

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

22nd July, 1925.

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE.]

Legislative Council, 4th September, 1925.

Hon. Mr. Anderson.

WEIGHTS AND MEASURES.

ANALYSIS.

- Title.
 - 1. Short Title and commencement.
 - 2. Interpretation.
- PART I.**
ADMINISTRATION.
- 3. Chief Inspector and Inspectors of Weights and Measures.
 - 4. Powers of Inspectors.

- PART II.**
SYSTEM OF WEIGHTS AND MEASURES AND STANDARDS.
- 5. Imperial standards of weights and measures adopted. Weights and measures derived from standards.
 - 6. Standard weights and measures.
 - 7. Decimal standards.
 - 8. Governor-General may declare any standard to cease to be a standard.
 - 9. Governor-General may declare new denominations of standards.
 - 10. Departmental standards.
 - 11. Local standards.
 - 12. Authorized copies of standards under Weights and Measures Act, 1908, to be local standards under this Act.
 - 13. Penalty for falsifying or injuring standards.
 - 14. Governor-General may proclaim adoption of metric system.

- PART III.**
USE OF WEIGHTS AND MEASURES FOR TRADE.
- 15. Penalty for using denominations of weights and measures other than those prescribed by this Act. Not to apply to certain contracts.
 - 16. Weighing or measuring instruments to be kept exposed to public view.
 - 17. Rules as to use of *avoirdupois* and other weights.
 - 18. Measures of capacity.
 - 19. Certain goods to be sold by weight, and not by measure.

- 20. Goods to be sold by net weight or measure. Invoice or delivery-note showing net weight or measure. Net weight or measure of packed goods sold by retail to be stated on package.
- 21. Offence to state incorrect net weight or measure in invoice or delivery-note.
- 22. Weighing or measuring goods sold by retail.
- 23. Goods may be sold in vessels not represented as containing any amount of standard weight or measure.
- 24. Purchaser may require goods to be measured with stamped measure.
- 25. Offence to supply short weight or measure.
- 26. Authorizing use of metric system of weights and measures.

- PART IV.**
STAMPING AND VERIFICATION OF WEIGHTS AND MEASURES.
- 27. Weights and measures to have contents marked.
 - 28. Weights and measures to be stamped with mark of verification.
 - 29. Penalty for use or possession of unstamped weight or measure.
 - 30. Defective or repaired weights or measures not to be used until restamped.
 - 31. Fees for testing, verifying, &c., of weights and measures.

- PART V.**
GENERAL.
- 32. Act not to apply to gas.
 - 33. Measurement of electricity, &c.
 - 34. Offences by agents or servants.
 - 35. Offences.
 - 36. General penalty. Offences punishable on summary conviction.
 - 37. Evidence as to possession of weights, measures, &c., for use for trade.
 - 38. Offence committed with intent to defraud punishable by imprisonment.
 - 39. Publication of convictions.
 - 40. Expenses of administration, and application of fees and fines.
 - 41. Regulations.
 - 42. Repeals and savings. Schedules.

A BILL INTITULED

| | | |
|-------------------------------|---|----|
| Title. | AN ACT to make Better Provision with regard to Weights and Measures. | |
| | BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :— | 5 |
| Short Title and commencement. | 1. This Act may be cited as the Weights and Measures Act, 1925, and, except as otherwise expressly provided herein, shall come into force on the first day of July, nineteen hundred and <i>twenty-six</i> . | |
| Interpretation. | 2. In this Act, if not inconsistent with the context,— | 10 |
| | “ Goods ” means all kinds of moveable personal property, including animals : | |
| | “ Imperial Act ” means the Weights and Measures Act, 1878 (Imperial) : | |
| | “ Inspector ” means an Inspector of Weights and Measures appointed under this Act and includes the Chief Inspector : | 15 |
| | “ Measuring-instrument ” means any instrument or machine, other than standard measures of extension or capacity, used for measuring any article or any liquid : | |
| | “ Minister ” means the Minister of Labour : | 20 |
| | “ Package ” includes anything in or by which goods are cased, covered, enclosed, contained, or packed : | |
| | “ Public weighing-instrument ” means any weighing-instrument available for use by the public, or for the use of which a charge is made : | 25 |
| | “ Used for trade,” with respect to any weight, measure, or weighing or measuring instrument, includes the use of such weight, measure, or weighing or measuring instrument in relation to— | |
| | (a.) Any contract, bargain, sale or dealing made or had in New Zealand for any work or goods or other thing which has been or is to be done, sold, delivered, carried, or agreed for by weight or measure ; and | 30 |
| | (b.) The charging or collection of tolls and duties : | |
| | “ Weighing-instrument ” means any weighbridge, weighing-machine, scales, balance, steelyard, or other instrument for weighing, and includes the weights belonging thereto. | 35 |

PART I.

ADMINISTRATION.

Chief Inspector and Inspectors of Weights and Measures.

3. (1.) There shall be appointed as officers of the Public Service a Chief Inspector of Weights and Measures, and such number of other Inspectors of Weights and Measures as may from time to time be found necessary for the purpose of carrying out the provisions of this Act.

(2.) Every officer who on the commencement of this Act holds office as an Inspector of Weights and Measures shall be deemed to be an Inspector under this Act.

(3.) The duties of the Chief Inspector and of other Inspectors shall be such as are prescribed by this Act or by regulations.

4. (1.) Any Inspector may at all reasonable times—
- (a.) Enter any building or place or stop any vehicle wherein or in connection with which weights, measures, or weighing or measuring instruments are used for trade :
- 5 (b.) Stop any person having in his possession a pack, basket, or other receptacle containing goods for sale and any weights, measures, or weighing or measuring instruments for use in connection with the sale of such goods :
- 10 (c.) Examine and test such weights, measures, and weighing or measuring instruments, and if any such weight or measure is light or otherwise unjust, or if any such weighing or measuring instrument is found to be incorrect or not in accordance with this Act or regulations, the Inspector may seize the same :
- 15 (d.) Examine and weigh or measure or cause to be weighed or measured in the presence of the person in charge of the same any goods kept or exposed for sale in a package, and may seize any goods in respect of which a contravention of this Act has been committed.
- 20 (2.) All weights, measures, weighing or measuring instruments, and goods seized under this section shall, if the Minister so directs, be forfeited, and shall on forfeiture become the property of His Majesty the King.
- 25 (3.) Every person who wilfully obstructs or hinders any Inspector in the execution of his office, or who refuses to produce and deliver any weight, measure, or weighing or measuring instrument when required so to do by an Inspector, is liable to a fine of *ten* pounds.

Powers of
Inspectors.
N.S.W., 1915, No. 10,
secs. 40, 41, 42

PART II.

SYSTEM OF WEIGHTS AND MEASURES AND STANDARDS.

- 30 5. (1.) The imperial standard pound and the imperial standard yard respectively described in the Imperial Act shall be the source from which all weights and measures shall be derived.
- (2.) The several weights and measures derived from the said imperial standard pound and the imperial standard yard respectively and described in the *First* Schedule hereto shall, except as hereinafter provided, be the only weights and measures to be used in New Zealand.
- 35 6. (1.) The weights and measures of the denominations mentioned in the *Second* Schedule hereto, now in the custody and under the control of the Minister (which have been duly verified as agreeing with the weights and measures of similar denominations deposited with the Imperial Board of Trade), and stamped with the Imperial Crown, together with the word "Standard" and a figure to indicate the denomination of each such weight or measure, are the standard weights and measures of New Zealand.
- 40 (2.) If any such standard weight or measure is lost, destroyed, or injured so as to be unfit to be used as a standard, the Minister shall provide another weight or measure of the like denomination, verified by comparison with the proper weight or measure deposited with the Imperial Board of Trade, and such weight or measure, when stamped
- 50 as aforesaid and deposited with the Minister, shall become a standard weight or measure.

Imperial standards
of weights and
measures adopted.
1908, No. 206, sec. 3

Weights and
measures derived
from standards.
Ibid., sec. 4 (1)

Standard weights
and measures.
Ibid., sec. 5

Decimal standards.
1908, No. 206, sec. 6

7. The Minister may procure verified copies of the decimal standards deposited with the Imperial Board of Trade, and such verified copies shall be deemed to be standards in like manner as if they were described in the *Second* Schedule hereto.

Governor-General may declare any standard to cease to be a standard.
N.S.W., 1915, No. 10, sec. 15

8. The Governor-General may by Proclamation declare that any standard weight or measure of New Zealand shall cease to be a standard weight or measure, and may in like manner revoke or alter any such Proclamation. 5

Governor-General may declare new denominations of standards.

9. (1.) The Governor-General may by Proclamation declare such new denominations of standards of weights and measures as he thinks fit. 10

Cf. *Ibid.*, sec. 16

(2.) The Minister shall thereupon procure weights and measures duly verified by the Imperial Board of Trade as accurately representing the denominations declared as aforesaid, and such weights and measures shall be deemed to be standards in like manner as if they were described in the *Second* Schedule hereto. 15

Departmental standards.

10. (1.) The Minister shall provide copies of the standard weights and measures of New Zealand.

Ibid., sec. 17

(2.) Such copies shall be verified by comparison with the standards, and shall be known as the "Departmental standards," and shall be deposited in the office of the Chief Inspector. 20

(3.) Departmental standards shall be renewed when necessary.

Local standards.

11. (1.) The Minister shall, as often as required, provide copies of the Departmental standards, and such copies, when verified and stamped as hereinafter mentioned, shall be known as "Local standards," and shall be accepted as true for all purposes. 25

Cf. *ibid.*, sec. 18

(2.) Each such copy shall be compared with the proper departmental standard weight or measure and adjusted, if necessary, and shall be stamped with the letters and figures commonly used to signify His Majesty's name or mark, together with the letters "S.W." or "S.M." (signifying "standard weight" or "standard measure"), as the case may be, and a figure indicating the denomination of the weight or measure. 30

(3.) Local standards shall be deposited with Inspectors, and shall be safely and securely kept by them. 35

(4.) The fact that any weight or measure in the possession of an Inspector is stamped as provided by this section shall be sufficient proof that such weight or measure is a local standard under this Act.

(5.) Local standards shall be reverified at such times and in such manner as may be prescribed. 40

Authorized copies of standards under Weights and Measures Act, 1908, to be local standards under this Act.

12. "Authorized copies" of standards made under section seven of the Weights and Measures Act, 1908, and in the possession of and used by Inspectors on the coming into operation of this Act, shall for all purposes be deemed to be local standards provided under this Act.

Penalty for falsifying or injuring standards.
1908, No. 206, sec. 8

13. Every person who falsifies or otherwise wilfully or negligently injures any standard weight or standard measure, or any stamp or mark, or other property issued under this Act, is liable to a fine of *fifty* pounds in addition to the cost of repairing such weight, measure, stamp, brand, or other property. 45

Governor-General may proclaim adoption of metric system.

14. The Governor-General may at any time, by Proclamation, declare that from and after a date named in such Proclamation the metric system as described in the *Third* Schedule hereto shall be the 50

Ibid., sec. 25

only system of weights and measures recognized for use in New Zealand, and thereafter it shall not be lawful to use any weights and measures other than those described in that Schedule.

PART III.

USE OF WEIGHTS AND MEASURES FOR TRADE.

- 5 15. (1.) Every person who in any transaction with any other person uses any denomination of weight or measure other than one of the weights and measures described in the *First* Schedule hereto, or some multiple or part thereof, or the metric equivalent thereof as described
- 10 in the *Third* Schedule hereto, commits an offence, and is liable for each such offence to a fine of *ten* pounds; and every contract, bargain, or sale in respect of any work, goods, or other thing done, sold, carried, or agreed for by weight or measure made contrary hereto shall be void.
- 15 (2.) This section shall not apply to a contract, bargain, sale, purchase, or dealing in connection with the importation or export of goods from or to a country where a system of weights or measures other than that fixed by this Act is used.
- Struck out.*
- 20 16. Every person who uses for trade a weighing or measuring instrument shall have and keep the same so as to be wholly exposed to the view of persons dealing with him.
17. All goods sold by weight shall be sold by avoirdupois weight, except that—
- 25 (a.) Gold, silver, and articles made thereof, platinum, and other precious metals may be sold by troy weight :
- (b.) Diamonds and other precious stones may be sold by troy weight :
- (c.) Drugs when sold by retail may be sold by apothecaries' weight.
- 30 18. All goods sold by measure of capacity shall be so sold only by some measure of capacity authorized by this Act.
19. (1.) Charcoal, coke, coal of any description, and such other goods as the Governor-General may from time to time prescribe by Order in Council, shall be sold by weight and not by measure.
- New.*
- 35 Provided that this subsection shall not apply to the sale of charcoal, coke, or coal for use in any ship.
- (2.) An Order in Council under the *last preceding* subsection prescribing goods that shall be sold by weight and not by measure may apply generally throughout New Zealand or to such part or parts
- 40 thereof as may be specified in such Order.
- (3.) Any Order in Council under this section may in like manner be amended or revoked.
20. (1.) Goods sold *by retail* by weight or measure shall be sold only by net weight or measure.
- 45 (2.) Every person delivering to any purchaser at any place other than the premises of the seller any goods so sold shall forthwith deliver or send to the purchaser an invoice or delivery-note showing the net weight or measure of such goods :
- Provided that this subsection shall not apply to bread or milk, or
- 50 to any goods weighed or measured at the premises of the purchaser.

Penalty for using denominations of weights and measures other than those prescribed by this Act.

1908, No. 206, sec. 4 (2)

Not to apply to certain contracts.

N.S.W., 1915, No. 10, sec. 22 (3)

Weighing or measuring instruments to be kept exposed to public view.

Sth. Afr., 1922, No. 32, sec. 45.

Rules as to use of avoirdupois and other weights.

Cf. N.S.W., 1915, No. 10, sec. 23
1908, No. 206, sec. 24

Measures of capacity.

Ibid., sec. 24 (4) and (5)

Certain goods to be sold by weight and not by measure.

Cf. *ibid.*, sec. 24

Goods to be sold by net weight or measure.

N.S.W., 1915, No. 10, sec. 25

Invoice or delivery note showing net weight or measure

Net weight or measure of packed goods sold by retail to be stated on package.

(3.) No person shall *at his place of business* sell or offer or expose for sale *by retail* by weight or measure any goods enclosed in a package unless the net weight or measure of the goods is legibly written or printed upon the outside of the package, or upon a label firmly attached thereto :

5

Provided that this subsection shall not apply to goods weighed or measured in the presence of the purchaser.

(4.) Nothing in this section shall apply to any goods exempted therefrom by regulations or to any goods exposed for sale or sold by weight in a package if the weight of such goods is subject to variation by reason of climatic influences, and the package bears a conspicuous label or inscription showing the words "Net weight when packed," together with such weight. 10

(5.) Every person who commits an offence against this section is liable to a fine of *fifty* pounds. 15

Offence to state incorrect net weight or measure in invoice or delivery-note.

Of. N.S.W., 1915, No. 10, sec. 26
1908, No. 167, sec. 14

21. (1.) Except as may be otherwise specially provided by regulations in that behalf, where the net weight or measure of goods sold is pursuant to the *last preceding* section stated in an invoice or delivery-note, or is written or printed on a package enclosing the goods, and such net weight or measure is not correctly so stated, written, or printed, the seller or the person offering or exposing such goods for sale commits an offence, and is liable for each such offence to a fine of *fifty* pounds. 20

(2.) It shall be a sufficient defence in any prosecution for an offence against this section for the person charged with such offence— 25

(a.) To produce from the person from whom he purchased such goods a written warranty in the prescribed form that the weight or measure written or printed on the package is correct; and

(b.) To prove that he sold such goods in the same state as when purchased by him. 30

(3.) No warranty given or made by a person resident outside New Zealand shall be any defence under this section unless the defendant proves that he had taken reasonable steps to ascertain, and did in fact believe in, the truth of the statement as to net weight or measure set forth in such warranty. 35

(4.) No warranty shall be any defence under this section if it is proved that the defendant knew or had reason to suspect that the goods sold did not conform to such warranty or statement.

(5.) No warranty shall be any defence in any prosecution unless the defendant has within seven days after service of the summons delivered to the prosecutor a copy of such warranty, with a written notice stating that he intends to rely thereon, and specifying the name and address of the person from whom he received it, and has also within the same time sent by post a like notice of his intention to such person. 40 45

(6.) When the defendant is a servant or agent of the person who purchased the goods under such warranty, he shall be entitled to the benefit of this section in the same manner and to the same extent as his employer or principal would have been if he had been the defendant, unless it is proved that the servant or agent knew or had reason to suspect that the goods did not conform to the said warranty. 50

(7.) Any person who gives a warranty under this section which is false or misleading in any material particular commits an offence, and is liable for each such offence to a fine of *fifty* pounds.

5 22. Where any person offers or exposes any goods for sale by retail, by weight or measure, 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, a suitable weighing-instrument or measure, with the necessary weights for weighing such goods; and shall, at the request of a purchaser to whom any such
10 goods are sold as being of a given weight or measure, or of an Inspector, weigh or measure them in the presence of the purchaser, and if he refuses so to weigh them he commits an offence.

15 23. Save as expressly provided herein or in any regulations hereunder with respect to goods of a specified kind, nothing in this Act shall prevent the sale, or subject a person to a fine under this Act for the sale of goods in any vessel where such vessel is not represented as containing any amount of standard weight or measure, nor render a person liable to a fine under this Act for the possession of a vessel where it is shown that such vessel is not used or intended for use as
20 a measure.

24. Any person buying by any vessel represented as containing the quantity of any standard measure or measures may require the contents of such vessel to be ascertained by comparison with a stamped measure to be provided by the seller; and if such seller refuses to make such
25 comparison, or if upon such comparison such vessel is found to be deficient in capacity, the seller commits an offence, and is liable for each such offence to a fine of *ten* pounds.

25. Every person commits an offence who sells or causes to be sold, or delivers or causes to be delivered, to a purchaser anything by
30 weight or measure short of the quantity demanded of or represented by the seller.

26. Nothing in this Part of this Act shall prevent the use in trade of a weight or measure of the metric system for the purpose of selling goods by weight or measure according to that system.

Weighing or measuring goods sold by retail.
N.S.W., 1915,
No. 10, sec. 27

Goods may be sold in vessels not represented as containing any amount of standard weight or measure.
41 & 42 Vict., Ch. 49, sec. 22

Purchaser may require goods to be measured with stamped measure.
1908, No. 206 sec. 19

Offence to supply short weight or measure.
Sth. Afr., 1922,
No. 32, sec. 34

Authorizing use of metric system of weights and measures.

35

PART IV.

STAMPING AND VERIFICATION OF WEIGHTS AND MEASURES.

27. (1.) All weights made after the twenty-ninth day of August, nineteen hundred and three (being the date of the passing of the Weights and Measures Act, 1903) shall have the exact weight thereof marked on
40 the top or side thereof in legible figures and letters, and all measures of capacity and extension respectively made after that date shall have their contents marked on the outside of such measures in legible figures and letters.

(2.) A weight or measure not in conformity with this section shall
45 not be verified under this Act.

Weights and measures to have contents marked.
1908, No. 206, sec. 9

Weights and measures to be stamped with mark of verification.

Cf. N.S.W., 1915, No. 10, sec. 30

Penalty for use or possession of unstamped weight or measure.

Ibid., sec. 32

Defective or repaired weights or measures not to be used until restamped.

Ibid., sec. 33

Fees for testing, verifying, &c., of weights and measures.

Ibid., sec. 34

28. Every weight, measure, and weighing or measuring instrument whatsoever used for trade, not being a weight, measure, or instrument exempted by regulations, shall be stamped with a mark of verification under this Act.

29. Every person who uses or has in his possession for use for trade any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or not in accordance with this Act or regulations, commits an offence, and is liable to a fine of *ten* pounds. 5

30. (1.) No person shall use for trade any weight, measure, or weighing or measuring instrument which has become defective in consequence of wear or accident, or has been mended or repaired, until the same has been restamped. 10

(2.) Any person mending or repairing such defective weight, measure, or instrument shall destroy any existing stamp thereon. 15

31. The fees for verifying or stamping weights, measures, and weighing or measuring instruments and for adjusting weights shall be such as shall from time to time be prescribed by regulations in that behalf.

PART V.

20

GENERAL.

Act not to apply to gas.

1908, No. 206, sec. 26

Measurement of electricity, &c.

Ibid., sec. 27

32. Nothing in this Act shall apply to the measurement or sale of gas.

33. (1.) The Governor-General may from time to time, by Proclamation, declare that the measurement of electricity, temperature, pressure, or gravity shall be according to standards and denominations described in such Proclamation. 25

(2.) As soon as practicable after any such Proclamation the Minister shall provide verified copies of any such standard and of such denominations thereof as appear to him to be required, and such verified copies shall be deemed to be standard measures in like manner as if they were described in the *Second* Schedule hereto. 30

(3.) Until a Proclamation under this section comes into force, nothing in this Act (except this section) shall apply to the measurement of electricity, temperature, pressure, or gravity. 35

Offences by agents or servants.

1908, No. 163, sec. 16

34. In any case where goods are sold or any weight, measure, or weighing or measuring instrument is used for trade by any person as the agent or servant of any other person, the agent or servant and his principal or employer shall be severally liable in respect of any contravention of this Act arising out of such sale or use for trade. 40

Offences.

Ibid., sec. 23 (1)
N.S.W., 1915, No. 10,
sec. 43

Sth. Afr., 1922,
No. 32, sec. 38

35. (1.) Every person commits an offence, and is liable to a fine of *one hundred* pounds, who—

(a.) Makes, forges, or counterfeits, or causes to be made, forged, or counterfeited, or knowingly acts or assists in making, forging, or counterfeiting, any stamp or mark used for the stamping or marking of any weight, measure, or weighing or measuring instrument under this Act, or who in any way alters or tampers with any such weight, measure, or instrument which has been stamped or marked, so as to cause it to weigh or measure unjustly: 45 50

- (b.) Knowingly uses, sells, or offers or exposes for sale any weight, measure, or weighing or measuring instrument having any forged or counterfeit stamp, brand, or mark thereon, or any weight, measure, or weighing or measuring instrument that has been altered or tampered with as aforesaid :
- 5 (c.) Wilfully or knowingly makes or sells or causes to be made or sold any weight, measure, or weighing or measuring instrument which is incorrect or not in accordance with this Act or regulations :
- 10 (d.) Without lawful excuse increases or diminishes any stamped weight or measure, or uses, sells, or offers or exposes for sale, any such increased or diminished weight or measure :
- (e.) Inserts in any weight, measure, or weighing or measuring instrument any verification stamp removed from any other weight, measure, or weighing or measuring instrument.
- 15 (2.) Any bargain, sale, or contract made ~~in~~ by reference to any weight, measure, or weighing or measuring instrument which is incorrect or not in accordance with this Act or regulations shall be void.

20 36. (1.) Every person who commits or attempts to commit, or conspires to commit, or incites or aids any other person to commit, an offence against this Act or any regulations thereunder for which no penalty is specially provided elsewhere than in this section is liable to a fine of *ten* pounds.

General penalty.

25 (2.) All proceedings in respect of offences under this Act shall be taken in a summary way on the information of an Inspector, who shall not be called upon to prove that he holds that office ; and all such proceedings may be continued and conducted by the same or any other Inspector, or any person permitted by the Magistrate to conduct the same, and shall be heard before a Stipendiary Magistrate alone.

Offences punishable on summary conviction.

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

Evidence as to possession of weights, measures, &c., for use for trade.

N.S.W., 1915, No. 10, sec. 50

35 38. Where any person is convicted of any offence under this Act, and the Magistrate by whom 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 fine, to imprisonment for a term not exceeding *two* months.

Offence committed with intent to defraud punishable by imprisonment.

52 & 53 Vict., Ch. 21, sec. 4

40 39. Where a person is convicted of any offence against this Act the Magistrate may, if he thinks fit, cause the conviction to be published in such manner as he thinks desirable.

Publication of convictions.

Ibid., sec. 14

45 40. All expenses of carrying out the provisions of this Act shall be paid out of moneys to be from time to time appropriated for that purpose by Parliament, and all fees and fines recovered under this Act shall be paid into the Public Account and form part of the Ordinary Revenue Account of the Consolidated Fund.

Expenses of administration, and application of fees and fines.

50 41. (1.) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes, that is to say,—

Regulations.

Cf N.S.W., 1915, No. 10, sec. 57, and 1916, No. 37, sec. 3 (11) 1922, No. 16, sec. 10

(a.) Defining the duties of the Chief Inspector and other Inspectors under this Act :

- (b.) Prohibiting the importation into New Zealand of any particular kind or kinds of weighing or measuring instruments :
- (c.) Fixing times and places for the submitting for verification and stamping of weights, measures, and weighing or measuring instruments, and for the periodic reverification of stamped weights, measures, and weighing or measuring instruments : 5
- (d.) Regulating the supply, custody, care, and verification of departmental and local standards, the certifying of such verification, and the periodic reverification of such standards : 10
- (e.) Regulating the verifying, reverifying, and stamping of weights, measures, and weighing or measuring instruments, and prescribing the manner in and the means by which such verification and reverification shall be done :
- (f.) Prescribing the fees to be paid in respect of the adjusting, verifying, reverifying, and stamping of weights and measures and of weighing or measuring instruments : 15
- (g.) Prescribing tables showing the amount of error that may be tolerated in weights, measures, and weighing or measuring instruments : 20
- (h.) Prescribing the shapes, dimensions, and proportions to be adhered to in weights, measures, and weighing or measuring instruments, and the materials of which they shall be made :
- (i.) Defining and specifying what weights, measures, and weighing or measuring instruments shall or shall not be admitted to verification : 25
- (j.) Exempting any particular class or classes of weights or measures or weighing or measuring instruments from the requirements of this Act with regard to stamping with marks of verification : 30
- (k.) Limiting the purposes for which certain weights, measures, and weighing or measuring instruments may lawfully be used, and prescribing the class of such weights, measures, and instruments to be used in certain trades :
- (l.) Prohibiting the use of any particular kind or kinds of weights, measures, or weighing or measuring instruments either wholly or except on compliance with the conditions set out in the regulations : 35
- (m.) Prescribing the manner of the marking on weights and measures of their several denominations, and on weighing and measuring instruments of their capacities and other markings : 40
- (n.) Regulating the obliteration of stamps on weights, measures, and weighing or measuring instruments found to be incorrect or not in accordance with this Act or regulations : 45
- (o.) Prescribing the classes of weights to be used on certain kinds of weighing-instruments :
- (p.) Providing for the registration and periodic inspection of public weighing-instruments, prescribing the fees to be paid for such registration, and generally providing for their supervision and control : 50
- (q.) Regulating 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 by an Inspector, and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight:

- 5 (r.) Prohibiting the sale by retail of packages of any goods therein specified otherwise than of the prescribed net weights or measures:

10 Provided that any regulation made under this paragraph shall not come into force before the expiration of six months after the regulation has been gazetted:

- (s.) With respect to the sale of milk and cream in bottles and other containers prescribing—

15 (i.) The size and capacity of such containers:
(ii.) The markings to be made on such containers to indicate the capacity and ownership thereof and otherwise to identify the same for any purpose, and how such markings shall be made:

20 (iii.) The means and manner of testing the capacity of such containers:

- (t.) Prescribing the method of marking upon goods their weight or measure:

25 (u.) Regulating the sale of firewood, charcoal, coke, and coal, and prohibiting the sale of such goods except in accordance with such regulations:

- (v.) Prescribing forms of certificates and registers, and such other forms as may be required for the purposes of this Act:

(w.) Prescribing fines not exceeding *twenty* pounds for the breach of any regulation under this Act:

- 30 (x.) Providing for the disposal of weights, measures, weighing and measuring instruments, and goods forfeited under this Act:

(y.) Generally for the purpose of carrying into effect the provisions of this Act.

35 (2.) Any such regulations may apply generally throughout New Zealand or within any specified part or parts thereof, and may from time to time be applied by the Minister, by notice in the *Gazette*, to any part of New Zealand, and any such notice may at any time be in like manner altered or revoked.

40 (3.) The operation of any regulations published as aforesaid may, if so provided therein, be wholly suspended until they are applied by the Minister by notice pursuant to the *last preceding* subsection.

45 (4.) All regulations under this Act shall be gazetted, and shall be laid before both Houses of Parliament within fourteen days after the gazetting thereof if Parliament is then in session, and if not, then within fourteen days after the commencement of the next ensuing session.

42. (1.) The Weights and Measures Act, 1908, and the Weights and Measures Amendment Act, 1922, are hereby repealed. Repeals and savings.

50 (2.) All Proclamations, Orders in Council, orders, appointments, regulations, registers, registrations, records, instruments, and generally all acts of authority which originated under the said Acts and are subsisting on the coming into operation of this Act shall enure for the purposes of this Act as fully and effectually as if they had originated

under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(3.) All matters and proceedings commenced under the said Acts and pending or in progress on the coming into operation of this Act may be continued, completed, and enforced under the corresponding provisions of this Act, if any; and if there are no such corresponding provisions, then under the said Acts in the same manner as if those Acts remained in force. 5

(4.) Except so far as may be specifically provided herein, nothing in this Act shall be so construed as to annul or derogate from the provisions of any other Act or of any regulations thereunder. 10

Schedules.

SCHEDULES.

FIRST SCHEDULE.

Secs. 5(2), 15.
Cf. N.S.W., 1915,
No. 10, Schedule C.

WEIGHTS AND MEASURES DERIVED FROM IMPERIAL STANDARD POUND AND IMPERIAL STANDARD YARD.

Measures of Weight.

ONE-SIXTEENTH part of the imperial standard pound shall be an ounce, and one sixteenth part of such ounce shall be a dram, and one seven-thousandth part of the standard pound shall be a grain.

A hundredweight shall consist of one hundred and twelve pounds, and a ton shall consist of twenty such hundredweights:

Provided that a ton of oatmeal or of flour, bran, pollard, sharps, semolina, wheatmeal, or other milled product of oats or wheat may consist of **two thousand** pounds.

The pound troy shall be 0.82286 of the imperial standard pound. One-twelfth part of such pound troy shall be an ounce, one two-hundred-and-fortieth part of such pound shall be a pennyweight, and one five-thousand-seven-hundred-and-sixtieth part of such pound shall be a grain.

The ounce apothecaries shall be 0.06857 of the imperial standard pound. One-eighth part of such ounce shall be a ~~dram~~ *drachm*, one twenty-fourth part of such ounce shall be a scruple, and one four-hundred-and-eightieth part of such ounce shall be a grain.

Measures of Capacity.

The unit or standard measure of capacity from which all other measures of capacity, as well for liquids as for dry goods shall be derived, shall be the gallon, containing ten standard pounds weight of distilled water weighed in air against brass weights, with the water and air at the temperature of sixty-two degrees Fahrenheit's thermometer and the barometer at thirty inches.

The quart shall be the fourth part, the pint shall be the eighth part, and the gill shall be the thirty-second part of a gallon.

Two gallons shall be a peck, and eight gallons shall be a bushel, and eight such bushels shall be a quarter.

Measures of Length.

One-third of the imperial standard yard shall be a foot, and the twelfth part of such foot shall be an inch. The rod, pole, or perch in length shall be five such yards and a half. The chain shall contain twenty-two such yards, and the mile one thousand seven hundred and sixty such yards. The link shall be 0.22 of such yard.

Measures of Surface.

The standard yard squared shall be the square yard. One-ninth part of the square yard shall be a square foot, and the one-thousand-two-hundred-and-ninety-sixth part of such square yard shall be a square inch. Thirty square yards and one-quarter shall be a perch. One thousand two hundred and ten square yards shall be a rood. Four thousand eight hundred and forty square yards shall be an acre. Six hundred and forty acres shall be a square mile.

SECOND SCHEDULE.

STANDARD WEIGHTS AND MEASURES IN THE CUSTODY OF THE MINISTER.

Secs. 6, 7, 9, 33.

Measure of Length.

One yard.

Measures of Capacity.

Ten gallons
Eight gallons, or bushel
Five gallons
Four gallons
Two gallons, or peck

One gallon
One half-gallon
One quart
One pint

Two gills
One gill
One half-gill
One quarter-gill.

Avoirdupois Weights.

Fifty-six pounds
Half cental or fifty pounds
Twenty-eight pounds
Twenty pounds
Fourteen pounds
Ten pounds
Seven pounds

Five pounds
Four pounds
Two pounds
One pound
Eight ounces
Four ounces
Two ounces

One ounce
Eight drams
Four drams
Two drams
One dram
One half-dram

Troy Weights.

Five hundred ounces
Three hundred ounces, or
twenty-five pounds
Two hundred ounces
One hundred ounces
Fifty ounces
Forty ounces
Thirty ounces
Twenty ounces
Ten ounces

Five ounces
Four ounces
Three ounces
Two ounces
One ounce
Ten pennyweights
Five pennyweights
Four pennyweights
Three pennyweights

Two pennyweights
One pennyweight
One half-pennyweight
Five grains
Four grains
Three grains
Two grains
One grain
One half-grain.

Apothecaries' Weights.

One ounce
Four ~~drams~~ drachms, or one
half-ounce
Two ~~drams~~ drachms, or one
quarter-ounce
One ~~dram~~ drachm
Two scruples

One and a half scruples, or
half a ~~dram~~ drachm
One scruple
Ten grains, or one half-
scruple
Six grains

Five grains
Four grains
Three grains
Two grains
One grain
One half-grain.

THIRD SCHEDULE.

METRIC EQUIVALENTS.

Secs. 14, 15.

41 & 42, Vict., Third
Schedule.

TABLE of the Values of the Principal Denominations of Measures and Weights on the Metric System expressed by Means of Denominations of Imperial Measures and Weights, and of the Values of the Principal Denominations of Measures and Weights of the Imperial System expressed by Means of Metric Weights and Measures.

Measures of Length.

| Metric Denominations and Values. | | | | Equivalents in Imperial Denominations. | | | | |
|----------------------------------|------------------|---------|--------|--|--------|--------|-------|---------|
| | | | | Metres. | Miles. | Yards. | Fcet. | Inches. |
| Myriametre | 10,000 | 6 or | 376 | 0 | 11·9 | | | |
| Kilometre | 1,000 | | 10,936 | 0 | 11·9 | | | |
| Hectometre | 100 | | 1,093 | 1 | 10·79 | | | |
| Dekametre | 10 | | 109 | 1 | 1·079 | | | |
| Metre | 1 | | 10 | 2 | 9·7079 | | | |
| Decimetre | $\frac{1}{10}$ | | 1 | 0 | 3·3708 | | | |
| Centimetre | $\frac{1}{100}$ | | | | 3·9371 | | | |
| Millimetre | $\frac{1}{1000}$ | | | | 0·3937 | | | |
| | | | | | 0·0394 | | | |

Measure of Surface.

| Metric Denominations and Values. | | | | Equivalents in Imperial Denominations: | |
|---|--------|---------|-------------|--|--------|
| | | | | Square Metres. | Acres. |
| Hectare— <i>i.e.</i> , 100 ares | 10,000 | 2 or | 2,280·3326 | | |
| Dekare— <i>i.e.</i> , 10 ares | 1,000 | | 11,960·3326 | | |
| Are | 100 | | 1,196·0333 | | |
| Centiare— <i>i.e.</i> , $\frac{1}{100}$ are | 1 | | 119·6033 | | |
| | | | 1·1960 | | |

Measures of Capacity.

| Metric Denominations and Values. | | | | Equivalents in Imperial Denominations. | | | | | |
|---|--------------------|---|---|--|-----------|-----------|--------|----------|---------|
| | | | | Cubic Metres. | Quarters. | Bushels. | Pecks. | Gallons. | Quarts. |
| Kilolitre— <i>i.e.</i> , 1,000 litres | 1 | 3 | 3 | 2 | 0 | 0 | 0·77 | | |
| Hectolitre— <i>i.e.</i> , 100 litres | $\frac{1}{10}$ | | 2 | 3 | 0 | 0 | 0·077 | | |
| Dekalitre— <i>i.e.</i> , 10 litres | $\frac{1}{100}$ | | 1 | 0 | 0 | 1·6077 | | | |
| Litre | $\frac{1}{1000}$ | | | | | 1·76077 | | | |
| Decilitre— <i>i.e.</i> , $\frac{1}{10}$ litre | $\frac{1}{10000}$ | | | | | 0·176077 | | | |
| Centilitre— <i>i.e.</i> , $\frac{1}{100}$ litre | $\frac{1}{100000}$ | | | | | 0·0176077 | | | |

New

| Metric Denominations and Values. | Equivalents in Imperial Denominations. | |
|---|--|------------|
| — | Cubic Metres. | Pints. |
| Millilitre or mill— <i>i.e.</i> , $\frac{1}{1000}$ litre... | $\frac{1}{1000000}$ | 0.00176077 |

Weights.

| Metric Denominations and Values. | | Equivalents in Imperial Denominations. | | | | |
|----------------------------------|------------------|--|---------|---------|---------|------------|
| — | Grams. | Cwt. | Stones. | Pounds. | Ounces. | Drams. |
| Millier | 1,000,000 | 19 | 5 | 6 | 9 | 15.04 |
| Quintal | 100,000 | 1 | 7 | 10 | 7 | 6.304 |
| Myriagram | 10,000 | | 1 | 8 | 0 | 11.8304 |
| Kilogram | 1,000 | | | 2 | 3 | 4.3830 |
| | | (or 15,432.3487 grains) | | | | |
| Hectogram | 100 | | | | 3 | 8.4383 |
| Dekagram | 10 | | | | | 5.6438 |
| Gram | 1 | | | | | 0.56438 |
| Decigram | $\frac{1}{10}$ | | | | | 0.056438 |
| Centigram | $\frac{1}{100}$ | | | | | 0.0056438 |
| Milligram | $\frac{1}{1000}$ | | | | | 0.00056438 |

Measures of Length.

| Imperial Measures. | Equivalents in Metric Measures. | | | |
|--|---------------------------------|------------|---------------|------------|
| | Millimetre. | Decimetre. | Metre. | Kilometre. |
| Inch | = 25.39954 | = .. | = .. | = .. |
| Foot or 12 inches | .. | = 3.04794 | = 0.30479 | .. |
| YARD, or 3 feet, or 36 inches | .. | .. | = 0.91438 | .. |
| Fathom, or 2 yards, or 6 feet | .. | .. | = 1.82877 | .. |
| Pole or $5\frac{1}{2}$ yards | .. | .. | = 5.02911 | .. |
| Chain, or 4 poles, or 22 yards | .. | .. | = 20.11644 | .. |
| Furlong, 40 poles, or 220 yards | .. | .. | = 201.16437 | = 0.20116 |
| Mile. 8 furlongs, or 1,760 yards | .. | .. | = 1,609.31493 | = 1.60931 |

Measures of Surface.

| Imperial Measures. | Equivalents in Metric Measures. | | | |
|---|---------------------------------|----------------|-------------|-------------|
| | Square Decimetres. | Square Metres. | Ares. | Hectares. |
| Square inch | = 0.06451 | .. | .. | .. |
| Square foot or 144 square inches | = 9.28997 | = 0.092900 | .. | .. |
| Square yard, or 9 square feet, or 1,296 square inches | = 83.60971 | = 0.836097 | .. | .. |
| Pole or perch, or $30\frac{1}{2}$ square yards | .. | = 25.291939 | .. | .. |
| Rood, or 40 perches, or 1,210 square yards | .. | .. | = 10.116776 | .. |
| ACRE, or 4 roods, or 4,840 square yards | .. | .. | .. | = 0.40467 |
| Square mile or 640 acres | .. | .. | .. | = 258.98945 |

Measures of Capacity.

| Imperial Measures. | Equivalents in Metric Measures. | | | |
|--|---------------------------------|-----------|-------------|--------------|
| | Decilitres. | Litres. | Dekalitres. | Hectolitres. |
| Gill | = 1·41983 | = 0·14198 | .. | .. |
| Pint or 4 gills | = 5·67932 | = 0·56793 | .. | .. |
| Quart or 2 pints | .. | = 1·13587 | .. | .. |
| GALLON or 4 quarts | .. | = 4·54346 | .. | .. |
| Peck or 2 gallons | .. | = 9·08692 | = 0·90869 | .. |
| Bushel, or 8 gallons, or 4 pecks | .. | .. | = 3·63477 | .. |
| Quarter or 8 bushels | .. | .. | .. | = 2·90781 |

Cubic Measure.

| Imperial Measures. | Equivalents in Metric Measures. | | |
|--|---------------------------------|-------------------|---------------|
| | Cubic Centimetres. | Cubic Decimetres. | Cubic Metres. |
| Cubic inch | 16·38618 | .. | .. |
| Cubic foot or 1,728 cubic inches | .. | 28·31531 | .. |
| Cubic yard or 27 cubic feet | .. | .. | 0·76451 |

Weights.

| Imperial Weights. | Equivalents in Metric Weights. | | | |
|--|--------------------------------|------------|---------------|------------------------|
| | Grams. | Dekagrams | Kilograms. | Millier or Metric Ton. |
| Grain | = 0·06479895 | .. | .. | .. |
| Dram | = 1·77185 | .. | .. | .. |
| Ounce, avoirdupois, or 16 drams, or 437·5 grains | = 28·34954 | = 2·83495 | .. | .. |
| POUND, or 16 ounces, or 256 drams, or 7,000 grains | = 453·59265 | = 45·35927 | = 0·45359 | .. |
| Hundredweight or 112 lb. | .. | .. | = 50·80238 | .. |
| Ton or 20 cwt. | .. | .. | = 1,016·04754 | = 1·01605 |
| Ounce, troy, or 480 grains | = 31·103496 | = 3·11035 | .. | .. |