



ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

No. 115 of 1971

An Act to repeal the Weights and Measures Act, 1967-1968, to consolidate and amend the law relating to weights and measures and for other purposes.

[Assented to 16th December, 1971]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

PART I

PRELIMINARY

- Short title.** 1. This Act may be cited as the "Weights and Measures Act, 1971".
- Commencement.** 2. This Act shall come into operation on a day to be fixed by proclamation.
- Arrangement of Act.** 3. This Act is arranged as follows:—
- PART I—PRELIMINARY
- PART II—STANDARDS OF MEASUREMENT
- PART III—ADMINISTRATION
- DIVISION I—THE ADVISORY COUNCIL
- DIVISION II—GENERAL
- PART IV—INSPECTION, VERIFICATION AND STAMPING

PART V—SALE OF GOODS

PART VI—MISCELLANEOUS.

4. (1) The Acts specified in the first schedule to this Act are repealed. Repeal and
Savings
Schedule.

(2) Notwithstanding such repeal—

(a) all regulations made under the repealed Act and in force immediately before the commencement of this Act shall be deemed to have been made under this Act and to have effect as if the necessary power to make them had been enacted by this Act;

and

(b) such regulations may be amended or revoked by regulations under this Act.

(3) Except as expressly provided in this Act, such repeal shall not affect any rights accrued under the repealed Act.

(4) Where in any other Act, or in any document, rule or regulation a reference is made to the repealed Act or any provision thereof, that reference shall, so far as it is applicable be read as a reference to this Act or to the corresponding provisions, if any, of this Act.

(5) The mention of particular matters in this section or in any other section of this Act shall not affect the general application of the Acts Interpretation Act, 1915, as amended, to this Act except to the extent that that Act is inconsistent with this Act.

5. In this Act, unless the contrary intention appears—

Interpretation.

“Advisory Council” means the Weights and Measures Advisory Council established pursuant to section 13 of this Act:

“article” includes, but without limiting the generality of the meaning of that term, liquids, foods, chattels, wares, merchandise and other goods of any and every description and, where necessary, any article and its package:

“certifying certificate” means any certificate in the form prescribed issued by an Inspector in respect of any measuring instrument exempted by the regulations from being stamped with a certifying stamp by reason of the impracticability of stamping the same, for the purpose of signifying that the measuring instrument has been found upon inspection to be in accordance in every respect with the requirements of this Act:

- “certifying stamp” means any stamp prescribed for use by an Inspector for stamping pursuant to this Act any measuring instrument for the purpose of signifying that the measuring instrument has been found upon inspection to be in accordance in every respect with the requirements of this Act:
- “Chairman” in relation to the Advisory Council means the chairman of the Advisory Council:
- “coal” includes coal, coke, briquettes, slack and charcoal of any and every description:
- “Commission” means the National Standards Commission continued in existence by the Commonwealth Act:
- “Commonwealth Act” means the *Weights and Measures (National Standards) Act* 1960 of the Commonwealth, as amended from time to time:
- “Commonwealth legal unit of measurement” means a unit of measurement prescribed by the Commonwealth Regulations:
- “Commonwealth Regulations” means the regulations in force from time to time under the Commonwealth Act:
- “Commonwealth Standard of Measurement” has the meaning ascribed thereto in the Commonwealth Act:
- “contract” includes any agreement, bargain, sale, purchase, dealing and any other transaction on which payment in money or kind depends:
- “Council” means a council as defined in section 4 of the Local Government Act, 1934, as amended, or any body corporate that is pursuant to any Act deemed to be or vested with the power of such a council:
- “Deputy Warden of Standards” means the person appointed or deemed to have been appointed the Deputy Warden of Standards pursuant to section 19 of this Act and includes any person for the time being acting in the office of Deputy Warden of Standards:
- “driver” in relation to a vehicle includes a person in charge of that vehicle:
- “elected member” in relation to a Council means the Lord Mayor, Mayor, Chairman, alderman or councillor of that Council:
- “firewood” means any firewood in billets or lengths not over 1.5 metres and includes woodettes, mallee roots, millends, dockings, off-cuts, edgings and any other forest product that may be used for fuel:

“inspection” in relation to any measuring instrument includes, the examination, testing, verification, reverification, comparison, adjustment and stamping under this Act by an inspector:

“Inspector” means an inspector of weights and measures appointed or deemed to have been appointed under this Act:

“measuring instrument” means a thing or combination of things by means of which a measurement of physical quantity may be made and includes a thing, or combination of things, by means of which a grading or counting may be affected by reference to the measurement of a physical quantity:

“member” in relation to the Advisory Council includes the Chairman of the Advisory Council:

“package” 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 them round some other article, and, in particular, includes a wrapper or confining band:

“place” includes any shop, factory, and any house and any other place whatsoever, whether a building or in the open air, whether open or enclosed, and whether a public place or a place of public resort, or not:

“public weighing instrument” means any weighing instrument open for use by the public, or for the use of which a charge is made:

“purchaser” includes a person purchasing as agent for any other person:

“sell” includes—

- (a) offer or expose for sale;
- (b) keep or have in possession for sale;
- (c) barter or exchange;
- (d) deal in or agree to sell;
- (e) send forward or deliver for sale or on sale;

and

- (f) the act of authorizing, directing, causing, permitting or suffering any of the acts referred to in paragraphs (a) to (e) of this definition,

and “sale” or “sold” have the like meanings:

“stamp” means stamp, impress, engrave, etch, brand, seal, or otherwise mark in such manner as to be, so far as practicable, indelible:

“subsidiary standard of measurement” has the meaning ascribed thereto in the Commonwealth Act:

“the Commissioner” means The South Australian Commissioner for Prices and Consumer Affairs:

“the repealed Act” means the Weights and Measures Act, 1967-1968:

“use for trade” means use 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's worth or money;

or

(b) the making of a payment in respect of any tax, rate, toll, duty or impost, where—

(i) the transaction is by reference to quantity in terms of measurement of a physical quantity, or is a transaction for the purpose of which there is made or employed a statement of the quantity in such terms of goods to which the transaction relates;

and

(ii) the use is for the purpose of determination or statement of that quantity,

and the expression “have in possession for trade” has a corresponding meaning and a weight, measure, weighing instrument or measuring instrument that—

(c) is used in relation to such a transaction;

or

(d) is made available for use by or on behalf of the public, whether on payment or otherwise, for making measurements of a physical quantity or for the grading of articles by reference to the measurement of a physical quantity,

shall for the purposes of this Act be deemed “in use for trade”:

“vehicle” means any conveyance used on land whether self-propelled or not:

“Warden of Standards” means the person appointed or deemed to have been appointed Warden of Standards pursuant to section 19 of this Act and includes any person for the time being acting in the office of Warden of Standards:

“weighing instrument” means weighbridge, weighing machine, scales, balance, steelyard, or other instrument for weighing and includes the weights belonging thereto:

“working standard of measurement” has the meaning ascribed thereto in the Commonwealth Act.

PART II

PART II

STANDARDS OF MEASUREMENT

6. The same denominations of weights and measures shall be used throughout the State.

Uniformity of weights and measures.

7. (1) The Minister may arrange for the provision and maintenance of such working standards of measurement and subsidiary standards of measurement as are necessary to provide means by which, for the purposes of this Act, measurements may be made in terms of Commonwealth legal units of measurement.

Standards of measurement.

(2) For the purposes of this Act a working standard of measurement so provided and maintained—

(a) shall be called a Primary State Standard;

and

(b) shall, subject to this Act, be a standard of measurement for the State.

(3) A subsidiary standard of measurement so provided and maintained and having a denomination referred to in the first column of Part I of the second schedule the true value of which is calculated not to be greater or less than its value as ascertained on verification or reverification by an amount exceeding the amount of variation specified opposite to that denomination in the second column of that Part of that schedule shall, for the purposes of this Act, be called a Secondary State Standard.

PART II

(4) A subsidiary standard of measurement so provided and maintained (other than a Secondary State Standard) and having a denomination referred to in the first column of Part I of the second schedule the true value of which is calculated not to be greater or less than its value as ascertained on verification or reverification by an amount exceeding the amount of variation specified opposite to that denomination in the third column of that Part of that schedule shall, for the purposes of this Act, be called a Tertiary State standard.

(5) A subsidiary standard of measurement so provided and maintained (other than a Secondary State Standard, or a Tertiary State Standard) and having a denomination referred to in the first column of Part II of the second schedule, that on verification or reverification is found not to be greater or less than its denomination by an amount exceeding the amount of permissible variation specified opposite to that denomination in the second column of that Part of that schedule and that is, by virtue of the Commonwealth regulations, to be deemed to be of a value equal to its denomination, shall, for the purposes of this Act, be called an Inspector's standard.

Replacing
standards lost,
destroyed, etc.

8. If any standard of measurement is lost, destroyed, defaced, or injured, another standard shall be provided by the Minister in place of the one so lost, destroyed, defaced or injured.

Custody of
standards.

9. The Primary, Secondary and Tertiary standards of measurement for the State, and all balances, apparatus, books, documents and things used in connection therewith or relating thereto, shall be in the custody of the Warden of Standards.

Inspectors'
standards to
be stamped.

10. (1) Except as is otherwise provided by or under this Act every Inspector's standard shall be stamped in the manner prescribed.

(2) The impression of the stamp prescribed under subsection (1) of this section on a weight or measure shall be *prima facie* evidence that such weight or measure is an Inspector's standard.

Verification
of standards.

11. (1) A standard of measurement provided and maintained under section 7 of this Act which has not been verified, or has not been reverified, as provided by section 9 of the Commonwealth Act or regulation 80 of the Commonwealth regulations, as the case may be, shall not be used for the purposes of this Act.

(2) A standard so provided and maintained which has become defective through use or accident or which has been broken or repaired shall not be used for the purposes of this Act until it has been reverified as mentioned in subsection (1) of this section.

PART II

(3) Any certificate of endorsement, if purporting to be signed by the Warden of Standards, shall be *prima facie* evidence of the verification or reverification of the weights, measures and instruments therein referred to.

(4) A record shall be kept by the Warden of Standards of all Inspectors' standards verified or reverified.

12. Any person who falsifies or wilfully or maliciously damages or destroys any standard provided and maintained under this Act shall be guilty of an offence against this Act and liable to a penalty not exceeding two hundred dollars.

Damaging or
destroying
standards.

PART III

ADMINISTRATION

DIVISION I—THE ADVISORY COUNCIL

PART IIIDIVISION I

13. (1) For the purposes of this Act, a body by the name of the "Weights and Measures Advisory Council" is hereby established.

Establishment
and Con-
stitution of the
Advisory
Council.

(2) The Advisory Council—

(a) shall be a body corporate with perpetual succession and a common seal;

(b) subject to this Act, shall be capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of real and personal property;

(c) may in its corporate name sue and be sued;

and

(d) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by this Act.

(3) Where a document purporting to bear the common seal of the Advisory Council is produced before any court or person acting judicially that court or that person, as the case may be, shall, unless the contrary is proved, presume—

PART III
DIVISION I

(a) that the document, purporting to bear the common seal of the Advisory Council, bears the common seal of the Advisory Council;

and

(b) that the common seal was duly affixed.

(4) The Advisory Council shall consist of—

(a) the Warden of Standards who shall be Chairman of the Advisory Council;

(b) the Deputy Warden of Standards who shall be a member of the Advisory Council and who in the absence of the Warden of Standards shall be the Chairman of the Advisory Council;

(c) the Commissioner who shall be a member of the Advisory Council.

and three other members appointed by the Governor—

(d) of whom two shall be appointed from persons comprised in a panel of not less than five persons being elected members of a council nominated by the governing body of The Local Government Association of South Australia Incorporated (in this section referred to as "the Association");

and

(e) of whom one shall be appointed from persons comprised in a panel of not less than three persons nominated by the governing body of the South Australian Chamber of Manufactures Incorporated (in this section referred to as "the Chamber").

(5) If the Minister has given the Association or the Chamber notice in writing requiring the Association or the Chamber, as the case may be, to submit a panel of names as required under paragraph (d) or (e) of subsection (4) of this section within the time specified in the notice (being not less than six weeks) and such a panel of names is not within the time specified so submitted to the Minister the Governor may on the recommendation of the Minister appoint a member or members to the Advisory Council as a member or members in place of the member or members in relation to which the failure to submit the panel of names occurred and for all purposes the member or members so appointed shall be deemed to have been validly and effectually appointed under paragraph (d) or (e), as the case may be, of subsection (4) of this section.

(6) Every member appointed by the Governor shall, subject to this Act, hold office as such until the day expressed in his instrument of appointment (not being more than five years from the day on which he was last appointed) as being the day on which he shall cease to hold office but a member appointed to fill a casual vacancy in the office of member shall hold office only for the unexpired portion of the term of office of the member in whose place he was appointed.

(7) On the expiration of his term of office of a member a former member appointed by the Governor is subject to subsection (4) of this section eligible for re-appointment.

(8) Notwithstanding any other Act or law, a person shall not be disqualified by appointment by the Crown as a member of the Advisory Council from holding office as such a member and also any other office or place or from accepting or retaining any fees or other remuneration provided for by or under this Act, or otherwise, in respect of his service as such a member.

14. The Governor may, by notice in writing, served on a member of the Advisory Council remove the member from office on grounds of misconduct or incapacity to perform his duties and functions as such a member.

Removal from
office of a
member.

15. (1) The office of a member of the Advisory Council appointed by the Governor shall become vacant if—

Casual
vacancies.

- (a) he dies;
 - (b) he resigns by written notice given to the Minister;
 - (c) he is removed from office by the Governor pursuant to section 14 of this Act;
 - (d) he is absent without leave of the Minister from three consecutive meetings of the Advisory Council;
 - (e) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;
 - (f) he is convicted of any indictable offence;
- or
- (g) he is convicted of any other offence and receives notice in writing from the Minister discharging him from office on the ground of that conviction.

PART III
DIVISION I

(2) The office of a member appointed from a panel of names nominated by the governing body of The Local Government Association of South Australia Incorporated shall become vacant if—

(a) the member ceases to be an elected member of a council;
and

(b) the member has not within one month from so ceasing to be an elected member of a council again become an elected member of a council.

Common seal,
meetings and
quorum.

16. (1) The common seal of the Advisory Council shall not be affixed to any instrument except in pursuance of a resolution of the Advisory Council.

(2) Any instrument executed in pursuance of such a resolution shall be attested by the signature of any two members of the Advisory Council.

(3) The procedure for the calling of meetings of the Advisory Council and for the conduct of business at such meetings shall, subject to this Act, be as determined by the Advisory Council.

(4) Any three members of the Advisory Council, of whom not less than two are the members referred to in paragraph (a), (b) or (c) of subsection (4) of section 13 of this Act, shall constitute a quorum at any meeting of the Advisory Council and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Advisory Council and shall have and may discharge all the powers, duties and functions of the Advisory Council.

(5) A decision carried by the majority of the votes cast by the members present at a meeting of the Advisory Council shall be the decision of the Advisory Council.

(6) The Advisory Council shall cause accurate minutes to be kept of its proceedings at meetings.

(7) The Chairman of the Advisory Council shall preside at all meetings and in addition to a deliberative vote shall in the event of an equality of votes have a second or casting vote.

(8) A member of the Advisory Council shall, if the Governor thinks fit, be paid such fees or other remuneration as may from time to time be fixed by the Governor and shall be entitled to receive such travelling and other expenses as from time to time approved by the Minister.

PART III
DIVISION I

17. No act or proceeding of the Advisory Council shall be invalid only on the ground of any vacancy in the office of any member of the Advisory Council or of any defect in the appointment of such a member.

Validity, etc.,
of acts, etc.,
of Advisory
Council.

18. (1) The Advisory Council shall at the request of the Minister or may of its own motion advise and counsel the Minister on any matter or thing in connection with or arising out of weights and measures policy in this State.

Powers, etc.,
of Advisory
Council.

(2) The Advisory Council may, with the approval of the Minister and the consent of the Minister controlling any Department of the public service of the State and upon such terms as may be mutually arranged make use of the services of any of the officers or employees of that Department.

DIVISION II—GENERAL

DIVISION II

19. (1) The Governor may appoint—

Officers, etc.

(a) a Warden of Standards;

(b) a Deputy Warden of Standards;

and

(c) such Inspectors as are necessary for the purposes of this Act.

(2) The Deputy Warden of Standards shall have and may exercise all the powers and functions of the Warden of Standards during the absence from duty for any reason of the Warden of Standards.

(3) The Warden of Standards and the Deputy Warden of Standards in office immediately before the commencement of this Act shall be deemed to be respectively a Warden of Standards and a Deputy Warden of Standards appointed under subsection (1) of this section.

(4) Any Government Inspector or Assistant Government Inspector appointed under the repealed Act shall be deemed to have been appointed an Inspector under subsection (1) of this section.

(5) The Warden of Standards and the Deputy Warden of Standards shall be Inspectors for the purposes of this Act.

PART III
DIVISION II
Warden of
Standards.

20. (1) Subject to this section, the Warden of Standards shall have the general administration of this Act.

(2) In the exercise of the powers and functions conferred on him by this section the Warden of Standards shall be subject to the general control and direction of the Minister.

Secrecy, etc.

21. An Inspector shall not—

(a) otherwise than in the performance of his duties disclose or cause or permit directly or indirectly to be disclosed any information that comes to his knowledge in the course of the performance of his duties;

or

(b) stamp any measuring instrument otherwise than in compliance with the provisions of this Act.

Penalty: Two hundred dollars.

PART IV

PART IV

INSPECTION, VERIFICATION AND STAMPING

Powers of
Inspectors.

22. (1) An Inspector may at all reasonable times—

(a) enter and search any building or place or stop and inspect any vehicle wherein or in connection with which measuring instruments are used for trade;

(b) inspect any measuring instruments in the possession of any person having a pack, basket or other receptacle containing goods for sale;

(c) examine and test such measuring instruments;

(d) examine any pack, basket or other receptacle in which goods are being conveyed;

(e) examine any goods kept or exposed for sale or in course of delivery in or on any such building, place, vehicle, pack, basket or receptacle;

- (f) in the presence of the person in charge thereof if such person desires to be present weigh, or measure or count or cause to be weighed or measured or counted any such goods and ascertain whether or not the provisions of this Act are being complied with;
- (g) on payment or tender to the person in charge thereof of the current market value or of the rate prescribed, demand and procure any such goods;
- (h) inspect all markings upon articles or packages containing articles for sale or upon labels affixed to articles or packages containing articles for sale, and for that purpose enter and search any place where there is or he has reasonable cause to believe there is any article or package containing any article for sale, and, on payment or tender to the person apparently in charge of the place in question of the current market value or at the rate prescribed, demand, select and take any such article or package;
- and
- (i) seize and detain any article or any package containing any article or any goods in respect of which a contravention of this Act appears to have been committed.
- (2) An Inspector may seize and detain any measuring instrument which—
- (a) is not stamped as required by or under this Act;
- or
- (b) is incorrect or unjust.

23. (1) If upon inspection at any time of any measuring instrument, it appears to an Inspector that—

Additional
powers of
Inspectors.

- (a) the measuring instrument is not stamped with a certifying stamp as required by this Act;
- (b) where the measuring instrument is exempted by the regulations from being stamped with a certifying stamp by reason of the impracticability of stamping the same, that a certifying certificate has not been issued in respect thereof;

or

- (c) a weight is light or otherwise unjust or that a measure is incorrect or otherwise unjust or that the measuring instrument is unjust,

the Inspector may—

- (d) seize the weight, measure or measuring instrument or any part thereof;

- (e) give to the owner of or to the person found in possession of the same, notice in writing to have the same corrected, and made true and just within fourteen days of the day of the giving of such notice or within such shorter period as the Inspector deems fit and in the meantime to cease to use the same;

or

- (f) if the Inspector is empowered by the Minister to adjust the same, adjust the same.

(2) Where any notice given under paragraph (e) of subsection (1) of this section is complied with to the satisfaction of the Inspector, he shall not take any further action under this section, but, if such notice is not complied with, the Inspector may, at the expiration of the time specified in the said notice, seize the measuring instrument in question or any part thereof.

Stamping of weights and measures.

24. Every measuring instrument used for trade and every public weighbridge shall be stamped with a mark of verification as prescribed.

Approval of measuring instruments.

25. (1) A measuring instrument shall not be verified and stamped in pursuance of this Act unless—

- (a) it is of a pattern approved by or on behalf of the Commission under the Commonwealth regulations;

or

- (b) it is of a type and design in respect of which there is in force an approval given—

- (i) before the first day of January, 1966;

or

- (ii) in the case of an application for approval that was pending at that date, after that date,

by the Warden of Standards under the regulations.

(2) Notwithstanding that any such approval has been given, the Minister may, if he has reasonable grounds for believing that the use of a measuring instrument for trade might facilitate fraud, by notice in writing served by registered post upon the person using it or having it in his possession for the purposes of trade, specify the period, the purposes and the circumstances in which the measuring instrument may be used for trade.

(3) Any person who contravenes or fails to comply with any specification in any such notice which is applicable to him shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

26. (1) Subject to subsection (2) of this section, every measuring instrument used for trade shall be submitted for inspection at least once in every two years for reverification and stamping, in the manner prescribed.

Stamping and
verification of
weights, etc.

(2) The regulations may—

(a) subject to such conditions as are prescribed exempt wholly or in part from the operation of this Part measuring instruments of such classes of measuring instruments as are prescribed;

(b) subject to such conditions as may be prescribed exempt from the provisions of this Act or of any part thereof measuring instruments which are situated in any prescribed part of the State;

and

(c) provide for the more frequent reverification and stamping of any measuring instruments of any prescribed class of measuring instruments.

27. A person shall not use or have in his possession for use for trade any measuring instrument which—

Only stamped
weights, etc.,
to be used.

(a) is not stamped as prescribed;

or

(b) is incorrect or unjust.

Penalty: Five hundred dollars.

PART IV

Defective weights, etc., not to be used.

28. (1) A person shall not use for trade any measuring instrument (not being an instrument exempted by the regulations from stamping) which—

(a) has become defective;

or

(b) has been mended or repaired,

until the same has been re-stamped pursuant to this Act.

(2) Any person mending or repairing such a measuring instrument shall obliterate any existing stamp thereon.

(3) Notwithstanding anything in the foregoing provisions of this section a person may, as prescribed by the regulations, use temporarily such a measuring instrument which has been repaired but not re-stamped.

Offences in connection with weights, etc.

29. (1) A person shall not—

(a) use or have in his possession for use for trade a weight or measure which is not of a denomination authorized by this Act to be used but this paragraph shall not apply in connection with the import or export of goods from or to a place outside the State where other than the standard weights or measures ascertained in accordance with this Act are used;

(b) forge or counterfeit or cause to be forged or counterfeited, or assist in forging or counterfeiting or unlawfully have in his possession, any stamp used for stamping under this Act, any measuring instrument or, unless duly authorized under this Act, make on any measuring instrument any impression purporting to be the impression of any such stamp or alter any date mark used in connection with the impression of any such stamp;

(c) in any way alter or tamper with so as to cause it to weigh or measure incorrectly or unjustly any measuring instrument which has been stamped;

(d) use, sell, dispose of, or expose for sale any measuring instrument so altered, or tampered with or any measuring instrument with a forged or counterfeit stamp thereon;

(e) make, or sell, or cause to be made or sold any measuring instrument which is false or unjust;

or

(f) increase or diminish any stamped weight or measure or use, sell, dispose of or expose for sale any increased or diminished weight or measure but nothing in this subsection shall apply to any person who increases or diminishes any stamped weight or measure when he adjusts the same to standard and entirely obliterates the stamp thereon.

(2) Any bargain, sale or contract made in reference to any false or unjust measuring instrument shall be void: but in any proceedings in which the validity of any such bargain, sale or contract comes into question it shall not be held to be void if it is proved to the satisfaction of the court that the use of the false or unjust measuring instrument was due to a *bona fide* mistake or any accident or to any other cause beyond the control of the parties thereto and in spite of all reasonable precautions being taken and all due diligence exercised by them or was due to a person over whom the parties had no control.

30. (1) Every person who uses or has in his possession for use for trade or for the purposes of or in connection with any contract, bargain, sale, purchase, or dealing, any measuring instrument which is unjust shall be guilty of an offence against this Act and except as provided in subsection (2) of this section any contract, bargain, sale, purchase or dealing made by reference to any such measuring instrument shall be void and the measuring instrument shall be liable to be forfeited to the Crown.

Use of unjust measuring instruments.

(2) Where, in any proceedings taken before a Court, the validity of any contract, bargain, sale, purchase or dealing is, by reason of the provision of subsection (1) of this section called in question, that contract, bargain, sale, purchase or dealing shall not be void if the Court holds that the use or possession for use by the person referred to in that subsection was occasioned by a mistake or accident or by any other cause beyond his control or that in spite of all reasonable precautions being taken and all due diligence being exercised by him such use or possession for use was due to an action of a person over whom he had no control.

PART V

PART V

SALE OF GOODS

31. (1) Every contract, bargain, sale, purchase, transaction, or dealing, made or entered into in the State for any work, goods, wares, or merchandise, or other thing that has been or is to be done,

Trade, etc., to be in terms of standard weights and measures.

sold, purchased, delivered, carried, or agreed for by measurement of a physical quantity, shall be made or entered into by reference to Commonwealth legal units of measurement of that physical quantity, and if not so made or had shall be void.

(2) Any person who sells by a denomination of weight or measure other than one of the Commonwealth legal units of measurement, shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(3) This section shall not apply—

(a) to any contract, bargain, sale, purchase or dealing made or had by any person in the State with any person carrying on business in any other State or country in the course of such business according to the legal weights and measures of such State or country;

or

(b) to or in connection with timber in the log.

Sales to be
by net weight
or measure.

32. (1) No person shall sell any article by weight or measure otherwise than by net weight or measure.

(2) When any person offers or exposes for sale by weight or measure any article in a shop or other place or in any vehicle, pack, basket, or other receptacle, he shall have in a convenient place, capable of being easily seen by the purchaser, suitable measuring instruments, for weighing or measuring the article and shall, at the request of a purchaser of any article sold by weight or measure, weigh or measure it in the presence of the purchaser.

(3) If any such person fails to have a measuring instrument in a place as required by subsection (2) of this section he shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

(4) If the article is less than the due weight or measure the person selling the same shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars or in the case of a second or subsequent offence four hundred dollars.

(5) Subsections (2), (3) and (4) of this section shall not apply to bread when offered or exposed for sale in any vehicle, pack, basket or other receptacle.

PART V

33. Any person who by means of words, description or other indication direct or indirect, makes any false declaration or statement, or wilfully misleads any person as to the number, quantity, measure, gauge or weight of any article sold or delivered by him shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars or in the case of a second or subsequent offence, four hundred dollars.

False declaration as to weights, etc.

34. (1) If any article sold by weight, measure, or number is upon sale or for the purpose of sale delivered to the purchaser or to some person on behalf of the purchaser short of the weight, measure or number purporting to be sold or delivered, the person selling the article or causing the same to be delivered shall be guilty of an offence against this section.

Sales by short weight or measure.

(2) Any person guilty of an offence against this section shall be liable to a penalty not exceeding two hundred dollars, or, if for a second or subsequent offence, four hundred dollars.

35. In any contract for the sale by the bushel of any articles mentioned in the third schedule, the bushel shall be determined by weighing, the weight equivalent to a bushel of any such articles being that stated in the third schedule.

Sales by bushel.

36. (1) A person shall not sell coal or firewood otherwise than by net weight but coal or firewood may be sold otherwise than by net weight if, only if—

Sales of coal and firewood.

(i) the quantity thereof sold exceeds two hundred and fifty kilograms;

(ii) the seller obtains the consent in writing of the purchaser to the coal or firewood being so sold;

(iii) the date of the giving of that consent is clearly shown thereon;

and

(iv) the sale is effected on or within seven days of the giving of that consent,

and the driver of any vehicle delivering or conveying coal or firewood of a quantity exceeding two hundred and fifty kilograms sold otherwise than by net weight produces on demand by an Inspector the consent in writing required by this subsection to be obtained to that sale.

Penalty: One hundred dollars.

PART V

(2) Any person who—

(i) sells coal or firewood by description which is false as to the sort of coal or firewood sold;

or

(ii) sells or delivers wet coal or firewood with intent to defraud the purchaser as to the weight of coal or firewood sold or delivered,

shall be guilty of an offence against this Act.

(3) Any seller, or purchaser of coal or firewood, or any person in charge of a vehicle in or on which coal or firewood is carried or any Inspector may require that coal or firewood or any vehicle used for the carriage of coal or firewood be weighed or re-weighed, in his presence, or that any firewood sold by measure be measured or re-measured in his presence.

(4) Save as herein expressly provided, the provisions of this section are in addition to and not in derogation of any other section of this Act relating to the sale of articles.

PART VI

PART VI

MISCELLANEOUS

Summary
procedure.

37. All proceedings for offences against this Act shall be disposed of summarily.

General
penalty for
offences.

38. (1) Any person who contravenes or fails to comply with any provision of this Act shall be guilty of an offence against this Act.

(2) Where anything is by or under this Act directed or forbidden to be done or where by or under this Act authority is given to any person to direct anything to be done or to forbid anything to be done and anything so directed to be done is not done or anything so forbidden to be done is done every person who offends against any such direction or prohibition shall be guilty of an offence against this Act.

(3) Any person guilty of an offence against any provision of this Act shall be liable, if no specific penalty is provided for that offence, to a penalty not exceeding two hundred dollars.

(4) A prosecution for an offence against this Act may be instituted at any time within twelve months after the commission of the offence comes to the knowledge of the complainant.

(5) Where a person is convicted of any offence against this Act and the court by which he is convicted is of opinion that such offence was committed with intent to defraud, he shall be liable in addition to or in lieu of any penalty, to be imprisoned for any term not exceeding six months.

(6) Where a person is convicted of any offence against this Act and the court by which he is convicted is of opinion that some person was defrauded or suffered pecuniary loss by reason of the commission of the offence the court may, in addition to imposing any penalty, order that the defendant shall pay to such last-mentioned person by way of recoupment of his loss such sum as the court thinks fit.

(7) Proceedings under this Act for a penalty for any offence by a body corporate may be taken against any person who is the manager or who acts in the management of such body corporate and such person shall be personally liable in such proceedings for such offence.

39. In any proceedings for an offence against this Act in respect of any measuring instrument the onus shall be on the defendant to prove that the measuring instrument was tested, verified, reverified or stamped as required by this Act. Onus of proof.

40. (1) In any prosecution or legal proceedings under this Act no proof shall, unless evidence is given to the contrary, be required of the appointment of the person purporting to have been appointed under this Act. Evidentiary provision.

(2) Any document certifying that—

(a) specified weights of measures in the possession of an Inspector are Inspectors' standards;

(b) such weights or measures have been verified or reverified within the prescribed period;

or

(c) a specified person is or was acting under this Act in the capacity stated therein,

and any other document relating to or arising out of the administration of this Act shall, if purporting to be signed by the Warden of Standards be received as evidence in all courts and be deemed to be issued or written by or under the direction of the Warden of Standards without proof unless the contrary is shown.

PART VI

Defence to proceedings for offence.

41. It shall be a sufficient defence in any proceedings under this Act if the defendant proves to the satisfaction of the court that the offence was due to a *bona fide* mistake or an accident or to any other cause beyond his control and in spite of all reasonable precautions being taken and all due diligence exercised by him to prevent the occurrence of the offence or was due to the action of a person over whom the defendant had no control.

Preservation of civil rights.

42. No proceeding or conviction for any offence against this Act shall affect any civil right or remedy to which any person aggrieved by the offence may be entitled.

No prosecution except with the consent of the Warden of Standards.

43. (1) A prosecution for an offence against this Act shall not be commenced except with the consent of the Minister.

(2) In any proceedings in connection with a prosecution referred to in subsection (1) of this section a document purporting to be a consent referred to in that subsection shall, in the absence of proof to the contrary, be deemed to be such a consent.

Evidentiary provision.

44. Judicial notice shall be taken of every notification or proclamation published in the *Gazette* under this Act.

Evidence as to possession.

45. When any measuring instrument is found in the possession of any person carrying on trade or on the premises of any person which, whether a building or in the open air, whether open or closed, are used for trade such person shall be deemed for the purposes of this Act, until the contrary is proved, to have that measuring instrument in his possession for use for trade.

Forfeiture.

46. (1) Any measuring instruments or goods in connection with which any offence against this Act or regulations is committed may on conviction of any person guilty of the offence be forfeited by order of the court.

(2) Such forfeiture may extend to the whole of any similar goods in similar packages found on the defendant's premises or in his possession at the time the offence was committed.

(3) If the court does not convict any such person all such measuring instruments and goods shall be returned to the owner thereof.

(4) The Warden of Standards may without instituting any prosecution apply to a court for the forfeiture of any measuring instruments or goods seized and detained under this Act, and the court in its discretion may make such an order but if the court declines to make such an order the Warden of Standards shall return them to the owner thereof immediately.

(5) Where any measuring instruments or goods have been seized and detained under this Act and at the expiration of two months from such seizure—

(a) no prosecution has been instituted in relation thereto;

and

(b) no application has been made for an order under the last preceding subsection,

the Warden of Standards shall return them to the owner thereof.

47. All measuring instruments and goods forfeited under this Act shall become the property of the Crown and (save where other provision is made by or under this Act) may be disposed of as the Minister thinks fit.

Provision as to
forfeited
weights, etc.

48. Any amount of fees, charges or expenses payable under this Act and not paid shall be recoverable by the Minister by action as for a debt due to the Crown in any court of competent jurisdiction.

Recovery of
fees, etc.

49. Any person who—

Offences.

(a) hinders or obstructs an Inspector in the execution of his duty;

(b) does not when requested by an Inspector produce all measuring instruments in his possession for examination or testing;

(c) refuses on request to state his name and address to an Inspector or states to an Inspector a false name or address;

(d) uses abusive language to or directly or indirectly threatens an Inspector;

(e) assaults an Inspector while executing his duties under this Act;

(f) impersonates an Inspector;

or

(g) falsely pretends to be engaged in or associated with the administration of this Act,

shall be guilty of an offence against this Act.

PART VI**Regulations.**

50. The Governor may from time to time make regulations providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act and, without limiting the generality of the foregoing provisions of this section, regulations may be made for or in respect of all or any of the following purposes, matters and things—

- (a) the supply, custody, care and verification of Primary, Secondary and Tertiary Standards and Inspectors' Standards; the certifying of such verification; and the fees chargeable for such verification;
- (b) prescribing conditions relating to the duties, responsibilities, qualifications, appointment and dismissal of Inspectors and the provision of identification certificates;
- (c) prescribing conditions under which measuring instruments may be repaired or adjusted; and providing for the qualifications, registration, supervision and control of repairers and adjusters of measuring instruments, including the prohibition of the use of the designation of repairer and adjuster of such measuring instruments or any like designation by persons not so registered;
- (d) the fixing of times and places for the submitting for verification or reverification and the testing, verifying, reverifying and stamping of measuring instruments;
- (e) regulating and controlling the inspecting, examining, testing, verification, reverification, comparison and stamping of measuring instruments for the purposes of this Act and without limiting the generality thereof prescribing any method or methods by which or the manner in and the means by which and the persons by whom all or any of those things shall or shall not be done, prescribing stamps including certifying stamps and rejection stamps for the purposes of this Act, prescribing the circumstances and conditions under which and the manner in which and the persons by whom stamps may be obliterated or defaced;
- (f) prescribing fees chargeable for testing, verifying, adjusting or stamping measuring instruments, the registration of public weighbridges, weighmen, the registration of principals in the business of repairing measuring instruments and of employees in that business;

- (g) the payment of the fees prescribed for the testing, verifying, adjusting or stamping of measuring instruments;
- (h) the shape, dimensions and proportions to be required in measuring instruments and the materials of which they shall be made;
- (i) prescribing what measuring instruments shall or shall not be admitted to verification and the tests to be applied to ascertain their accuracy and efficiency;
- (j) prescribing the amount of error which may be tolerated in measuring instruments;
- (k) prescribing instruments for testing and verifying measuring instruments;
- (l) limiting the purposes or trades for or in which prescribed measuring instruments may lawfully be used, and prescribing the classes of measuring instruments to be used in prescribed trades;
- (m) prescribing the method of use and limiting or regulating the use in trade of prescribed measuring instruments;
- (n) the marking on weights and measures of their several denominations and on measuring instruments of their capacities and other markings and the obliteration of stamps in weights, measures and measuring instruments found to be incorrect or not in accordance with the regulations;
- (o) prescribing the denominations of weights and measures permissible for use in trade;
- (p) providing the classes of weights to be used in connection with prescribed measuring instruments;
- (q) the registration of public weighbridges by the owners thereof; and the registration of weighmen;
- (r) the conditions to be observed in the giving and taking of weight tickets; and the procedure to be followed in the weighing of goods;
- (s) the taking of tare weights of any vehicle used for the conveyance of goods sold or carried by weight; the issue and production of tickets showing such weight or the weight of the loading on such vehicle or the weight of the

loading and the vehicle; providing for such weighing on demand by a purchaser or an inspector and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight;

(t) providing that where goods in packages are sold, offered or exposed or had in possession for sale, the net weight of the goods in the packages shall, in the circumstances prescribed by regulation, be one or other of the weights prescribed by regulation;

(u) prohibiting the sale of prescribed goods by measure of capacity and prescribing the method by which prescribed classes of goods shall be sold;

(v) regulating and controlling the marking upon articles or packages or labels affixed to articles or packages—

(i) of the net weight, measure or number of the article or contents of the package;

(ii) of any matter stating or representing by implication that the article or package and its contents is for sale at a price lower than the ordinary and customary sale price or, in the case of a package, that a sale price advantage is accorded to purchasers thereof by reason of the size of the package or the quantity of its contents;

and

(iii) prescribing the means or method or means and method of any such marking;

(w) regulating and controlling the size of packages by reference to the volumes respectively of the package and of its contents and, where the package containing any article is packed in an outer package or container, regulating and controlling the size of the outer package or container by reference to the volumes respectively of the outer package or container and of the article;

(x) providing for exemptions in pursuance of this Act;

(y) for imposing penalties not exceeding one hundred dollars for any breach of any regulation;

and

(z) generally for other matters for carrying out the provisions of this Act.

FIRST SCHEDULE

Weights and Measures Act, 1967.

Section 4.

Weights and Measures Act Amendment Act, 1968.

SECOND SCHEDULE

Part I—Provisions Concerning Secondary and Tertiary State Standards

Section 7.

Denomination of Standard		Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column		Second Column	Third Column
Standards in the Form of Rigid Bars (Scales)		Secondary State Standard	Tertiary State Standard
Denominations not exceeding 1yd. but exceeding 1ft.		±0.0005in.	—
Denominations not exceeding 1ft. but exceeding 1in.		±0.0003in.	—
Denominations not exceeding 1in.		±0.0002in.	—
Denominations not exceeding 1m. but exceeding 30cm.		±0.012mm.	—
Denominations not exceeding 30cm. but exceeding 25mm.		±0.0075mm.	—
Denominations not exceeding 25mm.		±0.005mm.	—
Standards in the Form of Flexible Tapes		Parts per hundred thousand of the nominal value	
Denominations exceeding 33ft.	Denominations exceeding 10m.	±2	—
Denominations not exceeding 33ft. but exceeding 10ft.	Denominations not exceeding 10m. but exceeding 3m.	±5	—
Denominations not exceeding 10ft.	Denominations not exceeding 3m.	±2	—
Metric Denominations		Secondary State Standard	Tertiary State Standard
		Parts per million of the nominal value	
Denominations exceeding 5kg.		±3	—
Denominations not exceeding 5kg. but not less than 1kg.		±3	± 6
Denominations less than 1kg. but not less than 100g.		±3	±10
Denominations less than 100g. but not less than 10g.		±5	±20
		Milligrams	
Denominations less than 10g. but not less than 1g.		±0.05	±0.2
Denominations less than 1g. but not less than 100mg.		±0.03	±0.1
Denominations less than 100mg. but not less than 10mg.		±0.02	±0.04
Denominations less than 10mg.		±0.02	—

Denomination of Standard			Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column			Second Column	Third Column
Systems in terms of which denominations are expressed			Secondary State Standard	Tertiary State Standard
Avoirdupois	Troy	Grain	Parts per million of the nominal value	
Exceeding 14lb.	Exceeding 100oz. tr.	—	±3	—
Not exceeding 14lb. but not less than 2lb.	Not exceeding 100oz. tr. but not less than 20oz. tr.	—	±3	±6
Less than 2lb. but not less than 2oz.	Less than 20oz. tr. but not less than 2oz. tr.	Not exceeding 10,000gr. but not less than 1,000gr.	±3	±10
Less than 2oz. but not less than 4dr.	Less than 2oz. tr. but not less than 0.2oz. tr.	Less than 1,000 gr. but not less than 100gr.	±5	±20
			Grains	
Less than 4dr.	Less than 0.2oz. tr. but not less than 0.02oz. tr.	Less than 100gr. but not less than 10gr.	±0.0005	±0.002
—	Less than 0.02 oz. tr. but not less than 0.002 oz. tr.	Less than 10gr. but not less than 1gr.	±0.0003	±0.001
—	—	Less than 1gr. but not less than 0.1gr.	±0.0002	±0.0004
—	Less than 0.002 oz. tr.	Less than 0.1 gr.	±0.0002	—

Denomination of Standard	Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column	Second Column	Third Column
<i>Denominations expressed in metric units</i>	Secondary State Standard	Tertiary State Standard
Denominations exceeding 1,000ml.	±1 ten-thousandth of the nominal value	±2.5 ten thousandths of the nominal value
Denominations not exceeding 1,000ml. but exceeding 50ml.	±1 ten-thousandth of the nominal value	±5 ten-thousandths of the nominal value
Denominations not exceeding 50ml. but exceeding 20ml.	±0.005ml.	±5 ten-thousandths of the nominal value
Denominations not exceeding 20ml.	±0.005ml.	±0.01ml.
<i>Denominations expressed in gallons, quarts, pints or gills</i>		
Denominations exceeding 1qt.	±1 ten-thousandth of the nominal value	±2.5 ten-thousandths of the nominal value
Denominations not exceeding 1qt. but exceeding 2 fl.oz.	±1 ten-thousandth of the nominal value	±5 ten-thousandths of the nominal value
Denominations not exceeding 2 fl. oz. but exceeding 2 fl. drachms	±0.1 min.	±1 thousandth of the nominal value
Denominations not exceeding 2 fl. drachms	±0.1 min.	±0.15 min.

Denomination of Standard	Maximum range within which values of the Standard as determined on verification or re-verification may be expected to lie	
First Column	Second Column	Third Column
Metric Carat Denominations	Secondary State Standard	Tertiary State Standard
	Parts per million of the nominal value	
Denominations less than 5,000 cm. but not less than 500 cm.	±3	—
Denominations less than 500 cm. but not less than 50 cm.	±5	—
	Milligrams	
Denominations less than 50 cm. but not less than 5 cm.	±0.05 (±0.00025 cm.)	—
Denominations less than 5 cm. but not less than 0.5 cm.	±0.02 (±0.0001 cm.)	—
Denominations less than 0.5 cm. but not less than 0.05 cm.	±0.01 (±0.00005 cm.)	—

Part II—Permissible Variation upon Verification or Re-Verification of certain Subsidiary Standards of Measurement

Denomination of Standard	Permissible Variation
First Column	Second Column

A. Standards of Measurement of Length expressed in terms of the Metre or Units related to the Metre

	<i>Permissible variation in millimetres</i>
Denominations exceeding 32 metres	One-tenth of the denomination of the standard in metres
Denominations exceeding 15 metres but not exceeding 32 metres	Five-hundredths of the denomination of the standard in metres
Denominations exceeding 2 millimetres but not exceeding 15 metres	Two-tenths of the square root of the denomination of the standard in metres
Denominations not exceeding 2 millimetres	0.01

B. Standards of Measurement of Length expressed in terms of the Yard or Units related to the Yard

	<i>Permissible variation in inches</i>
Denominations exceeding 35 yards	Four-thousandths of the denomination of the standard in yards
Denominations exceeding 50 feet but not exceeding 35 yards	Two-thousandths of the denomination of the standard in yards
Denominations exceeding 0.07 inches but not exceeding 50 feet	Five-thousandths of the square root of the denomination of the standard in feet
Denominations not exceeding 0.07 inches	0.0004

Denomination of Standard	Permissible Variation
First Column	Second Column
<i>C. Standards of Measurement of Mass and Weight that are not constructed of iron expressed in terms of the Kilogram or Units related to the Kilogram</i>	
	<i>Permissible variation in milligrams</i>
Denominations exceeding 10 kilograms	Eight times the denomination of the standard in kilograms
Denominations exceeding 1 milligram but not exceeding 10 kilograms	Eight-tenths of the square root of the denomination of the standard in grams
Denominations not exceeding 1 milligram	0.025
<i>D. Standards of Measurement of Mass and Weight that are not constructed of iron expressed in terms of the Pound or Units (other than the Grain) related to the Pound</i>	
	<i>Permissible variations in grains</i>
Denominations exceeding 50 pounds	Six-hundredths of the denomination of the standard in pounds
Denominations exceeding 3 drams but not exceeding 50 pounds	Four-tenths of the square root of the denomination of the standard in pounds
Denominations not exceeding 3 drams	0.05
<i>E. Standards of Measurement of Mass and Weight expressed in terms of the Grain</i>	
	<i>Permissible variation in grains</i>
Denominations exceeding 0.01 grain	Three-thousandths of the square root of the denomination of the standard in grains
Denominations not exceeding 0.01 grain	0.0003
<i>F. Standards of Measurement of Mass and Weight expressed in terms of the Metric Carat</i>	
	<i>Permissible variation in milligrams</i>
Denominations exceeding 0.02 metric carat	Eight-hundredths of the square root of the denomination of the standard in metric carats
Denominations not exceeding 0.02 metric carat	0.01
<i>G. Standards of Measurement of Mass and Weight expressed in terms of Units related to the Grain</i>	
	<i>Permissible variation in grains</i>
Denominations exceeding 300 troy ounces	Four-thousandths of the denomination of the standards in troy ounces
Denominations exceeding 0.01 grain but not exceeding 300 troy ounces	Three-thousandths of the square root of the denomination of the standard in grains
Denominations not exceeding 0.01 grain	0.0003

Denomination of Standard	Permissible Variation
First Column	Second Column

H. Standards of Measurement of Volume expressed in terms of the Cubic Metre or Units related to the Cubic Metre

	<i>Permissible variation in cubic centimetres</i>
Denominations exceeding 0.05 cubic metre	Six hundred times the denomination of the standard in cubic metres
Denominations exceeding 0.5 cubic centimetre but not exceeding 0.05 cubic metre	Two-hundredths of the cube root of the square of the denomination of the standard in cubic centimetres
Denominations not exceeding 0.5 cubic centimetre	0.01

I. Standards of Measurement of Volume expressed in terms of the Cubic Yard or Units related to the Cubic Yard

	<i>Permissible variation in minims</i>
Denominations exceeding 2 cubic feet	Two hundred and fifty times the denomination of the standard in cubic feet
Denominations exceeding 0.03 cubic inch but not exceeding 2 cubic feet	Three hundred times the cube root of the square of the denomination of the standard in cubic feet
Denominations not exceeding 0.03 cubic inch	0.2

J. Standards of Measurement of Volume expressed in terms of the Gallon or Units (other than the Fluid Ounce, Fluid Drachm and Minim) related to the Gallon

	<i>Permissible error in minims</i>
Denominations exceeding 10 gallons	Fifty times the denomination of the standard in gallons
Denominations not exceeding 10 gallons	One hundred times the cube root of the square of the denomination of the standard in gallons

K. Standards of Measurement of Volume expressed in terms of the Fluid Ounce, Fluid Drachm or Minim

	<i>Permissible error in minims</i>
Denominations exceeding 20 minims	Twice the cube root of the square of the denomination of the standard in fluid ounces
Denominations not exceeding 20 minims	0.2

L. Standard of Measurement of Area expressed in terms of the Square Metre or Units related to the Square Metre

	<i>Permissible variation in square metres</i>
Denominations exceeding 0.6 square metre	Three-thousandths of the denomination of the standard in square metres
Denominations not exceeding 0.6 square metre	0.0018

M. Standards of Measurement of Area expressed in terms of the Square Yard or Units related to the Square Yard

	<i>Permissible variation in square feet</i>
Denominations exceeding 6 square feet	Three-thousandths of the denomination of the standard in square feet
Denominations not exceeding 6 square feet	0.018

Denomination of Standard	Permissible Variation	Section 35.
First Column	Second Column	
<i>N. Standards of Measurement of Mass and Weight that are constructed of iron and expressed in terms of the Kilogram or units related to the Kilogram</i>		
	<i>Permissible variation in grams</i>	
Denominations exceeding 25 kilograms	Seven-hundredths of the denomination of the standard in kilograms	
Denominations exceeding 1 kilogram but not exceeding 25 kilograms	Thirty-five-hundredths of the square root of the denomination of the standard in kilograms	
<i>O. Standards of Measurement of Mass and Weight that are constructed of iron and expressed in terms of the Pound or units related to the Pound</i>		
	<i>Permissible variation in drams</i>	
Denominations exceeding 50 pounds	Eighteen-thousandths of the denomination of the standard in pounds	
Denominations exceeding 2 pounds but not exceeding 50 pounds	Thirteen-hundredths of the square root of the denomination of the standard in pounds	

THIRD SCHEDULE

Weights for Bushel

Article	Weight
Amber Cane	60 lb.
Barley	50 lb.
Beans	60 lb.
Beans (fresh)	20 lb.
Bran	20 lb.
Broom corn	50 lb.
Buckwheat	50 lb.
Clover, red or white	20 lb.
Grasses—Couch, cocksfoot, paspalum, rib, rye	20 lb.
Hungarian millet	60 lb.
Imphee	60 lb.
Lucerne	20 lb.
Maize	56 lb.
Oats	40 lb.
Planter's friend	60 lb.
Peas	60 lb.
Peas (in Pod)	28 lb.
Pollard	20 lb.
Rye corn	60 lb.
Sorghum	60 lb.
Tares or vetches	60 lb.
Wheat (seed)	60 lb.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor