1979 No. 294

CONSUMER PROTECTION

Price Marking (Petrol Price Display) Order (Northern Ireland) 1979

Made . . . . . *23rd August* 1979

Coming into operation in accordance with paragraphs (2) *and* (3) *of Article* 1

The Department of Commerce, having consulted, in such manner as appeared to it to be appropriate having regard to the subject matter and urgency of this Order, with such organisation representative of interests substantially affected by this Order as appeared to it, having regard to those matters, to be appropriate, in exercise of the powers conferred on it by section 4(**a**) of the Prices Act 1974(**b**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Price Marking (Petrol Price Display) Order (Northern Ireland) 1979.

(2) This Order, except Articles 2, 3 and 4 shall come into operation on 17th September 1979.

(3) Articles 2, 3 and 4 shall come into operation on 12th November 1979.

Revocation

2. The Price Marking (Petrol Price Display) Order (Northern Ireland) 1977(**c**) is hereby revoked.

Interpretation

3.—(1) In this Order, a grade of petrol means one of the following grades, that is to say, 2 star, 3 star, 4 star or 5 star as mentioned in the British Standard specification for petrol (gasoline) for motor vehicles B.S. 4040: 1978 published on 29th September 1978.

(2) Where an indication is given on any premises that petrol is or may be for sale by retail there and that such petrol is of one of the grades mentioned in paragraph (1), it shall be treated for the purposes of this Order as being petrol of that grade.

(3) In this Order—

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads;

"petrol" means oil, being light oil within the meaning of section 1 of the Hydrocarbon Oil (Customs and Excise) Act 1971(**d**), derived from petroleum of a kind intended for use as fuel for propelling a motor vehicle;

"price", except in the next following definition, means a price, per gallon or per litre, as the case may require, for the sale of petrol;

(**a**) As amended by 1977 c. 33 s. 16
(**b**) 1974 c. 24
(**c**) S.R. 1977 No. 293

"price display premises" are premises on which petrol is or may be for sale by retail and on which is displayed information—

(*a*) as to the price of petrol or of any grade or sub-grade of petrol, not being an indication of price given in compliance with Article 4(*a*) or displayed by means of a price computing mechanism, price indicator bar or other similar device; or

(*b*) as to the minimum price of petrol or of any grade or sub-grade of petrol; or

(*c*) indicating that a reduction in the price of petrol or of any grade or sub-grade of petrol is being made, whether or not the price to which or from which it has been reduced or the amount of the reduction is also displayed, and whether or not the reduction is an alternative to some other form of inducement;

and that information is legible to a person in a motor vehicle on the highway;

"pump" means a measuring instrument for measuring quantities of petrol delivered by it into the tanks of motor vehicles.

(4) The Interpretation Act (Northern Ireland) 1954(e) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Indication of prices

4. Where a person indicates that petrol is or may be for sale by retail on any premises (being petrol to be delivered by means of a pump), he shall—

(*a*) give an indication in writing of the price of the petrol which complies with the relevant provisions of Parts I and II of the Schedule; and

(*b*) where the premises are price display premises, give in addition an indication in writing of the price which complies with the relevant provisions of Parts I, III and IV of the Schedule.

Transitional provision

5. The Price Marking (Petrol Price Display) Order (Northern Ireland) 1977 is hereby varied by the insertion after Article 4 of the following Article—

"**5.** At any time on and after 17th September 1979 and before 12th November 1979 this Order shall have effect in relation to an indication of a price of any petrol which does not comply with the provisions of this Order apart from this Article but would, if it were at that time in force, comply with the provisions of the Price Marking (Petrol Price Display) Order (Northern Ireland) 1979 as if those provisions were substituted for the said provisions of this Order."

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 23rd August 1979.

(L.S.) *W. T. McCrory*
Assistant Secretary

(d) 1971 c. 12
(e) 1954 c. 33 (N.I.)

SCHEDULE Article 4

PART I

Provisions applicable to any indication of price

1.—(1) In any indication of a price, figures representing whole numbers of the price shall be of the same size and figures other than fractions in any other information required by this Order to be included in the indication shall not be larger than the figures representing whole numbers.

(2) If the indication contains a vulgar fraction, the overall height of any such fraction shall be the same as that of the figures representing whole numbers and if the indication contains a decimal fraction the figures after the decimal marker shall be not less than one half of the height of the figures before the decimal marker.

(3) Vulgar fractions and decimal fractions shall be in the same horizontal line as, and shall be given in characters of the same style, boldness and colour as the whole numbers and shall be given on a ground of the same colour as that on which the whole numbers are given.

2. All information comprised in an indication of a price shall be easily legible in the circumstances specified in paragraphs 8 or 15, as the case may be, and information other than the amount of the price shall be given, where paragraph 15 has effect (except as provided in paragraph 3) in characters none of which is less than 80 mm in height.

3. Where, on any premises, a person charges a price determined at a higher rate for part only of a gallon or of a litre, as the case may be, a statement indicating the amount of the excess of such higher rate over the price shall be given and in a case where paragraph 15 has effect, subject to paragraphs 1 and 2, in characters none of which is less than 120 mm in height.

4. An indicated price shall include taxes and duties.

5. An indication of price shall show the grade or sub-grade of petrol to which it relates.

PART II

Provisions applicable to indication of price on pumps on any premises

6.—(1) An indication of price required by Article 4(*a*) shall be marked on the pump, and—

(*a*) where the pump delivers one grade of petrol, shall be the price or the highest price of that grade;

(*b*) where the pump delivers more than one grade of petrol, shall be the price or the highest price of each grade; and

(*c*) where the pump delivers more than one sub-grade of a grade of petrol, shall be the price or the highest price of each sub-grade.

(2) An indication referred to in sub-paragraph (1) shall identify the grade or sub-grade to which the price or each such price relates and shall include a statement of the unit of measurement by reference to which quantities are delivered from the pump.

(3) If there is insufficient space on the pump to include all the information required by Part I and this Part, none of the information shall be marked on the pump but shall be given on a notice which is in close proximity to, and which clearly relates to, the pump.