



ANNO DECIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1966

No. 26 of 1966

An Act to amend the Weights and Measures Act,
1934-1965.

[Assented to 17th March, 1966.]

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

- Short titles.** 1. (1) This Act may be cited as the "Weights and Measures Act Amendment Act, 1966".
- (2) The Weights and Measures Act, 1934-1965, as amended by this Act, may be cited as the "Weights and Measures Act, 1934-1966".
- (3) The Weights and Measures Act, 1934-1965, is hereinafter referred to as "the principal Act".
- Incorporation.** 2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.
- Amendment of principal Act, s. 3—
Arrangement.** 3. Section 3 of the principal Act is amended by striking out the line "PART II.—Standards of Weights and Measures." therein and inserting in lieu thereof the line "PART II.—Standards of Measurement."

4. Section 4 of the principal Act is amended—

Amendment of
principal Act,
s. 4—
Interpretation.

- (a) by inserting after the definition of “coin weight” therein the following definitions :—

“Commission” means the National Standards Commission continued in existence by the Commonwealth Act :

“Commonwealth Act” means the *Weights and Measures (National Standards) Act, 1960-1964* of the Commonwealth, as amended from time to time, or any Act passed in substitution therefor :

“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 ; ;

- (b) by inserting after the word “council” in the definition of “inspector” therein the passage “and, in relation to an Inspector’s Standard, includes a Government inspector” ;

- (c) by inserting after the definition of “stamping” therein the following definition :—

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

and

- (d) by inserting after the definition of “weighing instrument” therein the following definition :—

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

5. The heading to Part II of the principal Act is amended by striking out the words “WEIGHTS AND MEASURES” therein and inserting in lieu thereof the word “MEASUREMENT”.

Amendment
of heading to
Part II of
principal Act.

Repeal and re-enactment of ss. 6 and 6a of principal Act and the heading thereto.

6. The heading above section 6 of the principal Act and sections 6 and 6a of the principal Act are repealed and the following heading and sections are enacted and inserted in lieu thereof :—

Standards of Measurement.

Standards of measurement.

6. (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. All such standards shall be deposited in the office of the Director of Lands.

(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 Fourth 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.

(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 Fourth 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 Fourth 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 entitled the Weights and Measures (National Standards) 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.

6a. The Governor may by proclamation add to or vary the provisions of the Fourth Schedule.

Power of Governor to vary Fourth Schedule.

7. Section 7 of the principal Act is amended by striking out the words "standard weight or measure" (wherever occurring) therein and inserting in lieu thereof in each case the words "standard of measurement".

Amendment of principal Act, s. 7—
Replacing standards lost, destroyed, etc.

8. Sections 8, 8a, 8b and 9 of the principal Act are repealed.

Repeal of ss. 8, 8a, 8b and 9 of principal Act.

9. The heading above section 18 of the principal Act is struck out and the following heading is inserted in lieu thereof:—

Amendment of heading above s. 18 of principal Act.

Use of Standards of Measurement.

10. Section 18 of the principal Act is amended by striking out the words "standard weights or measures" (wherever occurring) in subsections (1) and (4) thereof and inserting in lieu thereof in each case the words "standards of measurement".

Amendment of principal Act, s. 18—
Trade contracts, sales, dealings, etc. to be in terms of standards of measurement.

11. Section 21 of the principal Act is amended by striking out the words "standard weight or measure" therein and inserting in lieu thereof the words "standard of measurement".

Amendment of principal Act, s. 21—
Penalty on use or possession of unauthorized weight or measure.

12. Section 26 of the principal Act is amended by inserting at the end thereof the following subsections:—

Amendment of principal Act, s. 26—
Stamping and verification of weights, etc.

(5) After the date of commencement of the Commonwealth regulations relating to the approval of patterns of instruments as patterns of instruments suitable for use for trade, a weight or measure or a weighing instrument or 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 those Commonwealth regulations; or

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

(i) before that date; 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.

Minister may restrict use of weight, measure, etc. for trade.

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

(7) 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.

Repeal of s. 28 of principal Act.

13. Section 28 of the principal Act is repealed.

Amendment of principal Act, s. 34—
Powers and duties of Minister as to standards of measurement, etc.

14. Section 34 of the principal Act is amended by striking out the words “weight and measure” therein and inserting in lieu thereof the word “measurement”.

Amendment of principal Act, s. 36—
Custody of standards.

15. Section 36 of the principal Act is amended—

- (a) by striking out the words “weight and measure” in subsection (1) thereof and inserting in lieu thereof the word “measurement”;
- (b) by striking out the word “Minister” in subsection (1) thereof and inserting in lieu thereof the words “Warden of Standards”; and
- (c) by striking out subsection (2) thereof.

Enactment of s. 36a of principal Act—
Inspector's standards to be stamped.

16. The following section is enacted and inserted in the principal Act after section 36 thereof :—

36a. (1) Unless its size or nature renders stamping impracticable, or it is exempted by the regulations, every Inspector's Standard shall be stamped as 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.

17. Section 38 of the principal Act is repealed and the following section is enacted and inserted in the principal Act in lieu thereof :—

Repeal and re-enactment of s. 38 of principal Act—

38. (1) A standard of measurement provided and maintained under section 6 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 entitled the Weights and Measures (National Standards) Regulations, as the case may be, shall not be used for the purposes of this Act.

Certain standards not to be used.

(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.

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

(4) The prescribed fee shall be payable on the verification or reverification of any Inspector's Standard.

(5) A record shall be kept by the Warden of Standards of all Inspector's Standards verified or reverified.

18. The following section is enacted and inserted in the principal Act after section 38 thereof :—

Enactment of s. 38a of principal Act—

38a. 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.

19. Section 40 of the principal Act is amended—

Amendment of principal Act, s. 40—
Issue of Inspector's Standards to councils.

- (a) by striking out the words "local standards of weight and measure" in subsection (1) thereof and inserting in lieu thereof the words "Inspector's Standards";
- (b) by striking out the words "local standards" in subsection (2) thereof and inserting in lieu thereof the words "Inspector's Standards"; and
- (c) by inserting at the end thereof the following subsection :—

(3) Where—

- (a) pursuant to this section as in force before the commencement of the Weights and Measures Act Amendment Act,

1966, local standards of weight and measure have been issued to a council ; and

- (b) such standards have been verified as provided by section 38 of this Act as then in force,

such standards shall, for the purposes of this Act, be deemed to be Inspector's Standards issued pursuant to this section.

Repeal of s. 41 of principal Act.

20. Section 41 of the principal Act is repealed.

Consequential amendments to various sections of principal Act.

21. (1) Subsection (1) of section 42 of the principal Act is amended—

- (a) by striking out the figures "41" therein and inserting in lieu thereof the figures "38" ; and

- (b) by striking out the words "local standards" (wherever occurring) therein and inserting in lieu thereof in each case the words "Inspector's Standards".

(2) Section 44, subsection (1) of section 45, subsection (2) of section 46, section 47, subsection (2) of section 50, section 53 and paragraph III of section 68 of the principal Act are amended by striking out the words "local standards" (wherever occurring) therein and inserting in lieu thereof in each case the words "Inspector's Standards".

(3) Section 47 of the principal Act is further amended by striking out the words "of measure and weight" therein.

(4) Subsection (1) of section 51 of the principal Act is amended by striking out the words "local standard" in paragraph (b) thereof and inserting in lieu thereof the words "Inspector's Standard".

(5) Section 52 of the principal Act is amended by striking out the words "a local standard" therein and inserting in lieu thereof the words "an Inspector's Standard".

(6) Section 61 of the principal Act is amended by striking out the words "weight and measure" and "local standards" therein and inserting in lieu thereof the words "measurement" and "Inspector's Standards" respectively.

22. The Third Schedule to the principal Act is repealed and the following schedule is enacted and inserted in the principal Act in lieu thereof :—

Repeal of
Third Schedule
and enactment
of Fourth
Schedule to
principal Act .

FOURTH SCHEDULE.

Part I.—Provisions Concerning Secondary and Tertiary State Standards.

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.		±0.0005 in.	—
Denominations not exceeding 1ft. but exceeding 1in. .		±0.0003 in.	—
Denominations not exceeding 1in.		±0.0002 in.	—
Denominations not exceeding 1m. but exceeding 30cm.		±0.012 mm.	—
Denominations not exceeding 30cm. but exceeding 25mm.		±0.0075 mm.	—
Denominations not exceeding 25mm.		±0.005 mm.	—
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
		Milligrammes.	
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	—

Part I.—Provisions Concerning Secondary and Tertiary State Standards—continued.

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 14 lb.	Exceeding 100oz. tr.	—	±3	—
Not exceeding 14 lb. but not less than 2 lb.	Not exceeding 100oz. tr. but not less than 20oz. tr.	—	±3	±6
Less than 2 lb. 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 0.1gr.	±0.0002	—

Part I.—Provisions Concerning Secondary and Tertiary State Standards—continued.

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 1,000 c.c.....	±1 ten-thousandth of the nominal value	±2.5 ten-thousandths of the nominal value
Denominations not exceeding 1,000 c.c. but exceeding 50 c.c.	±1 ten-thousandth of the nominal value	±5 ten-thousandths of the nominal value
Denominations not exceeding 50 c.c. but exceeding 20 c.c.	±0.005 c.c.	±5 ten-thousandths of the nominal value
Denominations not exceeding 20 c.c.....	±0.005 c.c.	±0.01 c.c.
<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.

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Part I.—Provisions Concerning Secondary and Tertiary State Standards—continued.

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.
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	—
	Milligrammes.	
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.—Provisions concerning Inspector's Standards.

Denomination of Standard.	Maximum permissible variation of Inspector's Standard from denomination on verification or reverification.
First Column.	Second Column.
Denominations expressed in metric units.	Maximum variation in millimetres.
Denominations exceeding 1 m.	One-tenth of the denomination in metres
Denominations not exceeding 1 m. but exceeding 1 mm.	One-tenth of the cube root of the denomination in metres
Denominations not exceeding 1 mm.	0.01
Denominations expressed in chains, links, fathoms, yards, feet or inches.	Maximum variation in inches.
Denominations exceeding 1yd.	Four-thousandths of the denomination in yards
Denominations not exceeding 1yd. but exceeding 0.05in.	One-thousandth of the cube root of the denomination in inches
Denominations not exceeding 0.05in.	0.0004
Denominations expressed in metric units.	Maximum variation in milligrammes.
Denominations exceeding 10 kg.	Eight times the denomination in kilogrammes
Denominations not exceeding 10 kg. but exceeding 1 mg.	Eight-tenths of the square root of the denomination in grammes
Denominations not exceeding 1 mg.	0.025
Denominations expressed in tons, short tons, hundredweights, centals, quarters, stones, pounds, ounces or drams.	Maximum variation in grains
Denominations exceeding 50 lb.	Six-hundredths of the denomination in pounds
Denominations not exceeding 50 lb. but exceeding 3 dr.	Four-tenths of the square root of the denominations in pounds.
Denominations not exceeding 3 dr.	0.05
Denominations expressed in grains.	Maximum variation in grains.
Denominations exceeding 0.01 gr.	Three-thousandths of the square root of the denomination in grains
Denominations not exceeding 0.01 gr.	0.0003
Denominations expressed in troy ounces, pennyweights, Apothecaries ounces, drachms or scruples.	Maximum variation in grains.

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Part II.—Provisions concerning Inspector's Standards—continued.

Denomination of Standard.	Maximum permissible variation of Inspector's Standard from denomination on verification or reverification.
First Column.	Second Column.
Denominations exceeding 300 oz. tr.	Four-thousandths of the denomination in troy ounces
Denominations not exceeding 300 oz. tr. but exceeding 0.01 gr.	Three-thousandths of the square root of the denomination in grains
Denominations not exceeding 0.01 gr.	0.0003
Denominations expressed in metric units.	Maximum variation in cubic centimetres.
Denominations exceeding 0.05 cub. m.	Six hundred times the denomination in cubic metres
Denominations not exceeding 0.05 cub. m. but exceeding 0.5 c.c.	Two-hundredths of the cube root of the square of the denomination in cubic centimetres
Denominations not exceeding 0.5 c.c.	0.01
Denominations expressed in quarts, pints or gills.	Maximum variation in minims.
Denominations exceeding 10 gall.	Fifty times the denomination in gallons
Denominations not exceeding 10 gall.	One hundred times the cube root of the square of the denomination in gallons
Denominations expressed in fluid ounces, fluid drachms or minims.	Maximum variation in minims.
Denominations exceeding 20 min.	Twice the cube root of the square of the denomination in fluid ounces
Denominations not exceeding 20 min.	0.2

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

EDRIC BASTYAN, Governor.