person shall use the ounce apothecaries, drachm, scruple, fluid drachm or minim for trade otherwise than for the purposes of transactions in drugs.
- (4) No person shall use the *vergée*, *perche*, *pied de perche*, *perche carré* or *pied de perche carré* for trade otherwise than for the purposes of transactions in land.
- (5) Save as may be prescribed and subject to any Order made under Article 13 –
  - (a) a linear measure specified in Part 1 of Schedule 2 may be marked in whole or in part with divisions and subdivisions representing any shorter length or lengths;
  - (b) no capacity measure specified in Part 4 of the said Schedule 2 shall be used for trade by means of any division or subdivision marked thereon as a capacity measure of any lesser quantity.
- (6) Any person who contravenes any of the foregoing provisions of this Article shall be guilty of an offence, and any measure or weight used, or in any persons' possession for use, in contravention of any of those provisions shall be liable to be forfeited.
- (7) The Minister may prescribe what may be treated for the purposes of use for trade as the equivalent of, or of any multiple or fraction of, any unit of measurement included in Schedule 1 in terms of any other such unit.
- (8) Paragraph (1)(a) shall not apply to the prescribing of, or the dispensing of a prescription for, drugs, and nothing in any Order under paragraph (7) shall apply to any transaction in drugs; but the Minister after consultation with the Minister for Health and Social Services may make an Order which shall have effect notwithstanding anything in, or in any instrument made under, any other enactment and which may –
  - (a) prescribe what may be treated for the purposes of dealings with drugs as the equivalent of, or of any multiple or fraction of, any unit of measurement which is or at the date of commencement of this Article was included in Schedule 1 in terms of any other such unit;
  - (b) require that any person carrying out any such dealing with drugs as is specified in the Order for the purposes of which the quantity of the drugs is expressed in terms of any such unit as aforesaid which is so specified shall carry out that dealing in terms of such equivalent quantity prescribed under sub-paragraph (a) as is so specified.



- 
- (9) The Minister may from time to time by Order further amend Schedule 1 or 2 –
- (a) by adding to or removing from any of Parts 1 to 5 of the said Schedule 1 any unit of measurement of length, of area, of volume, of capacity, or of mass or weight, as the case may be;
  - (b) by adding to or removing from any of Parts 1 to 4 of the said Schedule 2 any linear, square, cubic or capacity measure, as the case may be, or by adding to or removing from Part 5 of the said Schedule 2 any weight,

but the Minister shall not so exercise his or her powers under this paragraph as to cause the exclusion from use for trade of imperial in favour of metric units of measurement, weights and measures.

## **12 Weighing or measuring equipment for use for trade**

- (1) The provisions of this Article shall apply to the use for trade of weighing or measuring equipment of such classes or descriptions as may be prescribed.
- (2) No person shall use any article for trade as equipment to which this Article applies, or have any article in the person's possession for such use, unless that article, or equipment to which this Article applies in which that article is incorporated or to the operation of which the use of that article is incidental, has been passed by an inspector as fit for such use and, except as otherwise expressly provided by or under this Law, bears a stamp indicating that it has been so passed which remains undefaced otherwise than by reason of fair wear and tear; and if any person contravenes this paragraph, the person shall be guilty of an offence and any article in respect of which the offence was committed shall be liable to be forfeited.
- (3) Any person requiring any equipment to which this Article applies to be passed as fit for use for trade shall submit the equipment to an inspector in such manner as the inspector may direct and, subject to the provisions of this Law and of any Order made under Article 13 thereof and to the payment by that person of the prescribed fee, the inspector shall –
  - (a) test the equipment by means of such working standards and testing equipment as the inspector considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose;
  - (b) if the equipment submitted falls within the prescribed limits of error, give to the person submitting it a statement in writing to the effect that it is passed as aforesaid; and
  - (c) except as otherwise expressly provided by or under this Law, cause it to be stamped with the prescribed stamp,

and each inspector shall keep a record of every such test carried out by the inspector:

Provided that, except as otherwise expressly provided by or under this Law, no weight or measure shall be stamped as mentioned in subparagraph (c) unless it has been marked in the prescribed manner with its purported value.

- (4) Where any equipment submitted to an inspector under paragraph (3) is of an approved pattern the inspector shall not refuse to pass or stamp the equipment on the ground that it is not suitable for use for trade:

Provided that if the inspector is of opinion that the equipment is intended for use for trade for a particular purpose for which it is not suitable, the inspector may refuse to pass or stamp it until the matter has been referred to the Minister, and the Minister's decision thereon shall be final.

- (5) The requirements of paragraphs (2) and (3) with respect to stamping and marking shall not apply to any weight or measure which is too small to be stamped or marked in accordance with those requirements.
- (6) In the case of any equipment which is required by an Order made under Article 13 to be passed and stamped under this Article only after it has been installed at the place where it is to be used for trade, if after the equipment has been so passed and stamped it is dismantled and reinstalled, whether in the same or some other place, it shall not be used for trade after being so reinstalled until it has been retested by an inspector; and if any person knowingly uses that equipment in contravention of this paragraph, or knowingly causes or permits any other person so to use it, or knowing that the equipment is required by virtue of this paragraph to be retested disposes of it to some other person without informing the person of that requirement, the person shall be guilty of an offence and the equipment shall be liable to be forfeited.
- (7) Any equipment to which this Article applies duly stamped in accordance with the law of Great Britain, or treated for the purposes of that law as if duly stamped in accordance therewith, shall be treated for the purposes of this Law as if it had been duly stamped in Jersey under this Article.
- (8) If at any time the States are satisfied that, having regard to the law for the time being in force in Northern Ireland, any of the other Channel Islands or the Isle of Man, it is proper so to do, they may by Act provide for any equipment to which this Article applies duly stamped in accordance with that law, or treated for the purposes of that law as if duly stamped in accordance therewith, to be treated for the purposes of this Law as if it had been duly stamped in Jersey under this Article.

### **13 Orders relating to weighing or measuring for trade**

- (1) The Minister may make Orders with respect to –
- (a) the materials and principles of construction of weighing or measuring equipment for use for trade;
  - (b) the inspection, testing, passing as fit for use for trade and stamping of such equipment, including –
    - (i) the prohibition of the stamping of such equipment in such circumstances as may be specified in the Order,

- (ii) the circumstances in which an inspector may remove or detain any such equipment for inspection or testing,
- (iii) the marking of any such equipment found unfit for use for trade;
- (c) the circumstances in which, conditions under which and manner in which stamps may be obliterated or defaced;
- (d) the purposes for which particular types of weighing or measuring equipment may be used for trade;
- (e) the manner of erection or use of weighing or measuring equipment used for trade;
- (f) the abbreviations of or symbols for units of measurement which may be used for trade;
- (g) the manner in which the tare weight of road vehicles, or of road vehicles of any particular class or description, is to be determined,

and, subject to paragraph (2), if any person contravenes any Order made by virtue of sub-paragraph (d), (e), (f) or (g) of this paragraph, the person shall be guilty of an offence, and any weighing or measuring equipment in respect of which the contravention was committed shall be liable to be forfeited.

- (2) Where in the special circumstances of any particular case it appears to be impracticable or unnecessary that any requirement of any Order made under this Article should be complied with, the Minister may if he or she thinks fit dispense with the observance of that requirement subject to compliance with such conditions, if any, as he or she thinks fit to impose; and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this paragraph the person shall be guilty of an offence and the equipment shall be liable to be forfeited.

#### **14 Offences in connection with stamping of equipment**

- (1) Any person who in the case of any weighing or measuring equipment used or intended to be used for trade –
  - (a) not being an inspector or a person acting under the instructions of an inspector, marks in any manner any plug or seal used or designed for use for the reception of a stamp;
  - (b) forges, counterfeits or, except as permitted by or under this Law, in any way alters or defaces any stamp;
  - (c) removes any stamp and inserts it into any other such equipment; or
  - (d) makes any alteration in the equipment after it has been stamped such as to make it false or unjust,

shall be guilty of an offence:

Provided that sub-paragraphs (a) and (b) shall not apply to the destruction or obliteration of any stamp, plug or seal in the course of the adjustment or repair of weighing or measuring equipment by, or by the duly authorized agent of, a person who is a manufacturer of, or regularly engaged in the business of repairing, such equipment.

- (2) Any person who uses for trade, sells, or exposes or offers for sale any weighing or measuring equipment which to the person's knowledge –
  - (a) bears a stamp which is a forgery or counterfeit, or which has been transferred from other equipment, or which has been altered or defaced otherwise than as permitted by or under this Law; or
  - (b) is false or unjust as the result of an alteration made in the equipment after it has been stamped,shall be guilty of an offence.
- (3) Any weighing or measuring equipment in respect of which an offence under this Article is committed, and any stamp or stamping implement used in the commission of the offence, shall be liable to be forfeited.

#### **15 Other offences in connection with equipment**

- (1) If any person uses for trade or has in the person's possession for use for trade, any weighing or measuring equipment which is false or unjust, the person shall be guilty of an offence and the equipment shall be liable to be forfeited.
- (2) Without prejudice to the liability of any equipment to be forfeited, it shall be a defence for any person charged with an offence under paragraph (1) of this Article in respect of the use for trade of any equipment to show –
  - (a) that the person used the equipment only in the course of his or her employment by some other person; and
  - (b) that the person neither knew, nor might reasonably have been expected to know, nor had any reason to suspect, the equipment to be false or unjust.
- (3) If any fraud is committed in the using of any weighing or measuring equipment for trade, the person committing the fraud and any other person party thereto shall be guilty of an offence and the equipment shall be liable to be forfeited.

#### **16 Evidence of possession of equipment for use for trade**

Where any weighing or measuring equipment is found in the possession of any person carrying on trade or on any premises which are used for trade, that person or, as the case may be, the occupier of those premises shall be deemed for the purposes of this Law, unless the contrary is proved, to have that equipment in the person's possession for use for trade.

### **PART 4**

#### **PUBLIC WEIGHING OR MEASURING EQUIPMENT**

#### **17 Keepers of public equipment to hold certificate**

- (1) No person shall attend to any weighing or measuring by means of weighing or measuring equipment available for use by the public, being a

weighing or measuring demanded by a member of the public and for which a charge is made, other than a weighing or measuring of a person, unless the person holds a certificate from the Minister that the person has sufficient knowledge for the proper performance of the person's duties.

- (2) Any person who contravenes, or who causes or permits any other person to contravene, paragraph (1) shall be guilty of an offence.

### **18 Provision of public equipment by Minister**

- (1) The Minister may provide and maintain for use by the public such weighing or measuring equipment as may appear to the Minister to be expedient.
- (2) Except in the case of a weighing or measuring for which, under any other enactment, the charge falls to be regulated by some other authority, the Minister may make such charges for any weighing or measuring by means of the equipment provided as he or she may from time to time think fit.

### **19 Offences in connection with public equipment**

- (1) Paragraphs (2) to (4) shall apply where any article, vehicle (whether loaded or unloaded) or animal has been brought for weighing or measuring by means of weighing or measuring equipment which is available for use by the public and is provided for the purpose of weighing or measuring articles, vehicles or animals of the description in question.
- (2) If any person appointed to attend to weighing or measuring by means of such equipment –
- (a) without reasonable cause fails to carry out the weighing or measuring on demand;
  - (b) carries out the weighing or measuring unfairly;
  - (c) fails to deliver to the person demanding the weighing or measuring or to his or her agent a statement in writing of the weight or other measurement found; or
  - (d) fails to make a record of the weighing or measuring, including the date thereof and, in the case of the weighing of a vehicle, such particulars of the vehicle and of any load thereon as will identify that vehicle and that load,
- the person shall be guilty of an offence.
- (3) If in connection with any such equipment as aforesaid –
- (a) any person appointed to attend to weighing or measuring by means of the equipment in question delivers a false statement of the weight or other measurement found or makes a false record of any weighing or measuring; or
  - (b) any person commits any fraud in connection with any or any purported, weighing or measuring by means of that equipment,

the person shall be guilty of an offence.

- (4) If in the case of a weighing or measuring of any article, vehicle or animal carried out by means of such equipment as aforesaid, the person bringing the article, vehicle or animal for weighing or measuring, on being required by the person attending to the weighing or measuring to give the person's name and address, fails to do so or gives a name or address which is incorrect the person shall be guilty of an offence.
- (5) The person making any weighing or measuring equipment available for use by the public shall retain for a period of not less than 2 years any record of any weighing or measuring by means of that equipment made by any person appointed to attend thereto, and any inspector, subject to the production if so requested of evidence of the inspector's authority, may require the first-mentioned person to produce any such record for inspection at any time while it is retained by the person; and if the first-mentioned person fails so to retain or produce any such record, or if any person wilfully destroys or defaces any such record before the expiration of 2 years from the date when it was made, the person in question shall be guilty of an offence.

## **PART 5**

### **REGULATION OF CERTAIN TRANSACTIONS IN GOODS**

#### **20 Transactions in particular goods**

- (1) Schedules 3, 4, 5, 6 and 7 shall have effect for the purposes of transactions in the goods therein mentioned.
- (2) The Minister may by Order make provision with respect to any goods specified in the Order for all or any of the following purposes, that is to say, to ensure that, except in such cases or in such circumstances as may be so specified, the goods in question –
  - (a) are sold only by quantity expressed in such manner as may be so specified;
  - (b) are pre-packed, or are otherwise made up in or on a container for sale or for delivery after sale, only if the container is marked with such information as to the quantity of the goods as may be so specified;
  - (c) are sold, or are pre-packed, or are otherwise made up in or on a container for sale or for delivery after sale, or are made up for sale, only in such quantities as may be so specified;
  - (d) are not sold without the quantity sold expressed as aforesaid being made known to the buyer at or before such time as may be so specified;
  - (e) are sold by means of, or are offered or exposed for sale in, a vending machine only if there is displayed on or in the machine –
    - (i) such information as to the quantity of the goods in question comprised in each item for sale by means of that machine as may be so specified, and

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- (ii) a statement of the name and address of the seller;
  - (f) are carried for reward only in pursuance of an agreement made by reference to the quantity of the goods in question expressed as aforesaid;
  - (g) in such circumstances as may be so specified, have associated therewith in such manner as may be so specified a document containing a statement of the quantity of the goods in question expressed in such manner, and a statement of such other particulars, if any, as may be so specified; or
  - (h) when carried in a vehicle along a highway are accompanied by a document containing such particulars determined in such manner as may be so specified as to the weight of the vehicle and its load apart from the goods in question.
- (3) An Order under paragraph (2) may be made with respect to any goods, including goods to which any of the provisions of any of the Schedules aforesaid applies, and may –
- (a) make provision for any of the purposes mentioned in the said paragraph (2) in such manner, whether by means of amending, or of applying with or without modifications, or of excluding the application in whole or in part of, any provision of this Law or of any previous Order under the said paragraph (2) or otherwise;
  - (b) make such, if any, different provision for retail and other sales respectively; and
  - (c) contain such consequential, incidental or supplementary provision, whether by such means as aforesaid or otherwise,
- as may appear to the Minister to be expedient, and may in particular make provision in respect of contraventions of the Order for which no penalty is provided by this Law for the imposition of penalties not exceeding those provided by Article 37 for an offence under this Law.
- (4) The Minister may make Orders –
- (a) as to the manner in which any container required by any of the provisions of any of the Schedules aforesaid or of any Order under paragraph (2) to be marked with information as to the quantity of the goods made up therein is to be so marked;
  - (b) as to the manner in which any information required by any such provision as aforesaid to be displayed on or in a vending machine is to be so displayed;
  - (c) as to the conditions which must be satisfied in marking with information as to the quantity of goods made up therein the container in or on which any goods are made up for sale (whether by way of pre-packing or otherwise) where those goods are goods on a sale of which (whether any sale or a sale of any particular description) the quantity of the goods sold is required by any such provision as aforesaid to be made known to the buyer at or before a particular time;

- (d) as to the units of measurement to be used in marking any such container or machine as aforesaid with any information as to quantity;
- (e) for securing, in the case of pre-packed goods, that the container is so marked as to enable the packer to be identified;
- (f) as to the method by which and conditions under which quantity is to be determined in connection with any information with respect thereto required by or under this Article;
- (g) permitting in the case of such goods and in such circumstances as may be specified in the Order the weight of such articles used in making up the goods for sale as may be so specified to be included in the net weight of the goods for the purposes of this Law,

and any person who contravenes any Order made under this paragraph otherwise than by virtue of sub-paragraph (f) or (g) thereof shall be guilty of an offence.

- (5) The Minister may by Order grant and from time to time vary or revoke, with respect to goods or sales of such descriptions as may be specified in the Order, exemption, either generally or in such circumstances as may be so specified, from all or any requirements imposed by or under this Article; and, until otherwise provided by such an Order, the following shall be exempted from all such requirements, that is to say –
  - (a) any sale of goods in the case of which the buyer gives notice in writing to the seller before the sale is completed that the goods are being bought –
    - (i) for despatch to a destination outside Jersey, Great Britain and any designated country; or
    - (ii) for use as stores in a ship or aircraft on a voyage or flight to an eventual destination outside Jersey;
  - (b) any goods sold for, or offered, exposed or in any person's possession for sale only for, use or consumption at the premises of the seller, not being intoxicating liquor;
  - (c) any assortment of articles of food pre-packed together for consumption together as a meal and ready for such consumption without being cooked, heated or otherwise prepared.

## **21 Offences in transactions in particular goods**

- (1) Subject to the provisions of this Part, in the case of any goods which, when not pre-packed, are required by or under this Law to be sold only by quantity expressed in a particular manner or only in a particular quantity, any person shall be guilty of an offence who –
  - (a) whether on his or her own behalf or on behalf of another person, offers or exposes for sale, sells or agrees to sell; or
  - (b) causes or suffers any other person to offer or expose for sale, sell or agree to sell on his or her behalf,

those goods otherwise than by quantity expressed in that manner or, as the case may be, otherwise than in that quantity.



- (2) Subject to the provisions of this Part of this Law, in the case of any goods required by or under this Law to be pre-packed, or to be otherwise made up in or on a container for sale or for delivery after sale, or to be made up for sale, only in particular quantities, or to be pre-packed, or to be otherwise made up as aforesaid, only if the container is marked with particular information, any person shall be guilty of an offence who –
- (a) whether on the person's own behalf or on behalf of another person, has in the person's possession for sale, sells or agrees to sell;
  - (b) except in the course of carriage of the goods for reward, has in the person's possession for delivery after sale; or
  - (c) causes or suffers any other person to have in the person's possession for sale or for delivery after sale, to sell or agree to sell on behalf of the first-mentioned person,
- any such goods pre-packed, otherwise made up as aforesaid or made otherwise than in that quantity or otherwise than in or on a container so marked, as the case may be, whether the sale is, or is to be, by retail or otherwise.
- (3) Subject to the provisions of this Part, in the case of any sale where the quantity of the goods sold expressed in a particular manner is required by or under this Law to be made known to the buyer at or before a particular time and that quantity is not so made known, the person by whom, and any other person on whose behalf, the goods were sold shall be guilty of an offence.
- (4) Subject to the provisions of this Part, where any goods required by or under this Law to be sold by means of or to be offered or exposed for sale in, a vending machine only if certain requirements are complied with are so sold, offered or exposed without those requirements being complied with, the seller or person causing the goods to be so offered or exposed shall be guilty of an offence.

## **22 Quantity to be stated in writing in certain cases**

- (1) Subject to paragraph (4) the provisions of this Article shall have effect on any sale of goods –
- (a) which is required by or under this Law to be a sale by quantity expressed in a particular manner;
  - (b) in the case of which the quantity of the goods sold expressed in a particular manner is required by or under this Law to be made known to the buyer at or before a particular time; or
  - (c) which, being a sale by retail not falling within either of the foregoing sub-paragraphs, is or purports to be, a sale by quantity expressed in a particular manner other than by number.
- (2) Subject to paragraph (3), unless the quantity of the goods sold expressed in the manner in question is made known to the buyer at the premises of the seller and the goods are delivered to the buyer at those premises on the same occasion as, and at or after the time when, that quantity is so made known to the buyer, a statement in writing of that quantity shall be

delivered to the consignee at or before delivery of the goods to the consignee; and if this paragraph is contravened, then, subject to the provisions of this Part, the person by whom, and any other person on whose behalf, the goods were sold shall be guilty of an offence:

Provided that –

- (a) if at the time when the goods are delivered the consignee is absent, it shall be sufficient compliance with this paragraph if the said document is left at some suitable place at the premises at which the goods are delivered;
  - (b) this paragraph shall not apply to any sale otherwise than by retail where, by agreement with the buyer, the quantity of the goods sold is to be determined after their delivery to the consignee.
- (3) Where any liquid goods are sold by capacity measurement and the quantity sold is measured at the time of delivery and elsewhere than at the premises of the seller, paragraph (2) shall not apply but, unless the quantity by capacity measurement of the goods sold is measured in the presence of the buyer, the person by whom the goods are delivered shall immediately after the delivery hand to the buyer, or if the buyer is not present leave at some suitable place at the premises at which the goods are delivered, a statement in writing of the quantity by capacity measurement delivered, and if without reasonable cause the delivery person fails so to do the delivery person shall be guilty of an offence.
- (4) The Minister may by Order grant and from time to time vary or revoke, with respect to goods or sales of such descriptions as may be specified in the Order, exemption, either generally or in such circumstances as may be so specified, from all or any of the requirements of this Article; and, until otherwise provided by such an Order, nothing in paragraphs (1) to (3) shall apply to –
- (a) a sale by retail from a vehicle of –
    - (i) any of the following in a quantity not exceeding 2 hundredweight, that is to say, any solid fuel within the meaning of Schedule 5, and wood fuel,
    - (ii) any of the following in a quantity not exceeding 5 gallons, that is to say, liquid fuel, lubricating oil, and any mixture of such fuel and oil;
  - (b) a sale by retail of bread within the meaning of Part 4 of Schedule 3;
  - (c) goods made up for sale (whether by way of pre-packing or otherwise) in or on a container marked with a statement in writing with respect to the quantity of the goods expressed in the manner in question being a container which is delivered with the goods;
  - (d) a sale of goods in the case of which a document stating the quantity of the goods expressed in the manner in question is required to be delivered to the buyer or consignee of the goods by or under any other provision of this Law;
  - (e) any such goods or sales as are mentioned in Article 20(5)(a), (b) and (c);
  - (f) a sale of intoxicating liquor for consumption at the premises of the seller;

- (g) a sale by means of a vending machine; or
- (h) goods delivered at premises of the buyer by means of an installation providing a connection of a permanent nature between those premises and the premises of the seller.

### **23 Short weight etc.**

- (1) Subject to the provisions of this Part, any person who, in selling or purporting to sell any goods by weight or other measurement or by number, delivers or causes to be delivered to the buyer a lesser quantity than that purported to be sold or than corresponds with the price charged shall be guilty of an offence.
- (2) Subject to the provisions of this Part, any person who, on or in connection with the sale or purchase of any goods, or in exposing or offering any goods for sale, or in purporting to make known to the buyer thereof the quantity of any goods sold, or in offering to purchase any goods, makes any misrepresentation either by word of mouth or otherwise as to the quantity of the goods, or does any other act calculated to mislead a person buying or selling the goods as to the quantity thereof, shall be guilty of an offence.
- (3) If, in the case of any goods pre-packed in or on a container marked with a statement in writing with respect to the quantity of the goods, the quantity of the goods is at any time found to be less than that stated, then, subject to the provisions of this Part and in particular to Article 25(2), any person who has those goods in the person's possession for sale, and (if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been sold by retail and delivered to, or to a person nominated in that behalf by, the buyer) any person by whom or on whose behalf those goods have been sold or agreed to be sold at any time while they were pre-packed in or on the container in question, shall be guilty of an offence.
- (4) If –
  - (a) in the case of a sale of or agreement to sell any goods which, not being pre-packed, are made up for sale or for delivery after sale in or on a container marked with a statement in writing with respect to the quantity of the goods; or
  - (b) in the case of any goods which, in connection with a sale or agreement for the sale thereof, have associated therewith a document containing such a statement as aforesaid,

the quantity of the goods is at any time found to be less than that stated, then if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been delivered to, or to a person nominated in that behalf by, the buyer, and subject to the provisions of this Part and in particular to Article 25(2) and (3) and paragraph 5 of Part 2 of Schedule 4, the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence.

- (5) Paragraphs (3) and (4) shall have effect notwithstanding that the quantity stated is expressed to be the quantity of the goods at a specified time falling before the time in question, or is expressed with some other qualification of whatever description, except where –
- (a) that quantity is so expressed in pursuance of an express requirement of this Law or any Order made thereunder;
  - (b) the goods, although falling within paragraph (3) or (4)(a) –
    - (i) are not required by or under this Law to be pre-packed as mentioned in the said paragraph (3) or, as the case may be, to be made up for sale or for delivery after sale in or on a container only if the container is marked as mentioned in the said paragraph (4)(a), and
    - (ii) are not goods on a sale of which (whether any sale or a sale of any particular description) the quantity sold is required by or under any provision of this Law other than Article 22 to be made known to the buyer at or before a particular time; or
  - (c) the goods although falling within paragraph (4)(b), are not required by or under this Law to have associated therewith such a document as is mentioned in that provision.
- (6) In any case to which, by virtue of paragraph (5)(a), (b), or (c), the provisions of paragraph (3) or (4) do not apply, if it is found at any time that the quantity of the goods in question is less than that stated and it is shown that the deficiency is greater than can be reasonably justified on the ground justifying the qualification in question, then subject to the provisions of this Part of this Law –
- (a) in the case of goods such as are mentioned in the said paragraph (3), if it is further shown as mentioned in that paragraph, then –
    - (i) where the container in question was marked in Jersey, the person by whom, and any other person on whose behalf, the container was marked, or
    - (ii) where the container in question was marked outside Jersey, the person by whom, and any other person on whose behalf, the goods were first sold in Jersey,shall be guilty of an offence;
  - (b) in the case of goods such as are mentioned in the said paragraph (4), the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence if, but only if, the person would, but for the said paragraph (5)(a), (b) or (c), have been guilty of an offence under the said paragraph (4).
- (7) Without prejudice to paragraphs (4) to (6), if in the case of any goods required by or under this Law to have associated therewith a document containing particular statements, that document is found to contain any such statement which is materially incorrect, any person who, knowing or having reasonable cause to suspect that statement to be materially incorrect, inserted it or caused it to be inserted in the document, or used

the document for the purposes of this Law or any Order made thereunder while that statement was contained therein, shall be guilty of an offence.

- (8) For the purposes of this Article, any statement, whether oral or in writing, as to the weight of any goods shall be deemed, unless otherwise expressed, to be a statement as to the net weight of the goods.
- (9) Nothing in this Article shall apply –
  - (a) in relation to any such goods or sales as are mentioned in Article 20(5)(a);
  - (b) in relation to the sale of goods with a view to their industrial or constructional use, except –
    - (i) where the sale in question is or would be one which is required by or under this Law to be made only by quantity expressed in a particular manner or in the case of which the quantity of the goods sold is required by or under any provision of this Law other than Article 22 to be made known to the buyer at or before a particular time,
    - (ii) where the goods are pre-packed or otherwise made up in or on a container for sale or for delivery after sale and are goods such as are required by or under this Law to be pre-packed, or to be otherwise so made up, as the case may be, only if the container is marked with an indication of quantity or only in particular quantities, or
    - (iii) where the goods are goods such as are required by or under this Law to be made for sale only in particular quantities.

## **24 Pleading of warranty as defence**

- (1) Subject to the provisions of this Article, in any proceedings for an offence under this Part or any Order made thereunder, being an offence relating to the quantity or pre-packing of any goods, it shall be a defence for the person charged to prove –
  - (a) that the person charged bought the goods from some other person –
    - (i) as being of the quantity which the person charged purported to sell or represented, or which was marked on any container or stated in any document to which the proceedings relate, or
    - (ii) as conforming with the statement marked on any container to which the proceedings relate, or with the requirements with respect to the pre-packing of goods of this Law and any Order made thereunder,as the case may require;
  - (b) that the person charged so bought the goods with a written warranty from that other person that they were of that quantity or, as the case may be, did so conform;
  - (c) that at the time of the commission of the offence the person charged had no reason to believe the statement contained in the warranty to be inaccurate, that he or she did in fact believe in its

accuracy and, if the warranty was given by a person who at the time he or she gave it was resident outside Jersey, Great Britain and any designated country, that the person charged had taken reasonable steps to check the accuracy of that statement; and

- (d) in the case of proceedings relating to the quantity of any goods, that the person charged took all reasonable steps to ensure that, while in his or her possession, the quantity of the goods remained unchanged and, in the case of such or any other proceedings, that apart from any change in their quantity the goods were at the time of the commission of the offence in the same state as when the person charged bought them.
- (2) A warranty shall be a defence in such proceedings as aforesaid only if, not later than 3 days before the date of the hearing, the person charged has sent to the prosecution a copy of the warranty with a notice stating that the person intends to rely on it and specifying the name and address of the person from whom the warranty was received, and has also sent a like notice to that person.
- (3) Where the person charged is a servant of a person who, if the person had been charged, would have been entitled to plead a warranty as a defence under this Article, paragraph (1) shall have effect as if any reference (however expressed) in sub-paragraphs (a) to (d) thereof to the person charged, other than the first such reference in sub-paragraph (c) thereof, were a reference to the person's employer.
- (4) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence.
- (5) If the person charged in any such proceedings as aforesaid wilfully attributes to any goods a warranty given in relation to any other goods, the person shall be guilty of an offence.
- (6) A person who, in respect of any goods sold by the person in respect of which a warranty might be pleaded under this Article, gives to the buyer a false warranty in writing shall be guilty of an offence unless the person proves that when the person gave the warranty the person took all reasonable steps to ensure that the statements contained therein were, and would continue at all relevant times to be, accurate.
- (7) For the purposes of this Article, any statement with respect to any goods which is contained in any document required by or under this Law to be associated with the goods or in any invoice, and, in the case of goods made up in or on a container for sale or for delivery after sale, any statement with respect to those goods with which that container is marked, shall be deemed to be a written warranty of the accuracy of that statement.

## **25 Additional defences and safeguards for traders**

- (1) In any proceedings for an offence in respect of any goods under this Part or any Order made thereunder, it shall be a defence for the person charged to prove –

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- (a) that the commission of the offence was due to a mistake, or to an accident or some other cause beyond his or her control; and
- (b) that the person charged took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence in respect of those goods by himself or herself alone or by any person under his or her control.
- (2) In any proceedings for an offence under this Part or any Order made thereunder by reason of the quantity –
- (a) of any goods made up for sale or for delivery after sale (whether by way of pre-packing or otherwise) in or on a container marked with an indication of quantity;
- (b) of any goods which, in connection with a sale or agreement for the sale thereof, have associated therewith a document purporting to state the quantity of the goods; or
- (c) of any goods required by or under this Law to be pre-packed, or to be otherwise made up in or on a container for sale or for delivery after sale, or to be made for sale, only in particular quantities, being less than that marked on the container or stated in the document in question or than the relevant particular quantity, as the case may be, it shall be a defence for the person charged to prove that the deficiency arose –
- (i) in a case falling within sub-paragraph (a), after the making up of the goods and the marking of the container,
- (ii) in a case falling within sub-paragraph (b), after the preparation of the goods for delivery in pursuance of the sale or agreement and after the completion of the document,
- (iii) in a case falling within sub-paragraph (c) after the making up or making, as the case may be, of the goods for sale,
- and was attributable wholly to factors for which reasonable allowance was made in stating the quantity of the goods in the marking or document or in making up or making goods for sale, as the case may be.
- (3) In the case of a sale by retail of food, not being food pre-packed in a container which is, or is required by or under this Law to be, marked with an indication of quantity, in any proceedings for an offence under this Part or any Order made thereunder by reason of the quantity delivered to the buyer being less than that purported to be sold, it shall be a defence for the person charged to prove that the deficiency was due wholly to unavoidable evaporation or drainage since the sale and that due care and precaution were taken to minimise any such evaporation or drainage.
- (4) Without prejudice to any defence under paragraph (2) or (3), in any proceedings for such an offence in respect of any goods as is mentioned in the said paragraph (2) it shall not be a defence under paragraph (1)(a) for the person charged to prove that the commission of the offence was due to some cause beyond the person's control if that cause was one which should reasonably have been foreseen and for which allowance

could reasonably have been made in stating the quantity of the goods or in making up or making the goods, as the case may be.

- (5) If in any proceedings for an offence under this Part or any Order made thereunder, being an offence in respect of any deficiency in the quantity of any goods sold, it is shown that between the sale and the discovery of the deficiency the goods were with the consent of the buyer subjected to treatment which could result in a reduction in the quantity of those goods for delivery to, or to any person nominated in that behalf by, the buyer, the person charged shall not be found guilty of that offence unless it is shown that the deficiency cannot be accounted for by the subjecting of the goods to that treatment.
- (6) In any proceedings for an offence under this Part or any Order made thereunder, being an offence in respect of any excess in the quantity of any goods, it shall be a defence for the person charged to prove that the excess was attributable to the taking of measures reasonably necessary in order to avoid the commission of an offence in respect of a deficiency in those or other goods.
- (7) If proceedings for an offence under this Part or any Order made thereunder in respect of any deficiency or excess in the quantity –
  - (a) of any goods made up for sale (whether by way of pre-packing or otherwise) in or on a container marked with an indication of quantity;
  - (b) of any goods which have been pre-packed or otherwise made up in or on a container for sale or for delivery after sale, or which have been made for sale, and which are required by or under this Law to be pre-packed, or to be otherwise so made up, or to be so made, as the case may be, only in particular quantities,

are brought with respect to any article, and it is proved that, at the time and place at which that article was tested, other articles of the same kind, being articles which, or articles containing goods which, had been sold by the person charged or were in that person's possession for sale or for delivery after sale, were available for testing, the person charged shall not be convicted of such an offence with respect to that article unless a reasonable number of those other articles was also tested; and in any proceedings for such an offence the court –

- (i) if the proceedings are with respect to one or more of a number of articles tested on the same occasion, shall have regard to the average quantity in all the articles tested,
- (ii) if the proceedings are with respect to a single article, shall disregard any inconsiderable deficiency or excess, and
- (iii) shall have regard generally to all the circumstances of the case.

## **26 Offences due to default of third person**

- (1) A person against whom proceedings are brought for an offence under this Part or any Order made thereunder shall, on information duly laid by the person and on giving to the prosecution not less than 3 clear days' notice of the person's intention to avail himself or herself of the provisions of



this paragraph, be entitled to have brought before the court in those proceedings any other person to whose act or default the person alleges that the commission of the offence was due; and if, after the offence has been proved, the original defendant proves that the commission thereof was due to an act or default of that other person –

- (a) that other person may be convicted of the offence; and
  - (b) if the original defendant further proves that he or she exercised all due diligence to avoid the commission of the offence by the original defendant or any person under his or her control, the original defendant shall be acquitted of the offence.
- (2) Where a defendant seeks to avail himself or herself of the provisions of paragraph (1) –
- (a) the prosecution, as well as the person whom the defendant charges with the offence, shall have the right to cross-examine the defendant, if he or she gives evidence, and any witness called by the defendant in support of his or her pleas, and to call rebutting evidence;
  - (b) the court may make such Order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.
- (3) Where it appears to the Attorney General that such an offence as aforesaid has been committed by some person, and the Attorney General is reasonably satisfied that the offence was due to an act or default of some other person and that the first-mentioned person could establish a defence under paragraph (1), the Attorney General may take or authorize the taking of proceedings against that other person without first taking or authorizing the taking of proceedings against the first-mentioned person; and in such proceedings that other person may be charged with, and, on proof that commission of the offence was due to the other person's act or default, be convicted of, the offence with which the first-mentioned person might have been charged.
- (4) Where by virtue of paragraph (3) a person is charged with an offence with which some other person might have been charged, the reference in Article 25(7) to articles or goods sold by or in the possession of the person charged shall be construed as a reference to articles or goods sold by or in the possession of that other person.

## **27 Offences originating in certain countries outside Jersey**

- (1) Where proceedings are brought against any person (hereinafter in this Article referred to as the “defendant”) for an offence under this Part or any Order made thereunder and it is proved –
  - (a) that the commission of the offence was due to the act or default of some other person, being an act or default which took place in Great Britain or a designated country; and
  - (b) that the defendant took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by the defendant or any person under his or her control,

then, subject to paragraph (2), the defendant shall be acquitted of the offence; and if it is proved as mentioned in sub-paragraph (a), then, whether or not the defendant is acquitted, the court shall cause notice of the proceedings to be sent to the Minister.

- (2) The defendant shall not be entitled to be acquitted under this Article unless within 7 days from the date of the service of the summons on the defendant he or she has given notice in writing to the prosecution of the defendant's intention to rely on the provisions of this Article, specifying the name and address of the person to whose act or default the defendant alleges that the commission of the offence was due, and has sent a like notice to that person.
- (3) The person specified in a notice served under the provisions of this Article shall be entitled to appear at the hearing and to give evidence, and the court may, if it thinks fit, adjourn the hearing to enable the person to do so.
- (4) Where it is proved that the offence in question was due to the act or default of some person other than the defendant, being an act or default which took place in Great Britain or a designated country, the Judicial Greffier shall, whether or not the defendant is acquitted, cause notice of the proceedings to be sent to the Minister which shall cause the appropriate authority in Great Britain or the designated country concerned, as the case may be, to be notified.

## **28 Special powers of inspector with respect to certain goods**

- (1) Subject to paragraph (3), where any person –
  - (a) makes in any manner any representation as to the quantity of any goods offered or exposed for sale by the person;
  - (b) has in his or her possession or charge awaiting or in the course of delivery to the buyer any goods which have been sold or agreed to be sold, and the sale is, or purports to be, or is required by or under this Law to be, by quantity expressed in a particular manner, or is such that the quantity of the goods sold is required by or under any provision of this Law other than Article 22 to be made known to the buyer at or before a particular time; or
  - (c) has in his or her possession or charge for sale, or awaiting or in the course of delivery to a buyer after they have been sold or agreed to be sold, any goods pre-packed or otherwise made up in or on a container for sale or for delivery after sale which are required by or under this Law to be pre-packed, or to be otherwise so made up, as the case may be, only in particular quantities or only if the container is marked with particular information, or any goods pre-packed in or on a container marked with an indication of quantity, or any goods required by or under this Law to be made for sale only in particular quantities,

the powers of an inspector under Article 33 shall include power to require that person either to do in the presence of the inspector or to permit the inspector to do, all or any of the following things, that is to say –

- (i) weigh or otherwise measure or count the goods;

- (ii) weigh any container in or on which the goods are made up;
- (iii) if necessary for the purposes of this paragraph break open any such container or open any vending machine in which the goods are offered or exposed for sale,

and, in the case of any of the goods which are not already sold, power to require that person to sell any of them to the inspector.

- (2) Where the container of any pre-packed goods is broken open under paragraph (1) and all requirements of, and of any Order made under, this Law which are applicable to those goods are found to have been complied with, then, if the container can be resealed without injury to the contents, the inspector may reseal it with a label certifying that all such requirements have been complied with or, if the inspector does not so reseal it or it cannot be so resealed without injury to the contents, shall at the request of the person aforesaid buy the goods on behalf of the Minister.
- (3) Nothing in paragraph (1)(a), (b) or (c) shall apply in relation to the sale of goods with a view to their industrial or constructional use except in such a case as is specified in Article 23(9)(b)(i), (ii) or (iii).

## **29 Powers of inspector with respect to certain documents**

- (1) An inspector, subject to the production if so requested of evidence of the inspector's authority, may require the person in charge of any document required by or under this Law to be associated with any goods to produce that document for inspection.
- (2) If the inspector has reasonable cause to believe that any document produced to the inspector under paragraph (1) contains any inaccurate statement, the inspector may either –
  - (a) seize and detain the document, giving in exchange therefor a copy thereof with an endorsement signed by the inspector certifying that the original has been seized and giving particulars of any inaccuracy alleged; or
  - (b) without prejudice to any proceedings which may be taken by reason of any inaccuracy alleged, make thereon an endorsement signed by the inspector giving particulars of any such inaccuracy,and, save where the context otherwise requires, any reference in this Law to any such document shall be deemed to include a reference to a copy thereof given in pursuance of sub-paragraph (a).
- (3) Where, in the case of any goods being carried on a vehicle, the whole of the vehicle's load is being carried for, or for delivery after, sale to the same person, and any document produced in pursuance of paragraph (1) of this Article by the person in charge of the vehicle purports, or is required by or under this Law, to state the quantity of the goods, then, for the purpose of the exercise of the inspector's powers under Article 28(1), the inspector may do all or any of the following things, that is to say –

- (a) require the goods to which the document relates to be unloaded from the vehicle;
- (b) require the vehicle to be taken to the nearest suitable and available weighing or measuring equipment;
- (c) require the person in charge of the vehicle to have it check-weighed:

Provided that the powers conferred by this paragraph shall be exercised only to such extent as may appear to the inspector reasonably necessary in order to secure that the provisions of this Law and any Order made thereunder are duly observed.

### **30 Check-weighing of certain vehicles**

Where any vehicle is loaded with goods for sale by weight to a single buyer of the whole of the vehicle's load, or for delivery to the buyer after they have been so sold, the buyer or seller of the goods or any inspector who shows that he or she is authorized so to do by the buyer or seller of the goods may require the person in charge of the vehicle to have it check-weighed, and if that person fails without reasonable cause to comply with any such requirement the person shall be guilty of an offence.

### **31 Power to make test purchases**

The Minister shall have power to authorize an inspector to make, on the Minister's behalf, such purchases of goods as may appear expedient for the purpose of determining whether or not the provisions of this Law and any Order made thereunder are being complied with.

### **32 Selling by quantity, making quantity known, and weighing in presence**

- (1) Where any goods are required by or under this Law to be sold only by quantity expressed in a particular manner –
  - (a) it shall be a sufficient compliance with that requirement in the case of any sale of, or agreement to sell, any such goods if the quantity of the goods expressed in the manner in question is made known to the buyer before the purchase price is agreed;
  - (b) no person shall be guilty of an offence under Article 21(1) by reason of the exposing or offering for sale of such goods at any time if both the quantity of the goods expressed in the manner in question and the price at which they are exposed or offered for sale are made known at that time to any prospective buyer.
- (2) For the purposes of this Law and any Order made thereunder, without prejudice to any other method of making known to a person the quantity of any goods expressed in a particular manner, that quantity shall be deemed to be made known to that person –
  - (a) if the goods are weighed or otherwise measured or counted, as the case may require, in the presence of that person;

- 
- (b) if the goods are made up in or on a container marked with a statement in writing of the quantity of the goods expressed in the manner in question and the container is readily available for inspection by that person; or
  - (c) on such a statement in writing being delivered to that person.
- (3) Where the Minister by Order provides that this paragraph is to apply, in the case of such goods in such circumstances as are specified in the Order, to any requirement so specified of, or of any Order made under, this Law, with respect to the making known to the buyer of the quantity by weight of such goods sold by retail, then, in any case to which the Order applies that requirement shall be deemed to be satisfied if the goods are bought at premises at which weighing equipment of such description as may be prescribed –
- (a) is kept available by the occupier of those premises for use without charge by any prospective buyer of such goods for the purpose of weighing for himself or herself any such goods offered or exposed for sale by retail on those premises;
  - (b) is so kept available in a position on those premises which is suitable and convenient for such use of the equipment; and
  - (c) is reserved for use for that purpose at all times while those premises are open for retail transactions,
- and a notice of the availability of the equipment for such use is displayed in a position on the premises where it may be readily seen by any such prospective buyer.
- (4) For the purposes of this Law and any Order made thereunder, a person shall not be deemed to weigh or otherwise measure or count any goods in the presence of any other person unless the person causes any equipment used for the purpose to be so placed, and so conducts the operation of weighing or otherwise measuring or counting the goods, as to permit that other person a clear and unobstructed view of the equipment, if any, and of the operation, and of any indication of quantity given by any such equipment as the result of that operation.

## PART 6

### MISCELLANEOUS AND GENERAL

#### **33 General powers of inspection and entry**

- (1) Subject to the production if so requested of evidence of the inspector's authority, an inspector may, at all reasonable times –
  - (a) inspect and test any weighing or measuring equipment which is, or which the inspector has reasonable cause to believe to be, used for trade or in the possession of any person or on any premises for such use;

- (b) inspect any goods to which any of the provisions of this Law or any Order made thereunder for the time being applies or which the inspector has reasonable cause to believe to be such goods;
  - (c) enter any premises at which the inspector has reasonable cause to believe there to be any such equipment or goods as aforesaid, not being premises used only as a private dwelling-house.
- (2) Subject to the production if so requested of evidence of the inspector's authority, an inspector may at any time seize and detain –
- (a) any article which the inspector has reasonable cause to believe is liable to be forfeited under this Law; and
  - (b) any document displayed with any goods offered or exposed for sale which relates to the price or quantity of the goods and which the inspector has reason to believe may be required as evidence in proceedings under this Law.
- (3) If the Bailiff on sworn information in writing –
- (a) is satisfied that there is reasonable ground to believe that any such equipment, goods, articles or documents as are mentioned in paragraph (1) or (2) are on any premises, or that any offence under this Law or any Order made thereunder has been, is being or is about to be committed on any premises; and
  - (b) is also satisfied either –
    - (i) that admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier, or
    - (ii) that an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,
- the Bailiff may by warrant under the Bailiff's hand, which shall continue in force for a period of one month, authorize an inspector to enter the premises, if need be by force.
- (4) An inspector entering any premises by virtue of this Article may take with the inspector such other persons and such equipment as may appear to the inspector necessary; and on leaving any premises which the inspector has entered by virtue of a warrant under paragraph (3), being premises which are unoccupied or the occupier of which is temporarily absent, the inspector shall leave them as effectively secured against trespassers as the inspector found them.
- (5) If any inspector or other person who enters any work-place by virtue of this Article discloses to any person any information obtained by the inspector in the work-place with regard to any manufacturing process or trade secret, the inspector shall, unless the disclosure was made in the performance of the inspector's duty, be guilty of an offence.
- (6) Nothing in this Law shall authorize any inspector to stop any vehicle on a highway.

**34 Obstruction of inspectors**

- (1) Any person who –
  - (a) wilfully obstructs an inspector acting in the execution of this Law or any Order made thereunder;
  - (b) wilfully fails to comply with any requirements properly made of the person by an inspector under Article 28 or 29; or
  - (c) without reasonable cause fails to give to any inspector acting as aforesaid any other assistance or information which the inspector may reasonably require of the person for the purposes of the performance by the inspector of his or her functions under this Law or any Order made thereunder,shall be guilty of an offence.
- (2) If any person, in giving to an inspector any such information as is mentioned in paragraph (1), gives any information which the person knows to be false, the person shall be guilty of an offence.
- (3) Nothing in this Article shall be construed as requiring a person to answer any question or give any information if to do so might incriminate the person.

**35 Offences by corporations**

Where an offence under, or under any Order made under, this Law which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, the person as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

**36 Prosecution of offences**

- (1) Proceedings for an offence under any provision contained in, or having effect by virtue of, Part 5, other than proceedings for an offence under Article 24(6), or proceedings by virtue of Article 26(3), shall not be instituted –
  - (a) unless there has been served on the person charged notice in writing of the date and nature of the offence alleged and, where the proceedings are in respect of one or more of a number of articles of the same kind tested on the same occasion, of the results of the tests of all those articles;
  - (b) except where the person charged is a hawkker, unless the said notice was served before the expiration of the period of 15 days beginning with the date aforesaid; or
  - (c) after the expiration of the period of 3 months beginning with the date aforesaid.

- (2) Such a notice as is mentioned in paragraph (1)(a) may be served on any person either by serving it on the person personally or by sending it to the person by post at the person's usual or last known residence or place of business in Jersey or, in the case of a company, at the company's registered office.

### **37 Penalties**

- (1) Any person guilty of an offence under any of the following provisions of this Law, that is to say –
- (a) Article 11(6);
  - (b) Article 12(2) and (6);
  - (c) Article 13(1) and (2);
  - (d) Article 17(2);
  - (e) Article 19(2), (4) and (5);
  - (f) Article 30;
  - (g) Article 34(1);
  - (h) paragraphs 4 and 5 of Part 1 of Schedule 4;
  - (i) any Orders made under paragraph 5 of Part 1 of Schedule 5,
- shall be liable to a fine not exceeding £20 or in the case of a second or subsequent offence under the same provision, £100.
- (2) Any person guilty of an offence under any provision of this Law other than those mentioned in paragraph (1) shall be liable to a fine not exceeding £100 (or, in the case of a second or any subsequent offence under the same provision, £250), or to imprisonment for a term not exceeding 3 months, or to both such fine and such imprisonment.

### **38 Construction of Orders<sup>6</sup>**

Article 11(4) of the Interpretation (Jersey) Law 1954<sup>7</sup> applies to Orders made under this Law to the same extent as it applies to enactments made after 28th March 2003.

### **39 Savings**

- (1) Save as the Minister may by Order otherwise provide, and except in the case of a retail transaction or a transaction with respect to which provision to the contrary effect is for the time being made by or under Part 5, nothing in this Law shall make unlawful the use in any transaction, by agreement between the parties thereto, of any unit of measurement which –
- (a) was customarily used for trade in the like transactions immediately before the passing of this Law; and
  - (b) is not inconsistent with anything for the time being contained in Schedule 1 to this Law,



notwithstanding that the unit in question is not for the time being included in the said Schedule 1.

- (2) No contract for the sale or carriage for reward of any goods shall be void by reason only of a contravention of any provision of, or of any Order made under, this Law with respect to any document which is, or is required by that provision to be, associated with the goods.

**40 Minister's exclusive power to mark weight, number etc.**

No power conferred by any other enactment on any person other than the Minister to make provision with respect to the marking of any food shall extend to the marking of such food with a statement of its quantity by weight or other measurement or by number.

**41 Citation**

This Law may be cited as the Weights and Measures (Jersey) Law 1967.

**SCHEDULE 1**

(Article 7)

**DEFINITIONS OF UNITS OF MEASUREMENT****PART 1****MEASUREMENT OF LENGTH***Imperial Units.*

- |         |                 |
|---------|-----------------|
| 1. Mile | = 1760 yards.   |
| Furlong | = 220 yards.    |
| Chain   | = 22 yards.     |
| YARD    | = 0.9144 metre. |
| Foot    | = 1/3 yard.     |
| Inch    | = 1/36 yard.    |

*Jersey Units.*

- |                |                       |
|----------------|-----------------------|
| 2. Perche      | = 22 Imperial feet.   |
| Pied de perche | = 11 Imperial inches. |

*Metric Units.*

- |              |  |
|--------------|--|
| 3. Kilometre | = 1000 metres.   |
| METRE        | shall have the meaning from time to time assigned by Order by the Minister, being the meaning appearing to the Minister to reproduce in English the international definition of the metre in force at the date of the making of the Order. |
| Decimetre    | = 1/10 metre.  |
| Centimetre   | = 1/100 metre.   |
| Millimetre   | = 1/1000 metre.  |

**PART 2****MEASUREMENT OF AREA***Imperial Units.*

- |                |                                       |
|----------------|---------------------------------------|
| 1. Square mile | = 640 acres.                          |
| Acre           | = 4840 square yards.                  |
| Rood           | = 1210 square yards.                  |
| SQUARE YARD    | = a superficial area equal to that of |

		a square each side of which measures one yard.
Square foot	=	1/9 square yard.
Square inch	=	1/144 square foot.
<i>Jersey Units.</i>		
2. Vergée	=	40 perches carrés. (19,360 Imperial square feet).
Perche carré	=	a superficial area equal to that of a square each side of which measures one perche. (484 Imperial square feet).
Pied de perche carré	=	a superficial area equal to that of a square each side of which measures one pied de perch. (121 Imperial square inches).
<i>Metric Units.</i>		
3. Hectare	=	100 ares.
Dekare	=	10 ares.
Are	=	100 square metres.
SQUARE METRE	=	a superficial area equal to that of a square each side of which measures one metre.
Square decimetre	=	1/100 square metre.
Square centimetre	=	1/100 square decimetre.
Square millimetre	=	1/100 square centimetre.

**PART 3****MEASUREMENT OF VOLUME***Imperial Units*

1. CUBIC YARD	=	a volume equal to that of a cube each edge of which measures one yard.
Cubic foot	=	1/27 cubic yard.
Cubic inch	=	1/1728 cubic foot.

*Metric Units.*

2. CUBIC METRE	=	a volume equal to that of a cube each edge of which measures one metre.
Cubic decimetre	=	1/1000 cubic metre.
Cubic centimetre	=	1/1000 cubic decimetre.

**PART 4****MEASUREMENT OF CAPACITY<sup>8</sup>***Imperial Units.*

- |             |   |   |
|-------------|---|---|
| 1. GALLON   | = | the space occupied by 10 pounds weight of distilled water of density 0.998 859 gramme per millilitre weighed in air of density 0.001 217 gramme per millilitre against weights of density 8.136 grammes per millilitre. |
| Quart       | = | 1/4 gallon.   |
| Pint        | = | 1/2 quart.  |
| Gill        | = | 1/4 pint.   |
| Fluid ounce | = | 1/20 pint.  |

*Metric Units.*

- |               |   |   |
|---------------|---|---|
| 2. Hectolitre | = | 100 litres.   |
| LITRE         |   | shall have the meaning from time to time assigned by Order by the Minister being the meaning appearing to the Minister to reproduce in English the international definition of the litre in force at the date of the making of the Order. |
| Decilitre     | = | 1/10 litre.   |
| Centilitre    | = | 1/100 litre.  |
| Millilitre    | = | 1/1000 litre.   |

**PART 5<sup>9</sup>****MEASUREMENT OF MASS OR WEIGHT***Imperial Units.*

- |               |   |                 |
|---------------|---|-----------------|
| 1. Ton        | = | 2240 pounds.    |
| Hundredweight | = | 112 pounds.     |
| Cental        | = | 100 pounds.     |
| Quarter       | = | 28 pounds.      |
| Stone         | = | 14 pounds.      |
| POUND         | = | 0.453 592 37 kg |
| Ounce         | = | 1/16 pound.     |
| Dram          | = | 1/16 ounce.     |
| Grain         | = | 1/7000 pound.   |
| 2. Ounce troy | = | 480 grains.     |

*Metric Units.*

- |                          |   |
|--------------------------|---|
| 3. Tonne or metric tonne | = 1000 kilogrammes.   |
| Quintal                  | = 100 kilogrammes.  |
| KILOGRAMME               | shall have the meaning from time to time assigned by Order by the Minister, being the meaning appearing to the Minister to reproduce in English the international definition of the kilogramme in force at the date of the making of the Order. |
| Hectogramme              | = 1/10 kg   |
| Gramme                   | = 1/1000 kg   |
| Carat (metric)           | = 1/5 gramme.   |
| Milligramme              | = 1/1000 gramme.  |

**PART 6****MEASUREMENT OF ELECTRICITY**

1. The following units of measurement, that is to say –
  - (a) the Ampere (as the unit of measurement of electrical current);
  - (b) the Ohm (as the unit of measurement of electrical resistance);
  - (c) the Volt (as the unit of measurement of difference of electrical potential); and
  - (d) the Watt (as the unit of measurement of electrical power),
 shall have the meanings from time to time respectively assigned by Order by the Minister, being the meanings appearing to the Minister to reproduce in English the international definition of the ampere, ohm, volt or watt, as the case may be, in force at the date of the making of the Order.
  
2. Kilowatt = 1000 watts.  
 Megawatt = one million watts.

**SCHEDULE 2**

(Articles 8 and 9)

**MEASURES AND WEIGHTS LAWFUL FOR USE FOR TRADE****PART 1<sup>10</sup>****LINEAR MEASURES***Imperial system.*

1. Measure of –

100 feet	5 feet
66 feet	4 feet
50 feet	1 yard
33 feet	2 feet
20 feet	1 foot
10 feet	6 inches
8 feet	1 inch
6 feet	

*Metric system.*

2. Measures of –

50 metres	2 metres
30 metres	1.5 metres
20 metres	1 metre
10 metres	0.5 metre
5 metres	1 decimetre
3 metres	1 centimetre

**PART 2****SQUARE MEASURES***Imperial system.*

1. Measures of, or of any multiple of, 1 square foot.

*Metric system.*

2. Measures of, or of any multiple of, 1 square decimetre.

**PART 3<sup>11</sup>****CUBIC MEASURES***Imperial system*

1. Measures of, or any multiple of,  $\frac{1}{4}$  cubic yard.

*Metric system*

2. Measures of, or any multiple of, 0.1 cubic metre.

**PART 4<sup>12</sup>****CAPACITY MEASURES***Imperial system.*

1. Measures of –
 

any multiple of 1 gallon	1 gill
1 gallon	4 fluid ounces
$\frac{1}{2}$ gallon	$\frac{1}{2}$ gill
1 quart	$\frac{1}{5}$ gill
1 pint	$\frac{1}{3}$ gill
$\frac{2}{3}$ pint	$\frac{1}{4}$ gill
$\frac{1}{2}$ pint	$\frac{1}{5}$ gill
8 fluid ounces	$\frac{1}{6}$ gill
$\frac{1}{3}$ pint	
6 fluid ounces	

*Metric system.*

2. Measures of –
 

any multiple of 10 litres	100 millilitres
10 litres	50 millilitres
5 litres	25 millilitres
$2\frac{1}{2}$ litres	20 millilitres
2 litres	10 millilitres
1 litre	5 millilitres
500 millilitres	2 millilitres
250 millilitres	1 millilitre
200 millilitres	
175 millilitres	
125 millilitres	

**PART 5<sup>13</sup>****WEIGHTS***Imperial system.*

## 1. Weights of –

56 pounds	$\frac{1}{2}$ dram
50 pounds	100 grains
28 pounds	50 grains
20 pounds	30 grains
14 pounds	20 grains
10 pounds	10 grains
7 pounds	5 grains
5 pounds	3 grains
4 pounds	2 grains
2 pounds	1 grain
1 pound	0.5 grain
8 ounces	0.3 grain
4 ounces	0.2 grain
2 ounces	0.1 grain
1 ounce	0.05 grain
8 drams	0.03 grain
4 drams	0.02 grain
2 drams	0.01 grain
1 dram	

## 2. Weights of –

500 ounces troy	0.4 ounce troy
400 ounces troy	0.3 ounce troy
300 ounces troy	0.2 ounce troy
200 ounces troy	0.1 ounce troy
100 ounces troy	0.05 ounce troy
50 ounces troy	0.04 ounce troy
40 ounces troy	0.03 ounce troy
30 ounces troy	0.025 ounce troy
20 ounces troy	0.02 ounce troy
10 ounces troy	0.01 ounce troy
5 ounces troy	0.005 ounce troy
4 ounces troy	0.004 ounce troy
3 ounces troy	0.003 ounce troy
2 ounces troy	0.002 ounce troy
1 ounce troy	0.001 ounce troy
0.5 ounce troy	

## 3. Weights of –

10 pennyweights	2 pennyweights
-----------------	----------------



5 pennyweights  
3 pennyweights

1 pennyweights

*Metric system.*

4. Weights of –

20 kg	2 g
10 kg	1 g
5 kg	500 mg
2 kg	400 mg
1 kg	300 mg
500 g	200 mg
200 g	150 mg
100 g	100 mg
50 g	50 mg
20 g	20 mg
15 g	10 mg
10 g	5 mg
5 g	2 mg
4 g	1 mg
3 g	

5. Weights of –

500 carats (metric)	1 carat (metric)
200 carats (metric)	0.5 carat (metric)
100 carats (metric)	0.25 carat (metric)
50 carats (metric)	0.2 carat (metric)
20 carats (metric)	0.1 carat (metric)
10 carats (metric)	0.05 carat (metric)
5 carats (metric)	0.02 carat (metric)
2 carats (metric)	0.01 carat (metric)

**SCHEDULE 3**

(Article 20)

**FOODS****PART 1****MEAT AND FOOD CONTAINING MEAT**

1.
  - (1) This Part of this Schedule applies to food of any of the following descriptions, that is to say –
    - (a) meat of any description, whether fresh, chilled, frozen, salted, cooked or processed; and
    - (b) any article which, though it also contains other food, consists substantially of meat,  
other than dripping, lard, meat paste and shredded suet.
  - (2) In sub-paragraph (1), the expression “meat” means any part of an animal of any of the following descriptions, that is to say, cattle, sheep and swine, but does not include sausage-meat in any form.
2. Subject to paragraph 5, any goods to which this Part applies which are not pre-packed shall be sold only –
  - (a) by net weight; or
  - (b) if sold in a container which does not exceed the appropriate permitted weight specified in Table A of Part 11, either by net weight or by gross weight.
3. Subject to paragraph 5, any goods to which this Part applies shall be prepacked in a container which exceeds the appropriate permitted weight aforesaid only if the container is marked with an indication of quantity by net weight.
4.
  - (1) Subject to paragraph 5, this paragraph shall apply to any goods to which this Part applies pre-packed in a container which –
    - (a) does not exceed the appropriate permitted weight aforesaid; and
    - (b) is not marked with an indication of quantity by net weight.
  - (2) When sold otherwise than by retail, such goods shall be sold only by net weight or by gross weight.
  - (3) When sold by retail, the quantity either by net weight or by gross weight of the goods sold shall be made known to the buyer before the buyer pays for or takes possession of the goods.

5. The following shall be exempted from all requirements of this Part, that is to say –
- (a) bath chaps, meat pies and meat puddings; and
  - (b) any other goods in a quantity of less than one ounce,
- and there shall be exempted from the requirements of paragraph 2 any sale at a purchase price of 3p or less.

**PART 2<sup>14</sup>**

**FISH, POULTRY AND SAUSAGE-MEAT**

1. This Part of this Schedule applies to food of any of the following descriptions, that it so say –
- (a) fish or poultry of any description, whether fresh, chilled, frozen, salted, cooked or processed;
  - (b) sausage-meat in any form, whether cooked or uncooked;
  - (c) any article which, though it also contains other food, consists substantially of fish, poultry or sausage-meat, being an article other than fish paste or poultry paste,
- and any reference in this Schedule to poultry includes a reference to any part of any poultry.
- 2.
- (1) Subject to paragraph 4, this paragraph shall apply to any goods to which this Part of this Schedule applies which are not pre-packed in a container marked with an indication of quantity by net weight.
  - (2) When sold otherwise than by retail such goods other than fish shall be sold only –
    - (a) by net weight; or
    - (b) if sold in a container which does not exceed the appropriate permitted weight specified in Table A of Part 11, either by net weight or by gross weight.
  - (3) When sold by retail, the quantity of the goods sold being –
    - (a) quantity by net weight; or
    - (b) if the goods are sold in a container which does not exceed the appropriate permitted weight aforesaid, quantity either by net weight or by gross weight,
- shall be made known to the buyer before the buyer pays for or takes possession of the goods.
3. Subject to paragraph 4, goods to which this Part of this Schedule applies shall be pre-packed in a container which exceeds the appropriate permitted weight aforesaid only if the container is marked with an indication of quantity by net weight.
- 4.

- (1) The following shall be exempted from all requirements of this Part, that is to say –
  - (a) whole birds which –
    - (i) being bled and plucked but uneviscerated, weigh less than 2 ¼ pounds, or
    - (ii) being eviscerated and ready for cooking, but including any giblets sold therewith, weigh less than 1½ pounds;
  - (b) poultry pies;
  - (c) sausage rolls;
  - (d) any other goods in a quantity of less than one ounce.
- (2) The following shall be exempted from the requirements of paragraph 2, that is to say –
  - (a) cooked poultry;
  - (b) shellfish in shell, jellied fish, pickled fish and fried fish;
  - (c) any sale of fish made otherwise than from a market, shop, stall or vehicle;
  - (d) any sale of fish or poultry at a purchase price of 3p or less;
  - (e) single cooked sausages not exceeding one pound in weight;
  - (f) sausage-meat products, whether cooked or uncooked, in any form other than that of sausages, when offered or exposed for sale as a single item in a quantity not exceeding one pound.

### **PART 3<sup>15</sup>**

#### **CHEESE**

1. In this Part of this Schedule the expression “cheese” includes processed cheese.
2. Subject to paragraph 4, on a sale by retail of any cheese other than cheese pre-packed in a container marked with an indication of quantity by net weight, the quantity of the cheese sold, being –
  - (a) quantity by net weight; or
  - (b) if the cheese is sold in a container which does not exceed the appropriate permitted weight specified in Table A of Part 11, quantity either by net weight or by gross weight,shall be made known to the buyer before the buyer pays for or takes possession of the cheese.
3. Subject to paragraph 4, cheese shall be pre-packed in a container which exceeds the appropriate permitted weight aforesaid only if the container is marked with an indication of quantity by net weight.
4. The following shall be exempted from all requirements of this Part, that is to say –

- 
- (a) pre-packed natural cheese which is not of Cheddar or Cheshire type;
  - (b) any cheese in a quantity of less than one ounce.

#### **PART 4<sup>16</sup>**

#### **BREAD**

1. In this Part –
  - (a) the expression “bread” means bread in any form other than breadcrumbs and includes the following, and any part of any of the following, that is to say, fancy loaves and milk loaves;
  - (b) the expression “loaf” includes a roll and a bap; and for the purposes of this Law any pre-packed sliced bread shall be deemed to be a whole loaf of bread and the pre-packing of sliced bread in any quantity by net weight shall be deemed to be the making for sale of a whole loaf of bread of that net weight.
2. Bread of any description other than a whole loaf shall be sold only by net weight:

Provided that there shall be exempted from the requirements of this paragraph any bread in a quantity of 300 grammes or less.
3.
  - (1) A whole loaf of bread of a net weight exceeding 300 grammes shall be made for sale only if it is of a net weight of 400 grammes or a multiple of 400 grammes.
  - (2) This paragraph shall not apply to any sale in pursuance of a contract for the supply of bread for consumption on the premises of the buyer if the contract provides for each delivery of bread thereunder made to be of a specific aggregate quantity of not less than 25 kg, and for the weighing of the bread on delivery.

#### **PART 5<sup>17</sup>**

#### **MILK**

1. In this Part, the expression “milk” means cows’ milk in any liquid form other than that of condensed milk (including evaporated milk) or of cream.
2. Milk which is not pre-packed shall be sold only by capacity measurement or by net weight.
3. Milk shall be pre-packed only if –
  - (a) it is made up in one of the quantities by capacity measurement specified in the following table –

## TABLE

*Imperial*

1/3 pint

1/2 pint

Any multiple of 1/2 pint

*Metric*

200 millilitres

250 millilitres

500 millilitres

750 millilitres

1 litre

2 litres

Any multiple of 500 millilitres;

and

- (b) the container is marked with an indication of quantity by capacity measurement.
4. If in the case of any pre-packed milk its container is clearly and conspicuously marked with a statement in writing that it is not for sale otherwise than by means of a vending machine, then, notwithstanding that the milk is made up in a quantity other than one of those specified in paragraph 3(a), a person shall not by reason only of that fact be guilty of an offence under Article 21(2) of this Law –
- (a) in respect of a sale of that milk by that or any other person if the sale –
- (i) is at the price of 3p by means of a vending machine, or
  - (ii) is otherwise than by retail; or
- (b) in respect of the possession of that milk by that or any other person if the milk is shown to be in that possession –
- (i) for sale at the price aforesaid by means of a vending machine which complies with paragraph 5,
  - (ii) for sale otherwise than by retail, or
  - (iii) for delivery after sale otherwise than by retail.
5. Milk shall be sold by means of, or offered or exposed for sale in, a vending machine only if there is displayed on or in the machine –
- (a) an indication of the quantity by capacity measurement of the milk comprised in each item for sale by means of that machine; and
  - (b) except where the machine is on premises at which the seller carries on business, a statement of the name and address of the seller.

**PART 6<sup>18</sup>**

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**INTOXICATING LIQUOR**

1. In this Part—
  - (a) the expression “beer” includes ale, porter, stout, black beer and any other description of beer, and any liquor which is made or sold as a description of beer or as a substitute for beer and which on analysis of a sample thereof at any time is found to be of a strength exceeding 2° of proof, but does not include liquor made elsewhere than on the licensed premises of a brewer which on analysis of a sample at any time is found to be of an original gravity not exceeding 1016° and to be of a strength not exceeding 2° of proof;
  - (b) the expression “black beer” means beer of the description called or similar to black beer, mum, spruce beer, or Berlin white beer, and any other preparation, whether fermented or not, of a similar character;
  - (c) the expression “cider” means cider (or perry) of a strength less than 8.7% of alcohol by volume (at a temperature of 20° Centigrade) obtained from the fermentation of apple or pear juice without the addition at any time of any alcoholic liquor or of any liquor substance which communicates colour or flavour other than such as the Minister may allow as appearing to him or her to be necessary to make cider or perry;
  - (d) the expression ‘wine’ means any liquor obtained from the alcoholic fermentation of fresh grapes or of the must of fresh grapes, except such a liquor which is fortified with spirits or flavoured with aromatic extracts.
2. Subject to the provisions of paragraph 4, unless pre-packed in a securely closed container and except when sold as a constituent of a mixture of 2 or more liquids, beer or cider shall be sold by retail –
  - (a) only in a quantity of one-third of a pint, half a pint, two-thirds of a pint or a multiple of half a pint; and
  - (b) where sold for consumption on the premises of the seller, only in a capacity measure of the quantity in question.<sup>19</sup>
3.
  - (1) Subject to paragraph 4 and to sub-paragraphs (2) and (3) of this paragraph, unless prepacked in a securely closed container, intoxicating liquor of any of the following descriptions, that is to say, brandy, cognac, gin, rum, vodka and whisky, shall be sold by retail for consumption on the premises at which it is sold, only –
    - (a) before 1st January 1995, in, or in a multiple of, one fifth of a gill or 25 millilitres; or
    - (b) on and after 1st January 1995, in, or in a multiple of, 25 millilitres;
    - (c) in the same quantities for all such intoxicating liquors in all parts of the same licensed premises;

- (d) if, when served at a bar, the intoxicating liquor is measured in the view of the buyer; and
    - (e) if there is displayed on those premises in such a position and manner as to be readily available without special request by the buyer before the sale is made, a statement in writing showing in which of these quantities those intoxicating liquors are offered for sale on those premises.
  - (2) Any such liquor shall be exempted from the requirements of this paragraph when it forms a constituent of a mixture of 3 or more liquids.
  - (3) Nothing in this paragraph shall make unlawful the sale at the express wish of the buyer of any mixture of liquids containing any of those intoxicating liquors in a quantity not otherwise permitted by this paragraph.<sup>1</sup>
- 4
- (1) Subject to sub-paragraph (2), when sold in a glass or other vessel from which it is intended to be drunk, wine for consumption on the premises at which it is sold shall, on and after 1st January 1995, be sold only –
    - (a) in, or in a multiple of, one of the following quantities, that is to say, 125 millilitres or 175 millilitres; and
    - (b) if a statement in writing showing the quantities in which wine is for sale is either displayed on those premises in such a position and manner as to be readily available without special request for inspection by the buyer before the sale is made or is contained in every wine list and menu which is available to the buyer on those premises before the sale is made and which indicates that the wine is for consumption on the premises.
  - (2) Nothing in this paragraph shall make unlawful the sale, at the express wish of the buyer, of any mixture of liquids containing wine in a quantity not otherwise permitted by this paragraph.
5. Paragraphs 2, 3 and 4 shall not apply to premises in respect of which a licence of the fifth category is held under the Licensing (Jersey) Law 1974.<sup>20</sup>
6. Intoxicating liquor of any description shall be pre-packed in a closed container only if the container is marked with an indication of quantity by capacity measurement:
- Provided that there shall be exempted from the requirements of this paragraph –
- (a) wine;
  - (b) any other liquor in a quantity of less than 3 fluid ounces or more than one gallon.
7. Without prejudice to the provisions of Article 21 of this Law, if paragraph 2(b) is contravened, the occupier of the premises in question shall be guilty of an offence.



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**PART 7<sup>21</sup>****FRESH FRUITS AND VEGETABLES**

1. References in this Part to fruits or vegetables of any description are references to food consisting of such fruits or vegetables either –
  - (a) in the state in which they were harvested;
  - (b) in the state in which they were harvested apart from having been cleaned or trimmed;
  - (c) in the case of beetroots, in the state in which they were harvested apart from having been cooked; or
  - (d) in the case of peas, in the state in which they were harvested apart from having been shelled.
2. Subject to paragraph 6, potatoes –
  - (a) unless pre-packed, shall not be sold by retail except by net weight;
  - (b) shall not be sold by retail pre-packed unless –
    - (i) they are made up in one of the following quantities by net weight, that is to say –
      - (A) 500g, 750g, 1 kg, 1.5 kg, 2.5 kg (or a multiple of 2.5 kg to a net weight not exceeding 15 kg), 20 kg or 25 kg, or
      - (B) 8 ounces, 12 ounces, one pound, one and a half pounds or a multiple of one pound, and
    - (ii) the container is marked with an indication of quantity by net weight.
3.
  - (1) Subject to paragraph 6, this paragraph applies to –
    - (a) beans, brussels sprouts, brussels tops, curly kale, peas, spinach, spring greens, sprouting broccoli and turnip tops;
    - (b) produce of any one or more of the following descriptions (in this paragraph referred to as “soft fruits”), that is to say, bilberries, blackberries, blackcurrants, boysenberries, brambles, cherries, cranberries, gooseberries, loganberries, mulberries, raspberries, redcurrants, strawberries, tayberries and whitecurrants;
    - (c) mushrooms;
    - (d) produce of any one or more of the following descriptions (in this paragraph referred to as “countable produce”), that is to say, apples, apricots, artichokes (globe), aubergines, avocados, bananas, beetroots, cabbage, capsicums, carrots, cauliflower, celery, coconuts, corn on the cob, cucumber, fennel, figs (fresh), garlic, grapefruit, greengages, guavas, kiwi fruit, kohlrabi, leeks, lemons, lettuce, limes, mandarines, mangoes, marrow, melons, nectarines, onions

(other than spring onions), oranges, parsnips, passion fruit, pawpaw, peaches, pears, pineapple, plums, pomegranates, pomelo, pumpkins, radishes, shaddock, shallots, soft citrus fruits, swedes, tangerines, tomatoes, turnips, and ugli.

- (2) On a sale by retail of goods to which this paragraph applies there shall, subject to clause (3), be made known to the buyer before the buyer pays for or takes possession of the goods the quantity of the goods sold, being –
    - (a) the quantity by net weight or, in the case of countable produce, the quantity either by net weight or by number; or
    - (b) if the goods are sold in a container which does not exceed the appropriate permitted weight specified, in the case of soft fruits or mushrooms, in Table B or, in any other case, in Table A of Part 11, the quantity either by net weight or by gross weight.
  - (3) Clause (2) does not apply to the sale by retail of goods to which this paragraph applies if the goods are pre-packed in a container marked with an indication of quantity by net weight or, in the case of countable produce, either by net weight or by number.
  - (4) Goods to which this paragraph applies shall not be prepacked in a container which exceeds the appropriate permitted weight specified in sub-paragraph (2)(b) unless the container is marked with an indication of the quantity, being –
    - (a) the quantity by net weight; or
    - (b) in the case of countable produce, the quantity either by net weight or by number.
- 4.
- (1) Where fruits or vegetables of any description specified in paragraph 2 or 3 have been divided into pieces or have had a part removed or both, then, subject to paragraph 6, this paragraph shall apply to food consisting of, or including, part of any of those fruits or vegetables which has not been subjected to further process.
  - (2) On a sale by retail of any goods to which this paragraph applies there shall, subject to clause (3), be made known to the buyer before the buyer pays for or takes possession of the goods the quantity of the goods sold, being –
    - (a) the quantity by net weight; or
    - (b) if the goods are sold in a container which does not exceed the appropriate permitted weight specified in Table A of Part 11 of this Schedule, the quantity either by net weight or by gross weight.
  - (3) Clause (2) does not apply to the sale by retail of goods to which this paragraph applies if the goods are pre-packed in a container marked with an indication of quantity by net weight.
  - (4) Goods to which this paragraph applies shall not be prepacked in a container which exceeds the appropriate permitted weight specified in sub-paragraph (2)(b) unless the container is marked with an indication of quantity by net weight.

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5. Article 32(3) of this Law shall apply to a requirement of paragraph 3 or 4 with respect to the making known to the buyer of the quantity by gross weight of prepacked goods to which that paragraph applies in like manner as if provision to that effect had been made by an Order under the said paragraph (3), but the power of the Minister to vary or revoke any Order under that paragraph shall extend to the amendment or repeal of this paragraph.
  6. The following shall be exempted from any requirement of paragraph 2 or 3 which would otherwise apply to them that is to say –
    - (a) goods pre-packed in the same container with other goods to which none of those requirements applies;
    - (b) goods pre-packed in the same container with goods of 2 or more other descriptions to which some requirement of this Part would otherwise apply;
    - (c) a pre-packed collection of not more than 8 articles of countable produce within the meaning of paragraph 3, if the container is such that all the articles can be clearly seen by a prospective purchaser;
    - (d) bunched asparagus, bunched carrots, bunched chives, bunched beetroots, bunched endives, bunched garlic, bunched mint, bunched mustard and cress, bunched onions (including spring onions), bunched parsley, bunched radishes, bunched salad cress, bunched turnips and bunched watercress;
    - (e) pre-packed potatoes if the net weight of each potato is not less than 175g and the container is marked with an indication of quantity by number and with a statement to the effect that each potato in the container is of a net weight not less than a weight specified in grams, whether the weight so specified is 175g or a greater weight,

and there shall be exempted from all requirements of this Part any goods in a quantity of less than 25g.

7.
  - (1) Where at premises (other than a vehicle or ship) goods to which paragraph 2 or 3 applies have been sold by weight when made up in a container, and the sale is otherwise than by retail, the buyer may require all or any of the following weighings to be carried out at those premises, that is to say –
    - (a) a weighing of the container while the goods are in it;
    - (b) a weighing of that container after removal of the goods;
    - (c) a weighing of a similar empty container,and thereupon the seller shall either carry out or permit the buyer to carry out the weighing or weighings so required; and if the seller fails without reasonable cause to do so the seller shall be guilty of an offence.
  - (2) The occupier of premises at which goods to which paragraph 2 or 3 applies are made up in a container for sale by weight otherwise than by retail, or of premises (other than a vehicle or ship) at which

such goods so made up are so sold, shall provide suitable weighing equipment and make that equipment available for any weighing or weighings required under sub-paragraph (1) to be carried out at those premises; and if the occupier fails without reasonable cause to comply with any of the requirements of this sub-paragraph the occupier shall be guilty of an offence.

### **PART 8<sup>22</sup>**

#### **MISCELLANEOUS FOODS TO BE SOLD BY OR MARKED WITH NET WEIGHT AND TO BE PRE-PACKED ONLY IN FIXED QUANTITIES**

1. This Part applies to the following foods, that is to say –
  - (a) cereal breakfast foods in flake form, other than cereal biscuit breakfast foods;
  - (b) tea, cocoa (including cocoa powder and chocolate powder) and coffee (including coffee beans, coffee powders of all kinds, ground coffee and mixtures of coffee and chicory other than such mixtures in the form of liquid essences);
  - (c) honey, other than chunk honey;
  - (d) jam and marmalade, other than diabetic jam or marmalade;
  - (e) jelly preserves;
  - (f) molasses, syrup and treacle;
  - (g) salt, other than cut lump salt;
  - (h) sugar of the following descriptions, that is to say, caster, granulated, cube and icing;
  - (i) dried vegetables of any of the following descriptions, that is to say, beans, lentils and peas (including split peas);
  - (j) barley kernels, pearl barley, rice (including ground rice and rice flakes), sago, semolina and tapioca;
  - (k) flour of bean, maize, oats, pea, rice, rye, soya bean or wheat;
  - (l) flour products of any of the following descriptions, that is to say –
    - (i) cake flour, other than cake mixtures and sponge mixtures,
    - (ii) cornflour, other than blancmange powders and custard powders,
    - (iii) macaroni and similar products,
    - (iv) self-raising flour.
2. Except in the case of –
  - (a) honey in comb; and
  - (b) other goods in a quantity of less than 12 g,goods to which this Part applies which are not pre-packed shall be sold by retail only by net weight.
3. Goods to which this Part applies shall not be sold pre-packed unless the container is marked with an indication of quantity by net weight.

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**PART 9<sup>23</sup>****MISCELLANEOUS FOODS TO BE PRE-PACKED ONLY WHEN MARKED WITH NET WEIGHT AND IN FIXED QUANTITIES AND TO BE OTHERWISE SOLD BY NET WEIGHT OR GROSS WEIGHT**

1. This Part applies to the following foods, that is to say –
  - (a) butter, compound cooking fat, dripping, lard, margarine, shredded suet and any mixture of butter and margarine;
  - (b) dried fruits of any one or more of the following descriptions, that is to say, apples (including dried apple rings), apricots, currants, dates, figs, muscatels, nectarines, peaches, pears (including dried pear rings), prunes, raisins and sultanas;
  - (c) dried fruit salad;
  - (d) oatflakes, oatmeal and rolled oats;
  - (e) sugar, other than caster, granulated, cube or icing sugar.
2. Subject to paragraph 4, goods to which this Part of this Schedule applies which are not pre-packed shall be sold by retail only –
  - (a) by net weight; or
  - (b) if sold in a container which does not exceed the appropriate permitted weight specified in Table A of Part 11, either by net weight or gross weight.
3. Subject to paragraph 4, goods to which this Part of this Schedule applies shall be pre-packed only if –
  - (a) they are made up in one of the following quantities, that is to say, 2, 4, 8 or 12 ounces, one pound, one and a half pounds, or a multiple of one pound; and
  - (b) the container is marked with an indication of quantity, being in each case quantity by net weight.
4. There shall be exempted from all requirements of this Part of this Schedule any goods in a quantity of less than one ounce.

**PART 10****MISCELLANEOUS FOODS TO BE MARKED WHEN PRE-PACKED WITH QUANTITY BY NUMBER**

1. This Part applies to foods of any of the following descriptions, that is to say –
  - (a) cereal biscuit breakfast foods, other than foods in the case of which none of the biscuits weighs more than one-third of an ounce;
  - (b) fruit preservative tablets, rennet tablets, saccharin tablets, soft drink tablets and sweetening tablets;

- (c) shell eggs;
  - (d) vanilla pods.
2. Goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity by number:

Provided that there shall be exempted from the requirements of this paragraph –

- (a) shell eggs pre-packed in a quantity of not more than 6, if the container is such that all the eggs can be clearly seen by a prospective purchaser;
- (b) any goods in a quantity by number of one.

**PART 11<sup>24</sup>****TABLES OF PERMITTED WEIGHTS FOR CONTAINERS**

TABLE A

Gross weight	Permitted weight of container
Not exceeding 500g .....	5g
Exceeding 500g .....	a weight at the rate of 10g per kg of the gross weight

TABLE B

Gross weight	Permitted weight of container
Not exceeding 250g .....	a weight at the rate of 120g per kg of the gross weight
Exceeding 250g but not exceeding 1 kg .....	a weight at the rate of 100g per kg of the gross weight
Exceeding 1 kg but not exceeding 3 kg .....	a weight at the rate of 90g per kg of the gross weight
Exceeding 3 kg .....	a weight at the rate of 60g per kg of the gross weight

**SCHEDULE 4**

(Article 20)

**BALLAST****PART 1****GENERAL PROVISIONS**

1. In this Schedule, the expression “ballast” means any of the following materials, that is to say –
  - (a) gravel, not including sea gravel;
  - (b) granite chippings, limestone chippings, slate chippings and other stone chippings (including such materials which have been coated with tar, bitumen or cement).
2. Subject to paragraph 3, ballast shall be sold only by volume in a multiple of half a cubic yard or by net weight.
3. There shall be exempted from the requirements of paragraph 2 –
  - (a) ballast in a quantity both less than one ton and less than one cubic yard;
  - (b) any sale with a view to its industrial use of ballast of any description mentioned in paragraph 1(b);
  - (c) any sale in the case of which the buyer is to take delivery in or from a ship;
  - (d) any sale as a whole of ballast produced in the demolition or partial demolition of a building where the buyer is responsible for the removal of the ballast from the site of the building;
  - (e) any sale in the state in which it was produced of clinker or ashes produced as a by-product, or of any other ballast produced as a casual product, of the carrying on of an industrial process on any premises where the buyer is responsible for the removal of the ballast from those premises.
4. Without prejudice to Article 13 of this Law, no article shall be used for trade as a cubic measure of ballast other than a receptacle (which may, if so desired, form part of a vehicle) which conforms with such requirements as to form, capacity, calibration and other matters as may be prescribed; and any person who uses for trade, or has in the person’s possession for use for trade, as a cubic measure of ballast any article other than such a receptacle as aforesaid shall be guilty of an offence.
5. In measuring any ballast against a calibration mark on such a receptacle as aforesaid, the ballast shall be filled into all parts of the receptacle as far as, and be levelled off against, that calibration mark as nearly as the



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nature of the ballast will permit; and where any ballast is measured for purposes of trade in such a receptacle, any person who –

- (a) being the person carrying out the measuring, fails so to level off the ballast when it is loaded into the receptacle; or
  - (b) causes or permits a heaped load to be sent out in the receptacle,
- shall be guilty of an offence.

## PART 2

### CARRIAGE OF BALLAST BY ROAD

1. The provisions of this Part of this Schedule shall have effect with respect to the carriage of ballast by a vehicle on a journey any part of which is along a highway.
2.
  - (1) If any of the ballast is being carried for delivery to a buyer in pursuance of, or of an agreement for, a sale thereof and paragraph 2 of Part 1 applies to the sale, the following provisions of this paragraph shall have effect with respect to that ballast.
  - (2) There shall, before the journey begins, be delivered to the person in charge of the vehicle a document signed by or on behalf of the seller stating –
    - (a) the name and address of the seller;
    - (b) the name of the buyer, and the address of the premises to which the ballast is being delivered;
    - (c) the type of the ballast;
    - (d) subject to sub-paragraph (4), the quantity of the ballast either by net weight or by volume;
    - (e) sufficient particulars to identify the vehicle; and
    - (f) the place, date and time of the loading of the ballast in the vehicle.
  - (3) Where the quantity of the ballast is stated in the document aforesaid by volume, the ballast shall be carried on the vehicle only in such a receptacle as is mentioned in paragraph 4 of Part 1.
  - (4) The statement referred to in sub-paragraph (2)(d) shall not be required at any time while the vehicle is travelling between the place where it was loaded and the nearest suitable and available weighing equipment if the whole of the vehicle's load is being delivered to the same person at the same premises and the document aforesaid states that the quantity of the ballast is to be expressed by net weight determined by means of that equipment and specifies the place at which the equipment is situated.
  - (5) In any case to which sub-paragraph (4) applies, the person in charge of the vehicle at the time when the net weight of the ballast is determined shall forthwith add to the document aforesaid a

statement of that net weight, and if the person fails so to do he or she shall be guilty of an offence.

- (6) If any of the provisions of sub-paragraph (2) or (3) is contravened, the seller shall be guilty of an offence.
- (7) If the vehicle is carrying ballast as mentioned in sub-paragraph (1) for delivery to each of 2 or more persons, sub-paragraphs (1) to (3) shall apply separately in relation to each of those persons:

Provided that this sub-paragraph shall not be construed as prohibiting the use of the same receptacle such as is mentioned in the said sub-paragraph (3) for the carriage of ballast for delivery to 2 or more different persons.

3. If all or any of the ballast on the vehicle is being carried in such circumstances that paragraph 2 does not apply thereto, there shall before the journey begins be delivered to the person in charge of the vehicle a document containing a statement to that effect signed by or on behalf of the person causing that ballast to be carried and giving the name and address of the last-mentioned person, and if this paragraph is contravened the last-mentioned person shall be guilty of an offence:

Provided that this paragraph shall not apply where all the ballast in the vehicle is being carried in such circumstances as aforesaid and is being so carried in a container which does not form part of the vehicle.

4. Any document required by paragraph 2 or 3 shall at all times during the journey be carried by the person for the time being in charge of the vehicle and shall be handed over by the person to any other person to whom the person hands over the charge of the vehicle in the course of the journey; and in the case of any document such as is mentioned in the said paragraph 2, on the unloading of the ballast to which the document relates at the premises to which that ballast is to be delivered –
  - (a) before any of that ballast is so unloaded, the document shall be handed over to the buyer; or
  - (b) if the document cannot be so handed over by reason of the absence of the buyer, it shall be left at some suitable place at those premises,

and if at any time any of the provisions of this paragraph is contravened without reasonable cause, the person in charge of the vehicle at that time shall be guilty of an offence.

5. In the case of any document such is as mentioned in paragraph 2, if at any time during the journey or on unloading at the place of delivery the quantity of the ballast to which the document relates is found to be less than that stated in the document, the statement shall nevertheless be deemed for the purposes of this Law to be correct if, but only if, it is proved that the deficiency is solely attributable to the draining away of normal moisture from, or the consolidation of, the ballast during the journey.

**SCHEDULE 5**

(Article 20)

**SOLID FUEL****PART 1<sup>25</sup>****GENERAL**

1. This Schedule applies to goods of any of the following descriptions (in this Schedule referred to as “solid fuel”), that is to say, coal, coke and any solid fuel derived from coal or of which coal or coke is a constituent.
2.
  - (1) Subject to sub-paragraph (2), solid fuel shall be sold only by net weight.
  - (2) There shall be exempted from the requirements of sub-paragraph (1) –
    - (a) briquettes in a quantity not exceeding 14 pounds;
    - (b) any solid fuel pre-packed in a securely closed container marked with an indication of quantity by net weight.
3.
  - (1) Subject to sub-paragraph (2), solid fuel shall be made up in a container for sale or for delivery after sale only if –
    - (a) 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	
14 pounds	
28 pounds	
56 pounds	25 kilogrammes
112 pounds	50 kilogrammes
140 pounds	
Any multiple of 112 pounds	Any multiple of 50 kilogrammes;

and

- (b) the container is marked with an indication of quantity by net weight.

- (2) There shall be exempted from all the requirements of sub-paragraph (1) any 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; and there shall be exempted from the requirements of clause (a) of that sub-paragraph any solid fuel pre-packed in a quantity not exceeding 60 pounds in a securely closed container.
4. Solid fuel shall be sold by means of, or offered or exposed for sale in, a vending machine only if there is displayed on or in the machine –
  - (a) an indication of the quantity by net weight of the fuel comprised in each item for sale by means of that machine; and
  - (b) except where the machine is on premises at which the seller carries on business, a statement of the name and address of the seller.
5. The Minister may make Orders for any of the following purposes, that is to say –
  - (a) for securing that on any premises on or from which solid fuel available for purchase in a quantity of 2 hundredweight or less is sold or kept or exposed for sale there is displayed a notice specifying the price of the fuel; and
  - (b) for prohibiting the sale on or from any such premises of any such fuel at a higher price than that so displayed in relation to that fuel.
6. Any person who with intent to defraud or deceive damps any solid fuel shall be guilty of an offence.

## **PART 2**

### **CARRIAGE OF SOLID FUEL BY ROAD**

1. This Part of this Schedule shall have effect with respect to the carriage by a vehicle on a journey any part of which is along a highway of any solid fuel required by paragraph 2 of Part 1 to be sold only by net weight (in this Part of this Schedule referred to as “relevant goods”).
2.
  - (1) If the vehicle is carrying any relevant goods for delivery to a buyer in pursuance of, or of an agreement for, a sale of a quantity exceeding 2 hundredweight, then, subject to sub-paragraph (5), there shall before the journey begins be delivered to the person in charge of the vehicle a document signed by or on behalf of the seller stating –
    - (a) the name and address of the seller;
    - (b) the name of the buyer and the address of the premises to which the goods to which the document relates are being delivered;
    - (c) the type of the said goods;
    - (d) subject to sub-paragraph (2), the aggregate net weight of the said goods; and

- 
- (e) where any of the said goods are made up in containers –
- (i) the number of those containers, and
  - (ii) except where the whole of the relevant goods carried on the vehicle are for delivery to a single buyer, the net weight of the goods in each of those containers,
- and if this sub-paragraph is contravened, the seller shall be guilty of an offence.
- (2) Where the whole of the vehicle's load consists of relevant goods not made up in containers and is being delivered to the same person at the same premises, the statement referred to in sub-paragraph (1)(d) shall not be required at any time while the vehicle is travelling between the place where it was loaded and the nearest suitable and available weighing equipment if the document aforesaid states that the quantity of the relevant goods is to be expressed by net weight determined by means of that equipment and specifies the place at which the equipment is situated.
- (3) In any case to which sub-paragraph (2) applies, the person in charge of the vehicle at the time when the net weight of the relevant goods is determined shall forthwith add to the document aforesaid a statement of that net weight, and if the person fails so to do he or she shall be guilty of an offence.
- (4) If the vehicle is carrying relevant goods to which sub-paragraph (1) applies for delivery to each of 2 or more buyers –
- (a) that sub-paragraph shall apply separately in relation to each of those buyers; and
  - (b) the relevant goods for delivery to each respectively of those buyers shall be carried on the vehicle made up separately in containers or in separate compartments,
- and if paragraph (b) of this sub-paragraph is contravened the seller shall be guilty of an offence:
- Provided that the said paragraph (b) shall not apply where the vehicle is constructed or adapted for the mechanical making up in containers of the fuel carried thereon and incorporates weighing equipment approved by the Minister for that purpose.
- (5) Sub-paragraph (1) shall not apply to any goods which to the knowledge of the seller are to be loaded into a ship before their delivery to the buyer.
3. If all or any of the relevant goods on the vehicle are being carried in such circumstances that paragraph 2(1) does not apply, there shall, before the journey begins, be delivered to the person in charge of the vehicle a document signed by or on behalf of the person causing the goods to be carried giving the name and address of the last-mentioned person and containing a statement to the effect that all or part of the relevant goods on the vehicle are goods to which the said sub-paragraph (1) does not apply, and if this paragraph is contravened the last-mentioned person shall be guilty of an offence:

Provided that this paragraph shall not apply where the total quantity of the relevant goods carried on the vehicle does not exceed two hundredweight.

4. Any document required by paragraph 2 or 3 shall at all times during the journey be carried by the person for the time being in charge of the vehicle and shall be handed over by the person to any other person to whom the person hands over the charge of the vehicle in the course of the journey; and in the case of any document such as is mentioned in the said paragraph 2, on the unloading of the goods to which the document relates at the premises to which those goods are to be delivered –
- (a) before any of those goods are so unloaded, the document shall be handed over to the buyer; or
  - (b) if the document cannot be so handed over by reason of the absence of the buyer, it shall be left at some suitable place at those premises,

and if at any time any of the requirements of this paragraph is contravened without reasonable cause, the person in charge of the vehicle at that time shall be guilty of an offence.

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**SCHEDULE 6**

(Article 20)

**MISCELLANEOUS GOODS OTHER THAN FOODS****PART 1****LIQUID FUEL AND LUBRICANTS**

1. This Part applies to –
  - (a) liquid fuel, lubricating oil and any mixture of such fuel and oil; and
  - (b) lubricating grease.
2. Subject to paragraph 3, goods to which this Part applies –
  - (a) unless pre-packed, shall be sold only by net weight or by capacity measurement;
  - (b) shall be pre-packed only if the container is marked with an indication of quantity either by net weight or by capacity measurement;
  - (c) in the case of lubricating oil in a quantity of one quart or less, shall be made up in a container for sale otherwise than by way of pre-packing only if the container is marked with an indication of quantity by capacity measurement.
3. Notwithstanding anything in paragraph 2, liquid fuel –
  - (a) when not pre-packed may be sold by volume; and
  - (b) may be pre-packed in a container marked with an indication of quantity by volume,

being in either case the volume of the gas which would be produced from the fuel in question at such temperature and such atmospheric pressure as are specified in Orders with respect to fuel of the type in question or, if no such Orders are in force, as may be made known by the seller to the buyer before the buyer pays for or takes possession of the fuel; and there shall be exempted from all requirements of the said paragraph 2 goods of any description in a quantity of less than half a pound or of less than half a pint.

**PART 2****READY-MIXED CEMENT MORTAR AND READY-MIXED CONCRETE**

1. This Part applies to ready-mixed cement mortar and ready-mixed concrete.

2. Any goods to which this Part applies shall be sold only by volume in a multiple of a quarter of a cubic yard:

Provided that there shall be exempted from the requirements of this paragraph any goods in a quantity of less than one cubic yard.

3. Part 2 of Schedule 4, except paragraph 2(3) thereof, shall apply for the purposes of this Part as if –
- (a) any reference to the said Part 2 to ballast included a reference to goods to which this Part applies; and
  - (b) the reference in sub-paragraph (1) of the said paragraph 2 to paragraph 2 of Part 1 of the said Schedule 4 were a reference to paragraph 2 of this Part of this Schedule.

### **PART 3**

#### **AGRICULTURAL LIMING MATERIALS, AGRICULTURAL SALT AND INORGANIC FERTILISERS**

1. This Part applies –
- (a) to agricultural liming materials, other than calcareous sand;
  - (b) to agricultural salt;
  - (c) to, and to any mixture consisting mainly of, inorganic fertilisers, other than such fertilisers or such a mixture made up into pellets or other articles for use as individual items; and
  - (d) to any mixture of any of the foregoing.
- 2.
- (1) Goods to which this Part applies which are not pre-packed, other than liquid fertilisers, shall be sold only by quantity, being –
    - (a) quantity by net weight;
    - (b) if the goods are sold in a container which does not exceed the permitted weight and the gross weight of the goods is not less than 56 pounds, quantity either by net weight or by gross weight; or
    - (c) quantity by volume.
  - (2) Goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity, being –
    - (a) in the case of liquid fertilisers, quantity by capacity measurement;
    - (b) in any other case, quantity by net weight or, if the container does not exceed the permitted weight and the gross weight of the goods is not less than 56 pounds, quantity either by net weight or by gross weight.
  - (3) In this paragraph, the expression “permitted weight” means a weight at the rate of 24 ounces per hundredweight of the gross weight.



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- (4) There shall be exempted from all requirements of this paragraph any sale of goods with a view to their industrial use.
  3. Paragraphs 4 and 5 of Part 1 of Schedule 4 shall have effect as if any reference therein to ballast included a reference to any goods to which this Part of this Schedule applies.

#### **PART 4**

#### **WOOD FUEL**

1. Subject to paragraph 2 –
  - (a) wood fuel which is not made up in a container for sale shall be sold by retail only by net weight;
  - (b) in the case of a sale by retail of wood fuel made up in a container for sale, the quantity by net weight of the fuel sold shall be made known to the buyer before the buyer pays for or takes possession of it.
2. There shall be exempted from the requirements of paragraph 1 any sale of wood fuel in a quantity which does not exceed 14 pounds or which exceeds half a ton.
3. Paragraphs 5 and 6 of Part 1 of Schedule 5 shall have effect as if any reference therein to solid fuel included a reference to wood fuel.

#### **PART 5**

#### **PERFUMERY AND TOILET PREPARATIONS**

1. This Part applies to goods of any of the following descriptions, that is to say –
  - (a) perfumes and toilet waters;
  - (b) other toilet preparations for use on the hair or scalp of human beings;
  - (c) other toilet preparations for external use on any other part of the human body; and
  - (d) dentifrices,whether in liquid, solid or any other form including any such goods which are medicated but are not pharmaceutical preparations, but excluding soap in any form.
2. Goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity either by net weight or by volume:  
Provided that there shall be exempted from the requirements of this paragraph –

- (a) any goods such as are mentioned paragraph 1(a) in a quantity not exceeding 12 grammes or not exceeding 20 cubic centimetres;
- (b) any goods such as are mentioned in paragraph 1(b) in a quantity not exceeding 20 grammes or not exceeding 20 cubic centimetres;
- (c) any goods such as are mentioned in paragraph 1(c) or (d) in a quantity not exceeding 12 grammes or not exceeding 12 cubic centimetres.

## **PART 6**

### **SOAP**

- 1. Subject to paragraph 2 –
  - (a) soap in the form of a cake, tablet or bar shall be prepacked only if the container is marked with an indication of quantity by net weight;
  - (b) liquid soap shall be pre-packed only if the container is marked with an indication of quantity by capacity measurement;
  - (c) soap in any other form –
    - (i) unless pre-packed, shall be sold by retail only by net weight;
    - (ii) shall be pre-packed only if the container is marked with an indication of quantity by net weight.
- 2. There shall be exempted from the requirements of this Part –
  - (a) liquid soap in a quantity of less than 5 fluid ounces;
  - (b) soap in any other form in a quantity of less than one ounce.

## **PART 7**

### **MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH LENGTH**

- 1. This Part applies to goods of any of the following descriptions, that is to say, bias binding, elastic, ribbon, tape and sewing thread.
- 2. Goods to which this Part of this Schedule applies –
  - (a) unless pre-packed, shall be sold by retail only by length;
  - (b) shall be pre-packed only if the container is marked with an indication of quantity by length:

Provided that there shall be exempted from all requirements of this paragraph goods of any description in a quantity of less than one yard.

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**PART 8****MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH NET WEIGHT**

1. This Part applies to –
  - (a) distemper;
  - (b) articles offered as feed for household pets, being manufactured feed or bird seed other than animal feed in biscuit or cake form pre-packed in a quantity by number not exceeding 16;
  - (c) nails;
  - (d) paste paint;
  - (e) seeds, other than pea or bean seeds.
2. Subject to paragraph 3, goods to which this Part applies –
  - (a) unless pre-packed, shall be sold by retail only by net weight;
  - (b) shall be pre-packed only if the container is marked with an indication of quantity by net weight.
3. There shall be exempted from all requirements of this Part –
  - (a) any of the following in a quantity of less than half a pound, that is to say, distemper and paste paint;
  - (b) bird seed in a quantity of less than 4 ounces, and other seeds in a quantity of less than half an ounce;
  - (c) nails in a quantity of less than half an ounce;
  - (d) any other goods in a quantity of less than one ounce;and, notwithstanding anything in paragraph 2, nails –
  - (i) when not pre-packed may be sold by retail by number;
  - (ii) may be pre-packed in or on a container marked with an indication of quantity by number.

**PART 9****MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-PACKED WITH NET WEIGHT**

1. This Part applies to –
  - (a) Portland cement;
  - (b) cleansing powders and scouring powders;
  - (c) detergents, other than liquid detergents;
  - (d) paint remover, other than liquid paint remover.

2. Subject to paragraph 3, goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity by net weight.
3. There shall be exempted from the requirements of this Part goods of any description in a quantity of less than one ounce.

#### **PART 10**

##### **MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH CAPACITY MEASUREMENT**

1. This Part applies to antifreeze fluid for internal combustion engines, linseed oil, paint (other than paste paint), paint thinner, turpentine, turpentine substitute, varnish, and wood preservative fluid (including fungicides and insecticides).
2. Subject to paragraph 3, goods to which this Part applies –
  - (a) unless pre-packed, shall be sold by retail only by capacity measurement;
  - (b) shall be pre-packed only if the container is marked with an indication of quantity by capacity measurement.
3. There shall be exempted from all requirements of this Part goods of any description in a quantity of less than 5 fluid ounces.

#### **PART 11**

##### **MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-PACKED WITH CAPACITY MEASUREMENT**

1. This Part applies to enamel, lacquer, liquid detergents, liquid paint remover, petrifying fluid and rust remover.
2. Subject to paragraph 3, goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity by capacity measurement.
3. There shall be exempted from the requirements of this Part goods of any description in a quantity of less than 5 fluid ounces.

#### **PART 12**

##### **MISCELLANEOUS GOODS TO BE SOLD BY OR MARKED WITH NET WEIGHT OR CAPACITY MEASUREMENT**

1. This Part applies to –
  - (a) polishes;
  - (b) dressings analogous to polishes;

- (c) pea seeds and bean seeds.
- 2. Subject to paragraph 3, goods to which this Part applies –
  - (a) unless pre-packed, shall be sold by retail only by net weight or by capacity measurement;
  - (b) shall be pre-packed only if the container is marked with an indication of quantity either by net weight or by capacity measurement.
- 3. The following shall be exempted from all the requirements of this Part, that is to say –
  - (a) pea or bean seeds in a quantity of less than half a pound or of less than half a pint;
  - (b) any other goods in a quantity of less than one ounce or of less than one fluid ounce.

### **PART 13**

#### **MISCELLANEOUS GOODS TO BE MARKED WHEN PRE-PACKED WITH QUANTITY BY NUMBER**

- 1. This Part applies –
  - (a) to cheroots, cigarettes and cigars;
  - (b) to postal stationery, that is to say, paper or cards for use in correspondence, and envelopes;
  - (c) to, and to any mixture consisting mainly of, inorganic fertilisers, being such fertilisers or such a mixture made up into pellets or other articles for use as individual items; and
  - (d) to manufactured animal feed in biscuit or cake form pre-packed in a quantity by number of 16 or less.
- 2. Subject to paragraphs 3 and 4, goods to which this Part applies shall be pre-packed only if the container is marked with an indication of quantity by number.
- 3. In relation to postal stationery, the reference to number in paragraph 2 shall be construed as a reference to the number of sheets of paper, cards or envelopes as the case may be, in the pad, confining band or other form of container; and postal stationery shall be exempted from the requirements of that paragraph if pre-packed as part of a collection of articles made up for sale together and including any article other than postal stationery and blotting or other paper.
- 4. There shall be exempted from the requirements of this Part any goods in a quantity by number of one.

**SCHEDULE 7**

(Article 20)

**COMPOSITE GOODS AND COLLECTIONS OF ARTICLES**

1.

(1) This paragraph applies to any goods which, not being pre-packed, and not themselves being goods –

- (a) required by or under any provision of this Law to be sold (whether on any sale or on a sale of any particular description) only by quantity expressed in a particular manner;
- (b) on a sale of which (whether any sale or a sale of any particular description) the quantity of the goods sold expressed in a particular manner is required by or under any other provision of this Law to be made known to the buyer at or before a particular time; or
- (c) expressly exempted by or under any other provision of this Law from all such requirements as aforesaid which would otherwise apply thereto,

consist of a mixture constituted wholly or mainly of goods of one or more descriptions to which there applies any such requirement as aforesaid made by reference to any of the following (whether exclusively or otherwise), that is to say, weight, capacity measurement or volume.

(2) Subject to paragraph 5, goods to which this paragraph applies shall be sold only by net weight or by capacity measurement or by volume.

2.

(1) This paragraph applies to any goods which, not being aerosol products and not themselves being goods –

- (a) required by or under any other provision of this Law to be pre-packed only if the container is marked with an indication of quantity;
- (b) in the case of which when sold pre-packed (whether on any sale or on a sale of any particular description) the quantity of the goods sold expressed in a particular manner is required by or under any other provision of this Law to be made known to the buyer at or before a particular time; or
- (c) expressly exempted by or under any other provision of this Law from all such requirements as aforesaid which would otherwise apply thereto,

consist of a mixture constituted wholly or mainly of goods of one or more descriptions to which there applies any such requirements as aforesaid made by reference to any of the following (whether

exclusively or otherwise), that is to say, weight, capacity measurement or volume.

- (2) Subject to paragraph 5, goods to which this paragraph applies shall be pre-packed only if the container is marked with an indication of quantity either by net weight or by capacity measurement or by volume.

3.

- (1) This paragraph applies to aerosol products containing any goods required by or under any other provision of this Law to be pre-packed only if the container is marked with an indication of quantity expressed in a particular manner.

- (2) Subject to paragraph 5, any aerosol product to which this paragraph applies shall be pre-packed only if the container is marked with an indication of the quantity by net weight of the entire contents thereof.

4.

- (1) This paragraph applies to any collection of 2 or more items which, not itself being –

- (a) required by or under any other provision of this Law to be pre-packed only if the container is marked with particular information; or
- (b) expressly exempted by or under any other provision of this Law from any such requirement which would otherwise apply thereto,

contains one or more articles to which any such requirement applies.

- (2) Any collection to which this paragraph applies shall be pre-packed only if –

- (a) the container in which the collection is pre-packed is marked with an indication of the quantity of each of any such articles as aforesaid contained therein; or
- (b) each of any such articles contained therein is made up in an individual container marked with an indication of quantity,

being in either case the like indication of the quantity of each respectively of those articles as would have been required if that article had itself been pre-packed.

5. There shall be exempted from any requirement of paragraph 1, 2 or 3 of this Schedule goods of any description in a quantity of less than one ounce or of less than one fluid ounce.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Weights and Measures (Jersey) Law 1967	L.15/1967	1 June 1968 except Schedule 3 Part 6(5) and Part 11 which commence 1 January 1970. (R&O.5057)
Weights and Measures (Beer and Cider) (Exemption) (Jersey) Order 1968	R&O.5099	1 June 1968
Weights and Measures (Apothecaries' and Metric Weights and Measures) (Jersey) Order 1976	R&O.6252	1 April 1976
Weights and Measures (Prescribed Quantities No. 3) (Jersey) Order 1990	R&O.8103	12 September 1990
Weights and Measures (Prescribed Quantities No. 4) (Jersey) Order 1991	R&O.8173	18 February 1991
Weights and Measures (Prescribed Quantities No. 5) (Jersey) Order 1991	R&O.8179	18 March 1991
Weights and Measures (Prescribed Quantities No. 6) (Jersey) Order 1991	R&O.8180	18 March 1991
Weights and Measures (Additional Metric Measures) (Jersey) (Order) 1991	R&O.8181	18 March 1991
Weights and Measures (Prescribed Quantities No. 7) (Jersey) Order 2000	R&O.8/2000	1 February 2000
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	R&O.44/2005	9 December 2005
Employment of States of Jersey Employees (Consequential, Amendment, Repeal, Transitional and Savings Provisions) (Jersey) Regulations 2005	R&O.155/2005	9 December 2005
Weights and Measures (Amendment) (Jersey) Law 2007	L.13/2007	7 April 2007
Weights and Measures (Amendment of Schedules 2 and 3 to Law) (Jersey) Order 2014	R&O.129/2014	18 August 2014



<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 2015	R&O.158/2015	1 January 2016

### Table of Renumbered Provisions

<b>Original</b>	<b>Current</b>
PART I	PART 1
PART II	PART 2
PART III	PART 3
11(9), (10)	spent, omitted from this revised edition
11(11)	11(9)
PART IV	PART 4
PART V	PART 5
PART VI	PART 6
37(1)(j)	37(1)(i)
40(1)	spent, omitted from this revised edition
40(2)	40
41(1)	41
41(2)	spent, omitted from this revised edition
FIRST SCHEDULE	SCHEDULE 1
PART I	PART 1
PART II	PART 2
PART III	PART 3
PART IV	PART 4
Paragraph 2	repealed by R&O.6252
Paragraph 3	Paragraph 2.
PART V	PART 5
Paragraph 3	spent, omitted from this revised edition
Paragraph 4	repealed by R&O.6252
Paragraph 5	Paragraph 3
PART VI	PART 6
SECOND SCHEDULE	SCHEDULE 2
PART I	PART 1
PART II	PART 2
PART III	PART 3
PART IV	PART 4
Paragraph 2	repealed by R&O.6252
Paragraph 3	Paragraph 2
PART V	PART 5
Paragraph 3	repealed by R&O.6252
Paragraph 4	spent, omitted from this revised edition

<b>Original</b>	<b>Current</b>
Paragraph 5	Paragraph 3
Paragraph 6	Paragraph 4
THIRD SCHEDULE	SCHEDULE 3
PART I	PART 1
PART II	PART 2
PART III	PART 3
PART IV	PART 4
Paragraph 3(1)	spent, omitted from this revised edition
Paragraph 3(2)	Paragraph 3 (1)
Paragraph 3(3) (a)	Spent, omitted from this revised edition
Paragraph 3(3) (b)	Paragraph 3(2)
PART V	PART 5
PART VI	PART 6
Paragraph 3A	Paragraph 4
Paragraph 4	Paragraph 5
Paragraph 5	Paragraph 6
Paragraph 6	Paragraph 7
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PART VIII	PART 8
Paragraph 1 (j)	Paragraph 1 (i)
(k)	(j)
(l)	(k)
(m)	(l)
Paragraph 4	repealed by R&O.8/2000
PART IX	PART 9
PART X	PART 10
PART XI	repealed by R&O.8/2000
PART XII	PART 11
FOURTH SCHEDULE	SCHEDULE 4
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PART X	PART 10

Original	Current
PART XI	PART 11
PART XII	PART 12
PART XIII	PART 13
SEVENTH SCHEDULE	SCHEDULE 7
EIGHTH SCHEDULE	spent, omitted from this revised edition

### Table of Endnote References

- <sup>1</sup> *This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government chapter 11.450*
- <sup>2</sup>
- <sup>3</sup> *Article 1(1) amended by R&O.158/2015*
- <sup>4</sup> *chapter 16.325*
- <sup>5</sup> *Article 2(1) amended by R&O.155/2005*
- <sup>6</sup> *Article 38 substituted by L.13/2007*
- <sup>7</sup> *chapter 15.360*
- <sup>8</sup> *Schedule 1 Part 4 amended by R&O.6252*
- <sup>9</sup> *Schedule 1 Part 5 amended by R&O.6252*
- <sup>10</sup> *Schedule 2 Part 1 amended by R&O.6252*
- <sup>11</sup> *Schedule 2 Part 3 substituted by R&O.6252*
- <sup>12</sup> *Schedule 2 Part 4 amended by R&O.8181, R&O.129/2014*
- <sup>13</sup> *Schedule 2 Part 5 amended by R&O.6252*
- <sup>14</sup> *Schedule 3 Part 2 amended by R&O.8/2000*
- <sup>15</sup> *Schedule 3 Part 3 amended by R&O.8/2000*
- <sup>16</sup> *Schedule 3 Part 4 amended by R&O.8180*
- <sup>17</sup> *Schedule 3 Part 5 amended by R&O.8173*
- <sup>18</sup> *Schedule 3 Part 6 amended by R&O.8179, R&O.129/2014*
- <sup>19</sup> *Schedule 3 Part 6 para. 2.(b) see exemptions in R&O.5099*
- <sup>20</sup> *chapter 11.450*
- <sup>21</sup> *Schedule 3 Part 7 substituted by R&O.8/2000*
- <sup>22</sup> *Schedule 3 Part 8 amended by R&O.8/2000*
- <sup>23</sup> *Schedule 3 Part 9 amended by R&O.8/2000*
- <sup>24</sup> *Schedule 3 Part 11 substituted by R&O.8/2000*
- <sup>25</sup> *Schedule 5 Part 1 amended by R&O.8103*