

WEIGHTS AND MEASURES ACT

CHAPTER 78:48

Act
1 of 1917
Amended by
2 of 1963
1 of 1973

Current Authorised Pages	
<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
<i>1-15</i>	<i>1/1991</i>

**Index
of
Subsidiary Legislation**

	Page
Weights and Measures Rules	13

CHAPTER 78:48**WEIGHTS AND MEASURES ACT****ARRANGEMENT OF SECTIONS**

SECTION

1. Short title.
2. Interpretation.
3. Standards of weights and measures to be the same as those of United Kingdom.
4. Financial Secretary to keep authorised standards.
5. Inspectors to be provided with verified copies.
6. How articles shall be sold by weight.
7. How articles shall be sold by measure.
Gauging.
8. Financial Secretary shall keep calliper standards when order made.
9. Standard of length.
10. Contracts, etc., by weight or measure to be in accordance with this Act.
11. Weights and measures to be stamped.
12. Prohibition of weights of lead, etc., being used.
13. Appointment of inspectors and their duty.
14. Minister to make rules for attendance of inspectors for verification of weights and measures.
15. Minister to make rules for regulating inspector's duties.
16. Weights and measures to be brought to inspector at appointed place for verification.
17. Inspector when required to attend at premises of applicant to verify weights and measures.
18. Inspector to attend without fee.
19. Power to enter premises and examine and seize weights and measures.
20. Penalty for counterfeiting stamp.
21. Penalty for obstructing examination, etc.
22. Penalty for using unstamped weights or measures.
23. False or unjust weights.
24. Time limited for information.

FIRST SCHEDULE.

SECOND SCHEDULE. _____

CHAPTER 78:48

WEIGHTS AND MEASURES ACT

1961 Ed. **AN ACT relating to weights and measures.**
 Cap. 334.
 1 of 1917.

Commencement. [19th February 1917]

Short title. **1. This Act may be cited as the –**
WEIGHTS AND MEASURES ACT.

Interpretation. **2. In this Act “weighing instrument” includes scales with the weights belonging thereto, scale-beams, balances, spring balances, steelyards, weighing machines and other instruments for weighing, and any weighing instrument constructed also to calculate and indicate the price in money.**

Standards of weights and measures to be the same as those of United Kingdom. 41 & 42 Vict. c.49. **3. The standard measure of length, the standard measure of weight and the standard measure of capacity for liquids as well as for dry goods usually sold by such measure, shall be the same as the “imperial standards” for weights and measures in the United Kingdom fixed by the Weights and Measures Act 1878 (United Kingdom); but the standard measure of capacity of a barrel used in buying or selling limes shall be twenty-six gallons.**

Financial Secretary to keep authorised standards. First Schedule. **4. The Financial Secretary shall import, or otherwise provide, one of each of the several weights and measures mentioned in the First Schedule, such several weights and measures to be authorised copies or models of the imperial standard weights and measures at present in use in the United Kingdom, and the same shall be kept in the custody of the Financial Secretary, and shall be the authorised standards from which all weights and measures used in the State shall be derived.**

Inspectors to be provided with verified copies. **5. Every inspector of weights and measures shall be provided with copies of the standard weights and measures, verified by the Financial Secretary, or of such of them as may be requisite for the due performance of his duties.**

6. All articles sold by weight shall be sold by avoirdupois weight of sixteen ounces to the pound, or the various multiples or parts thereof, except gold, silver, platinum, diamonds or other precious stones, which may be sold by troy weight, and drugs, which, when sold by retail, may be sold by apothecaries' weight; and, whereas confusion has arisen as to the exact meaning of certain multiples of the pound weight, the weight denominated a stone shall consist of fourteen standard pounds avoirdupois, the weight denominated a hundredweight shall consist of eight such stones or one hundred and twelve pounds, and the weight denominated a ton shall consist of twenty such hundred-weights.

How articles shall be sold by weight.

7. (1) All liquids usually sold by measure shall be sold by the "imperial standard gallon" or the various aliquot parts thereof, but this shall not be construed so as to prevent the sale of wines, malt and other fermented liquors by the cask or any liquors by the ordinary quart or half-quart bottle. In the sale of such dry goods as are usually sold by measure of capacity, two imperial standard gallons shall constitute a peck, eight such gallons a bushel, and eight such bushels a quarter.

How articles shall be sold by measure.

(2) In the case of spirits or other liquids chargeable by measure contained in casks, it shall be lawful to ascertain the capacity and contents of the cask by gauge, according to the standard of the imperial gallon fixed by this Act; and for the settlement of disputes or differences on the sale of rum and other spirits, the instrument to be used for ascertaining the strength of such spirits shall be the hydrometer called "Syke's hydrometer". Nevertheless, in the case of any such spirits chargeable by measure contained in casks, the Minister may by Order direct that the capacity and contents of any such casks, for the purpose of ascertaining the amount to be charged thereon for excise or other duty, shall be ascertained by means of callipers with head and bung rods, and all other usual and necessary adjuncts, according to the standard of the imperial gallon fixed by this Act, and, upon such Order being made, the use of the gauging rod shall be deemed, for the purposes aforesaid, to be abolished.

Gauging.

8. Whenever the Minister has directed the use of callipers, as mentioned in section 7 (2), the Financial Secretary shall then import and keep in his custody one or more pairs of callipers, head and bung rods, and all other usual and necessary adjuncts, which shall be authorised copies or models of the instruments at present in use in the United Kingdom.

Financial Secretary shall keep calliper standards when order made.

Standard of length.

9. The standard of length shall be the "imperial standard yard," whereby all other measures of extension, whether the same be lineal, superficial, or solid shall be derived, computed and ascertained, and one-third part of the said yard shall be a foot, and the twelfth part of such foot an inch.

Contracts, etc., by weight or measure to be in accordance with this Act.

10. All contracts, bargains, sales and dealings which shall be made after this Act comes in force, for any work to be done, or for any goods, wares, merchandise or other thing to be sold, delivered, done or agreed for by weight or measure, shall be deemed, taken, and construed to be made according to the standard weights and measures ascertained by this Act.

Weights and measures to be stamped.

11. All weights, which shall be used after this Act comes into force, of the weight of one-fourth of a pound or upwards, shall have the weight of the same stamped or cast, on the top or side thereof in legible figures and letters, and all measures of capacity shall have their contents denominated, stamped, or marked on the outside of such measures in legible figures and letters.

Prohibition of weights of lead, etc., being used.

12. And whereas the use of weights made of soft materials affords facilities for fraud, no weight made of lead or pewter shall be stamped or used; but nothing herein contained shall prevent the use of lead or pewter in the manufacture of weights, if they are wholly and substantially cased with brass, copper or iron, or shall prevent the insertion of such a plug of lead or pewter into weights, as shall be *bona fide* necessary for the purpose of adjusting them, and of affixing thereon the stamp hereinafter mentioned.

Appointment of inspectors and their duty.
[2 of 1963].

13. (1) The Minister shall appoint one or more inspectors of weights and measures for the State, whose duty it shall be to examine all weights and measures whatsoever which shall be used for the purpose of buying and selling, or for the making of any charges on goods or merchandise, and who shall compare such weights and measures with one or more copies of the imperial standard weights and measures provided under the authority of this Act, and, when found to correspond with such copies, shall stamp the same as correct in such a manner as best to prevent fraud; and to verify and stamp as correct all weighing instruments, which shall be used for the like purpose; and the fees to be paid to the inspectors for the examination and stamping shall be according to the scale contained in the Second Schedule; the stamp above-mentioned

Second Schedule.

shall be such as directed or approved by the Minister, and a copy of the same shall be placed in custody of the Financial Secretary along with the standard weights and measures, the cost of procuring such stamp to be defrayed by the Treasury. All fees received shall be paid into the Treasury.

(2) Nothing contained in this Act or in the Second Schedule shall enure to entitle any inspector to payment of any fee for examining, or for examining, comparing and stamping any weighing instrument, weight or measure, where he has not both examined, compared and stamped the weighing instrument, weight or measure, or where he has stamped the weighing instrument, weight or measure unnecessarily.

14. The Minister with the advice and consent of the Cabinet, shall, from time to time, fix the times and places at which the inspectors of weights and measures appointed under this Act are to attend to examine, verify and stamp all weights and measures and weighing instruments, and one of the inspectors shall attend, with his copies of the standard weights and measures, at each time and place fixed, and shall examine every measure or weight which is of the same denomination as one of such standards, and is brought to him for the purpose of verification. The inspector shall also enter in a book to be kept by him minutes of every such verification.

Minister to make rules for attendance of inspectors for verification of weights and measures.

15. (1) The Minister, with the advice and consent of the Cabinet, may make Rules for regulating the comparison with the standards and the verification and stamping of weights and measures and weighing instruments in use in the State, and generally for regulating the duties under this Act of the inspectors appointed for the State.

Minister to make Rules for regulating inspectors duties.

(2) The Rules may impose fines not exceeding fifty dollars for the breach of any rule, to be recovered on summary conviction.

(3) The Rules shall have no operation until they have been duly published, in such manner as the Minister, with the advice and consent of the Cabinet, shall think sufficient for giving notice thereof to all persons interested, and shall so direct on the face of the Rules.

16. (1) Any person who keeps a shop, store, stall, yard, or other place wherein goods are sold, or exposed, or kept for sale, by weight or measure, shall bring to the inspector at the times and places appointed by the Minister, with the advice and consent of the Cabinet, for verification, all weights and measures and weighing instruments used

Weights and measures to be brought to inspector at appointed place for verification.

by person, in the shop, store, yard, or other place as aforesaid, on the sale of goods.

(2) In cases where a weighing instrument is attached to the premises, it shall not be incumbent on the owner to detach the same or bring the same to the inspector but, in that case, the owner shall give a notice in writing to the inspector, at such time and place as aforesaid, specifying in detail the situation of the weighing instrument and the nature thereof; and thereupon the inspector shall visit the shop, store, yard, stall or other place, with a view to verifying the said instrument.

(3) Any person who neglects to comply with the provisions of this section is liable to the same penalties, recoverable in the same manner, as is provided by section 21 in the case of persons wilfully obstructing persons authorised to examine weights and measures.

Inspector when required to attend at premises of applicant to verify weights and measures.

17. An inspector of weights and measures, upon the application of any person who may so require him, shall attend at the premises of such person for the purpose of examining and verifying the weights and measures and weighing instruments belonging to such applicant, provided that the inspector shall not be bound to attend as aforesaid, except on payment to him of such reasonable expenses as shall be allowed in such case by the Rules to be made under this Act.

Inspector to attend without fee.

18. It shall be the duty of every inspector of weights and measures to attend, without fee, for the purpose of examining, verifying and stamping weights and measures and weighing instruments at such places and at such times as the Minister shall by Order appoint, or, in any particular instance, as the Minister may by Order under his hand direct.

Power to enter premises and examine and seize weights and measures.

19. Any justice of the peace, or any officer or non-commissioned officer of the police service, or any inspector of weights and measures may, at all reasonable times, enter any shop, store, stall, yard or place whatsoever, wherein goods are exposed or kept for sale, and there examine all weights, measures and weighing instruments, and compare and try the same with the copies of the standard weights and measures required to be provided under this Act, and also may examine, and compare and try, the weights and measures and weighing instruments used by any huckster, and forthwith seize and detain any weight or measure or weighing instrument which they may find to be incorrect.

20. Any person who makes, forges, or counterfeits, or knowingly aids or assists in counterfeiting, any stamp or mark which is used for the stamping or marking of any weight or measure or weighing instrument under this Act, is liable on summary conviction to a fine of one thousand dollars.

Penalty for counterfeiting stamp.

21. Any person who wilfully obstructs, hinders, resists or in any way opposes any of the persons hereby authorised to examine such weights and measures and weighing instruments, in the execution of his office, or any person selling or retailing by measure, who refuses to produce his weights or measures or weighing instruments to be examined, is liable on summary conviction to a fine of two hundred and fifty dollars.

Penalty for obstructing examination, etc.

22. Any person who, in selling, uses any weight or measure, or any aliquot part thereof, or any weighing instrument other than those authorised by this Act, or which has not been stamped as aforesaid, except as hereinafter excepted, or which is found light or otherwise unjust, or who has in his possession any such light or unjust weighing instrument, weight or measure, for the purpose of use, or who has in his possession any weighing instrument, which is incorrect or otherwise unjust, is liable on summary conviction to a fine of five hundred dollars; and every such light, or unjust weighing instrument, weight and measure shall, on being discovered by any such justice of the peace, officer or non-commissioned officer of the police service, or inspector of weights and measures, as aforesaid, be seized and, on conviction of the person using or possessing the same shall be forfeited and destroyed. Nothing herein contained shall extend to require any wooden or wicker measure used in the sale of lime or other articles of the like nature, or any glass, tin, or earthenware jug or drinking cup to be stamped, but any person buying by any vessel represented as containing the amount of any imperial measure, or of any multiple or part thereof, is hereby authorised to require the contents of such vessel to be ascertained by a comparison with a stamped measure, such stamped measure to be found and provided by the person who uses such wooden or wicker measure, jug or cup as aforesaid, and, in case the person who uses such last-mentioned measure or vessel refuses to make such comparison, or if, upon such comparison being made, such wooden or wicker measure, glass, tin, or earthenware jug, or drinking cup is found deficient in quantity, the person who uses the same shall, on conviction as aforesaid, be subject to the forfeiture and penalties hereinbefore imposed on any

Penalty for using unstamped weights or measures.

person using light, or unjust, weights or measures, to be in like manner recovered and enforced.

False or unjust weights.

23. Any person who uses or has in his possession for use for trade any weight, measure or weighing instrument which is false or unjust is liable on summary conviction to a fine of five hundred dollars; and any contract, bargain, sale or dealing made by the same is void and the weight, measure or weighing instrument is liable to be forfeited.

Time limited for information.

24. No conviction under this Act shall take place unless information of the offence charged is given within thirty days of the offence being committed.

Section 4.

FIRST SCHEDULE

Weights and measures referred to in section 4 of the Act, which are to be kept in the custody of the Financial Secretary as the standard weights and measures of the State.

Measure of length

“Imperial standard yard,” graduated to parts of one-eighth part of an inch.

Measures of weight – “Avoirdupois”

56 lbs., or half a hundredweight.	Half pound.
28 lbs., or one quarter of a hundredweight.	One-fourth pound.
14 lbs. or stone	Ounce.
7 lbs.	Half ounce.
4 lbs.	One-fourth ounce.
2 lbs.	Dram.
One pound.	

Measures of troy weight

One pound.	Pennyweight.
One ounce.	Grain.

<i>Measures of capacity</i>	
Bushel.	One-fourth of pint, or gill.
Half Bushel.	
Peck.	One-eighth of pint, or half gill.
Gallon.	
Half gallon.	One rod for gauging according to imperial standard gallon.
Quart.	
Pint.	
Half pint.	

Measure of specific gravity
"Syke's hydrometer"

SECOND SCHEDULE

Section 13.

FEES TO BE TAKEN BY INSPECTORS OF WEIGHTS AND MEASURES UNDER THIS ACT

For examining, comparing and stamping all weights.

Each half hundredweight	\$7.50
" quarter of a hundredweight	5.00
" stone	4.50
" weight under a stone to a pound, inclusive	4.00
" weight under a pound	4.00
" set of weights of a pound and under	4.50

For examining, comparing and stamping all wooden measures.

Each bushel	7.50
" half bushel	5.00
" peck and all under	4.50
" yard	4.50
" gauging rod	5.00

For examining, comparing and stamping all measures of capacity of liquids made of copper or other metal.

Each gallon	\$ 7.50
“ half gallon	5.00
“ quart and under	4.50
“ measure above a gallon, twelve cents for each extra gallon	

For verifying and stamping all weighing instruments.

10 tons and over	\$15.00
Under 10 tons and above 1 ton	9.00
1 ton and above 5 cwts.	6.00
5 cwts. and above 1 cwt.	4.00
1 cwt. and above 56 lbs.	3.00
56 lbs. and above 14 lbs.	1.50
14 lbs. and above 1 lb.	1.00
1 lb. and under	1.00

(This is exclusive of cost of carriage and lifting standards in each of above cases.)

Notwithstanding anything hereinbefore contained, the fees payable to the inspector of weights and measures for examining platform scales with a weighing capacity of over three hundred pounds, or other similar machines, and for comparing the weights thereof with the imperial standard weights provided under the authority of this Act, and for stamping such weights, shall be according to the following scale, that is to say –

For each separate weight belonging to any such scale examined the sum of	\$ 9.00
---	---------

SUBSIDIARY LEGISLATION

WEIGHTS AND MEASURES RULES

ARRANGEMENT OF RULES

RULE

1. Short title.
 2. Annual verification at police stations.
 3. No two verifications within six months.
 4. Inspection of weights and measures in shops, etc.
 5. Weights and measures found correct not to be re-stamped.
 6. Stamped weights and measures found incorrect.
 7. Persons to pre-pay inspector's mileage fee.
 8. List of names to be posted up.
-

SUBSIDIARY LEGISLATION

WEIGHTS AND MEASURES RULES

made under section 15

Commencement.

[3rd February 1920]

Short title.

1. These Rules may be cited as the –

WEIGHTS AND MEASURES RULES.

Annual
verification at
police stations.

2. The inspector of weights and measures shall attend for the purpose of verification of weights and measures at every police station in the State once in every year at such time as he shall appoint by notice under his hand to be posted at each police station at least two days before the day appointed for attendance thereat.

No two
verifications
within six
months.

3. There shall be an interval of at least six months between every two attendances under the preceding rule at the same police station.

Inspection of
weights and
measures in
shops, etc.

4. The inspector shall so far as may be practicable visit all shops and examine any weights and measures used or kept for use thereat or by any huckster trading in the State (and he shall at the end of each quarter furnish a report to the Minister of all work done by him under this rule).

Weights and
measures found
correct not to be
re-stamped.

5. It shall not be necessary for the inspector to stamp any weight or measure already legibly stamped as required by law unless such weight or measure is found to be incorrect, and on being corrected every such weight or measure shall be re-verified and stamped.

Stamped weights
and measures
found incorrect.

6. The inspector on finding any stamped instrument, weight or measure produced for verification to be incorrect shall retain the same unless the person presenting the instrument, weight or measure for verification forthwith causes the same to be adjusted or elects to abandon it for the purpose of having it destroyed by the inspector who shall in such case see that it is destroyed. But nothing in this rule shall be held to affect any proceedings under section 22 of the Act.

7. Where the inspector is required to attend at the premises of any person upon application by such person the following expenses shall be prepaid by the person requiring the attendance of the inspector, who shall thereupon attend with as little delay as possible: When the distance of the premises from the nearest police station, at which the inspector is to attend in accordance with rule 2 does not exceed one mile, a mileage fee of two dollars, and for every mile or part of a mile beyond one mile a further mileage fee of one dollar.

Persons to pre-pay inspector's mileage fee.

8. The names of all persons whose weights and measures have been verified shall be posted up by the inspector in the police station in the vicinity as soon as possible after such verification.

List of names to be posted up.



