

# AUSTRALIAN CAPITAL TERRITORY

No. 36 of 1978

## AN ORDINANCE

### To amend the *Weights and Measures Ordinance 1929*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this twenty-third day of November 1978.

ZELMAN COWEN  
Governor-General

By His Excellency's Command,

R. ELLICOTT  
Minister of State for the Capital Territory

### WEIGHTS AND MEASURES (AMENDMENT) ORDINANCE 1978

1. This Ordinance may be cited as the *Weights and Measures (Amendment) Ordinance 1978*.<sup>\*</sup> Short title

2. In this Ordinance, "Principal Ordinance" means the *Weights and Measures Ordinance 1929*.<sup>†</sup> Principal Ordinance

3. (1) Sections 6, 7 and 8 shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the *Gazette*. Commencement

(2) The remaining provisions of this Ordinance shall come into operation on the date on which this Ordinance is notified in the *Gazette*.

4. Before section 20 of the Principal Ordinance the following section is inserted in Part IV:

"19. (1) Subject to this section, a person shall not expose or advertise for sale goods of the kind specified in Schedule 1 otherwise than at a price per unit of measurement of physical quantity expressed— Certain goods to be advertised in certain metric units  
(a) in terms of a unit of measurement of the metric system, being one of the units specified in sub-section (2); and

<sup>\*</sup> Notified in the *Commonwealth of Australia Gazette* on 30 November 1978.  
<sup>†</sup> Ordinance No. 9, 1929 as amended by No. 11, 1932; No. 16, 1933; No. 27, 1937; No. 18, 1959; No. 19, 1966; No. 12, 1967; No. 7, 1971; No. 19, 1973; and No. 65, 1977.

- (b) where the price is expressed in terms of a multiple of a unit of measurement so specified—in a multiple specified in sub-section (3).

Penalty: \$200.

“(2) The following units of measurement are specified for the purposes of paragraph (1) (a):

- (a) in respect of mass—one gram, one kilogram or one tonne;
- (b) in respect of length—one millimetre, one centimetre or one metre;
- (c) in respect of area—one square centimetre or one square metre; and
- (d) in respect of volume—one millilitre, one litre or one cubic metre.

“(3) The following multiples of units of measurement of the metric system are specified for the purposes of paragraph (1) (b):

2, 3, 4, 5, 6, 7, 8, 9, 10, 20, 50, 100, 125, 200, 250, 500.

“(4) Nothing in sub-section (1) applies to or in relation to a person who exposes or advertises for sale goods of the kind specified in Schedule 1 at a price per unit of measurement of a physical quantity expressed otherwise than in a unit of measurement of the metric system specified in sub-section (2) where—

- (a) the price so expressed is not displayed more prominently than the price expressed in accordance with sub-section (1);
- (b) the price is expressed in terms of a unit of measurement that is one of the units of measurement specified in sub-section (5); and
- (c) where the price is expressed in terms of a multiple of a unit of measurement so specified—in a multiple specified in sub-section (6).

“(5) The following units of measurement are specified for the purposes of paragraph (4) (b):

- (a) in respect of mass—one ounce, one pound, one hundred-weight or one ton;
- (b) in respect of length—one inch, one foot or one yard;
- (c) in respect of area—one square inch, one square foot or one square yard; and
- (d) in respect of volume—one pint, one quart, one gallon or one cubic yard.

“(6) The following multiples of units of measurement are specified for the purposes of paragraph (4) (c):

$\frac{1}{2}$ ,  $\frac{1}{4}$ ,  $\frac{3}{4}$ , 2, 3, 4, 5, 6, 7, 8, 9, 10.

“(7) Nothing in this section applies to or in relation to a pre-packed article to which the *Weights and Measures (Packaged Goods) Ordinance 1970* applies.”.

5. Section 20 of the Principal Ordinance is amended by omitting “the Fourth Schedule to this Ordinance” (wherever occurring) and substituting “Schedule 4”.

Weight by bushel

6. Section 26 of the Principal Ordinance is amended by omitting “Every weight, measure, and weighing and measuring instrument” and substituting “Subject to section 27A, every weight, measure, weighing instrument or measuring instrument”.

Verification and stamping

7. Section 27 of the Principal Ordinance is amended by omitting from sub-section (1) “Subject to this section” and substituting “Subject to this section and section 27A”.

Re-verification and re-stamping

8. After section 27 of the Principal Ordinance the following section is inserted:

“27A. A weight, measure, weighing instrument or measuring instrument that is graduated otherwise than in units of measurement of the metric system shall not be verified, re-verified or stamped.”

Certain instruments not to be verified, &c.

9. Section 32 of the Principal Ordinance is amended—

Sale of coal or firewood by weight or measure

(a) by omitting from sub-section (2) “five hundredweights” and substituting “250 kilograms”;

(b) by omitting from sub-section (3) “tons, hundredweights or quarters or all or some of them” and substituting “tonnes or kilograms or both”; and

(c) by omitting from sub-section (5) “five hundredweights” and substituting “250 kilograms”.

10. Section 34A of the Principal Ordinance is amended by omitting “8 ounces, 12 ounces, 16 ounces, 24 ounces, 32 ounces or 64 ounces, or”.

Weight of bread

11. The Principal Ordinance is amended by inserting before the Fourth Schedule the following Schedule:

Schedule 1

SCHEDULE 1

Section 19

1. Carpets, linoleum, vinyl, floor coverings of any description.
2. Textiles, textile products, fabrics of any description.
3. Timber, particle board, hardboard, plywood.
4. Rope, cord, cordage.
5. Chain, wire netting.
6. Meat, meat products.

12. The Fourth Schedule to the Principal Ordinance is amended by omitting “THE FOURTH SCHEDULE” and substituting “SCHEDULE 4”.

Fourth Schedule