



ANNO OCTAVO

GEORGI VI REGIS.

A.D. 1944.

No. 39 of 1944.**An Act to amend the Weights and Measures Act,
1934-1941.**

[Assented to 14th December, 1944.]

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, 1944".

(2) The Weights and Measures Act, 1934-1941, as amended by this Act, may be cited as the "Weights and Measures Act, 1934-1944".

(3) The Weights and Measures Act, 1934-1941, is hereinafter referred to as "the principal Act".

**Amendment of
principal Act.
s. 56—
Licensing of
weighbridges.**

2. Section 56 of the principal Act is amended by striking out subsection (5) thereof and by inserting in lieu thereof the following subsection:—

(5) If application is made for the issue of a licence or the renewal of a licence in respect of any weighbridge, and if the Warden of Standards is of opinion that the weighbridge is suitable to be used for the purposes mentioned in subsection (1), the Warden of Standards, upon payment of the prescribed fee, may issue a receipt therefor and thereupon the weighbridge shall be deemed to be licensed until the weighbridge is tested by a Government inspector pursuant to this section or until the expiration of the licensing period for which the receipt is given, whichever first occurs.

3. The following section is enacted and inserted in the principal Act after section 56 thereof :—

Enactment
of s. 56a of
principal Act—

56a. (1) Notwithstanding any other provision of this Act, the buyer and the seller of any goods may agree to accept as the weight of the goods (with or without adjustment for error) such weight as is determined by the use of a weighbridge (other than a weighbridge of which either the buyer or the seller is the owner or lessee) which is not licensed by the Warden of Standards but in respect of which the prescribed fee for the licensing thereof was paid for the licensing period ended on the thirtieth day of June, nineteen hundred and forty-two, or for any subsequent licensing period.

Use of
unlicensed
weighbridges
during the
present war.

(2) The owner or lessee of any weighbridge which is not licensed by the Warden of Standards but in respect of which the prescribed fee for the licensing thereof was paid for the licensing period ended on the thirtieth day of June, nineteen hundred and forty-two, or for any subsequent licensing period, may use the weighbridge for the purpose of weighing any goods at the request of both the buyer and the seller of the goods, if there is prominently displayed upon the weighbridge a notice to the effect that the weighbridge is not licensed by the Warden of Standards and that any weight of any goods ascertained by the use of the weighbridge cannot be regarded as the accurate weight thereof, but no such weighbridge shall be used for the purpose of weighing any such goods if the owner or lessee thereof is either the buyer or the seller of the goods.

If any such weighbridge is used for the purpose of trade or for the purpose of any contract, bargain, sale, purchase or dealing contrary to the provisions of this subsection, the owner or lessee of the weighbridge shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) If any unlicensed weighbridge is used for the purpose of weighing any goods as provided by subsection (2), the owner or lessee of the weighbridge shall give to the buyer and to the seller of the goods a weight note showing the weight of the goods as ascertained by the use of the weighbridge and upon every such weight note there shall be legibly written or printed a statement to the effect that the weighbridge is not licensed by the Warden of Standards and that the weight of the goods as ascertained by the use of the weighbridge cannot be regarded as the accurate weight thereof.

If any owner or lessee of any such weighbridge fails to give to any such buyer or seller a weight note as required

by this subsection, he shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(4) The owner or lessee of any unlicensed weighbridge who proposes to use or permit the use of the weighbridge pursuant to this section shall before first using or permitting the use thereof pursuant to this section give to the Warden of Standards notice in writing of his intention to use or permit the use of the weighbridge as aforesaid. If any such owner or lessee fails to give notice as required by this section he shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(5) This section shall continue in operation until the day upon which a proclamation is issued by the Governor-General declaring that the present war in which His Majesty is engaged has ceased, and no longer.

**Amendment of
principal Act,
s. 57—
Licensing of
petrol pumps.**

4. Section 57 of the principal Act is amended by striking out subsection (7) thereof and by inserting in lieu thereof the following subsection :—

(7) If application is made for the issue of a licence or the renewal of a licence in respect of any petrol pump, and if the Warden of Standards is of opinion that the petrol pump is suitable to be used for the purposes mentioned in subsection (1), the Warden of Standards, upon payment of the prescribed fee, may issue a receipt therefor and thereupon the petrol pump shall be deemed to be licensed until the petrol pump is tested by a Government inspector pursuant to this section or until the expiration of the licensing period for which the receipt is given, whichever first occurs.

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

J. M. NAPIER, Lieutenant-Governor.