1977 No. 293

CONSUMER PROTECTION

Price Marking (Petrol Price Display) Order (Northern Ireland) 1977

Made . . . . . 12*th October* 1977

Coming into operation . . . 1*st December* 1977

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 organisations 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 of the Prices Act 1974(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Price Marking (Petrol Price Display) Order (Northern Ireland) 1977 and shall come into operation on 1st December 1977.

Interpretation

2.—(1) In this Order—

"grade" means 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: 1971 published on 31st March 1971, as amended by Amendment Slips Nos. 3 and 4 published on 5th November 1976. Where petrol is offered or exposed for sale as being one of these grades it shall be treated for the purpose of this Order as being petrol of that grade;

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

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

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

(*a*) as to the price of petrol or of any grade or subgrade of petrol, not being an indication of price given in compliance with Article 3(*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 subgrade of petrol; or

(*c*) indicating that a reduction in the price of petrol or of any grade or subgrade 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;

(**a**) 1974 c. 24
(**b**) 1971 c. 12

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.

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

3. A person shall not, in Northern Ireland, offer or expose for sale by retail to be delivered by means of a pump—

(*a*) unless an indication of the price of the petrol is given complying with the provisions of Part 1 of the Schedule;

(*b*) on any price display premises, unless in addition an indication of the price of the petrol is given being an indication complying with the relevant provisions of Parts II and III of the Schedule.

4. Information required by virtue of Article 3(*b*) to be given on any price display premises shall not be given in any manner which makes the information legible to a person in a motor vehicle on the highway other than in the manner so required.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 12th October 1977.

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

(c) 1954 c. 33 (N.I.)

SCHEDULE

PART I

Indication of price required on pumps

1.—(1) An indication of the price required by Article 3(*a*) shall be marked on the pump, and shall be—

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

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

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

The indication shall identify the 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, being either the gallon or the litre.

(2) If there is insufficient space on the pump to include all the information required by 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.

2. The indication of the price or prices mentioned in paragraph 1 shall be easily legible to intending purchasers from the part of the premises where they would place their motor vehicles to take delivery from the pump.

3. A price displayed by means of a price computing mechanism, price indicator bar or other similar device shall not be sufficient compliance with paragraph 1.

4. An indicated price shall include taxes and duties.

PART II

Indication of price to be legible from the highway

1.—(1) Where more than two grades of petrol are offered or exposed for sale on the premises the indication of the price shall be given in respect of at least two grades; otherwise it shall be given for the grade or both of the grades offered or exposed for sale.

(2) Where a reduction in the price is indicated for a grade or subgrade or grades or subgrades of petrol the indication of the price shall be given for that grade or subgrade or those grades or subgrades.

(3) Where 4 star petrol is offered or exposed for sale, that grade shall be the grade or one of the grades in respect of which an indication of the price is given, and where subgrades of that grade are offered or exposed for sale, the indication of price to be given shall be that relating to the most expensive subgrade, whether or not a reduction in the price is displayed for that grade or subgrade.

(4) Where subgrades of a grade of petrol are offered or exposed for sale, the indication of the price shall be that relating to the most expensive subgrade.

2.—(1) Except in the case of a grade or subgrade for which a reduction in the price is displayed, the indication of the price in relation to a grade or the most expensive subgrade shall be the lowest price at which that grade or subgrade is offered or exposed for sale.

(2) In the case of a grade or subgrade for which a reduction in the price is displayed, the indication of the price to be given shall be the price from which the reduction is made and the amount of the reduction which gives the lowest price for that grade or subgrade, and that lowest price.

3. Where the price of petrol or a reduction in that price is dependent on the fulfilment of some condition (whether it be the purchase of a minimum quantity calculated by reference to volume or value, the method of payment or some other condition) the nature of the condition shall be given.

4. The unit of measurement to which the indication of price or the amount of a reduction in the price relates shall be the unit by reference to which quantities of petrol are delivered from pumps on the premises, being either the gallon or the litre.

5. An indicated price shall include taxes and duties.

6. The indication of the price shall identify the grade to which it relates.

PART III

Manner of indicating the price mentioned in Part II

1. Information specified in Part II shall comply with the following provisions.

2. The information shall be displayed on the premises in such manner that it is easily legible to a person in a motor vehicle on the highway and the information shall also be given on each pump delivering petrol to which the information relates:

Provided that if (after taking into account of the space needed for the information required by Part I) not all of the information can be given on the pump, none of it shall be given on the pump, but it shall be given on a notice which is in close proximity to, and which clearly relates to, the pump.

3. Where information is to be given by virtue of paragraph 2(2) of Part II, the information shall be given in such manner as to link clearly the reduction and the price from which it is made and the amount to which the price is reduced.

4. All the information given in respect of a grade of petrol shall be grouped together and given in such manner that it is clear that it relates to that grade and to no other; except that, where a condition of a kind referred to in paragraph 3 of Part II applies to more than one grade of petrol, that condition need only be indicated once in relation to all the grades to which it is relevant if it is given in such manner that it is clear that the indication relates to all those grades and to no other.

5. The information shall be displayed separately from information not required by Part II, except that—

(*a*) where information complying with Part II and the other provisions of this Part is given in respect of more grades than are required by Part II, information given in respect of all such grades shall be treated for the purposes of this paragraph as being required by Part II; and

(*b*) The unit of measurement by reference to which quantities of petrol are delivered from the pumps on the premises may but need not be given.

6. The information other than the information repeated on the pump or on a notice in close proximity thereto shall be displayed at least as prominently as any other information designed to promote the sale of petrol, except the brand name.

7.—(1) Figures representing whole numbers of the price of any petrol shall be of the same size. Other figures other than fractions in any information required by this Order shall not be larger than the said whole numbers.

(2) If the information contains vulgar fractions the overall height of the fractions shall be the same height as that of the whole numbers. If the information contains decimal fractions, the figures after the decimal marker shall not exceed the height of the figures before the decimal marker but shall not be less than half that height.

(3) Vulgar fractions and decimal fractions shall be in the same horizontal line as the whole numbers.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order requires the price of petrol offered or exposed for sale by retail by means of a petrol pump to be indicated on the pump or, where there is insufficient space on the pump, near the pump. The price to be indicated is the price or the highest price of each grade of petrol delivered by the pump (Article 3(*a*), and Part I of the Schedule).

The Order also contains additional requirements for the indication of prices where petrol prices or reductions in prices are displayed on any premises (otherwise than on or near a petrol pump) so as to be legible to a person in a motor vehicle on the highway (Article 3(*b*), and Parts II and III of the Schedule).