

No. 6414.

WEIGHTS AND MEASURES ACT 1958.

An Act to consolidate the Law relating to Weights and Measures.

[30th September, 1958.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Weights and Measures Act* 1958 and shall come into operation on a day to be fixed by proclamation published in the *Government Gazette*, and is divided into Parts and Divisions as follows:—

Short title
commence-
ment and
division.

Part I.—Preliminary ss. 3–7.

Part II.—Units and Standards ss. 8–30.

Part III.—	{	Division 1.—Central Administration
		ss. 31–32.
Administration		Division 2.—Local Administration ss.
ss. 31–60.		33–43.
		Division 3.—Unions ss. 44–56.
		Division 4.—Finance ss. 57–60.

Part IV.—Inspection Verification and Stamping ss. 61–70.

Part V.—
 Sale of Goods { Division 1.—General ss. 71–78.
 { Division 2.—Bread s. 79.
 { Division 3.—Fuel ss. 80–82.
 ss. 71–82.

Part VI.—Miscellaneous ss. 83–93.

Repeal.
First
Schedule.

2. (1) The Acts mentioned in the First Schedule to the extent thereby expressed to be repealed are hereby repealed accordingly.

Saving.

(2) Except as in this Act expressly or by necessary implication provided—

(a) all persons things and circumstances appointed or created by or under the repealed Acts or existing or continuing under any of such Acts immediately before the commencement of this Act shall under and subject to this Act continue to have the same status operation and effect as they respectively would have had if such Acts had not been so repealed;

(b) in particular and without affecting the generality of the foregoing paragraph such repeal shall not disturb the continuity of status operation or effect of any proclamation regulation order appointment application fee notice guarantee security bond contract declaration approval verification standard stamp appeal direction authority certificate licence registration liability or right made effected issued granted given presented passed fixed accrued incurred or acquired or existing or continuing by or under any of such Acts before the commencement of this Act.

PART I.—PRELIMINARY.

Interpretation.
No. 4712 s. 4;
No. 5471 ss. 4,
39 (2) (b),
No. 6093 s. 2.
“Bakhouse.”

3. (1) In this Act unless inconsistent with the context or subject-matter—

“Bakehouse” includes bakery and any premises where bread is stored prior to delivery.

“Bread.”

“Bread” includes white brown wholemeal barley or rye bread, whether or not containing fat or malt or sugar or milk or any product or by-product of malt or sugar or milk, Vienna bread and any other prescribed class or type of loaf declared by the regulations to be bread.

“Coal.”

“Coal” means all descriptions of coal and includes briquettes made from coal.

“Deliver.”

“Deliver” means transfer physical possession.

- "Division" means Division of a Part of this Act. "Division."
- "Driver" means any person driving or in charge of a vehicle. "Driver."
- "Goods" includes wares merchandise and any other articles and commodities whatsoever. "Goods."
- "Government Department" includes the Board of Land and Works, The Victorian Railways Commissioners, the State Rivers and Water Supply Commission, the State Electricity Commission of Victoria, the Forests Commission, the Country Roads Board, and any Government instrumentality or authority which the Governor in Council by Order published in the *Government Gazette* declares to be a Government Department for the purposes of this Act. "Government Department."
- "Inspector" means inspector under this Act. "Inspector."
- "Local authority" means council of a municipality or managers for a Union, and "the local authority" means the council of the municipality or the managers for the Union having jurisdiction with respect to the matter or thing to which the expression refers. "Local authority."
"The local authority."
- "Measuring instrument" means any instrument or machine (other than standard measures of extension or capacity) used for measuring. "Measuring instrument."
- "Municipality" includes the city of Melbourne and the city of Geelong. "Municipality."
- "Owner" means owner whether joint or several and includes authorized agent manager or superintendent of the owner and lessee or hirer from the owner. "Owner."
- "Package" includes anything in or by which goods are cased covered enclosed contained or packed. "Package."
- "Prescribed" means prescribed by this Act or the regulations. "Prescribed."
- "Proclamation" means proclamation of the Governor in Council published in the *Government Gazette*. "Proclamation."
- "Public measuring instrument" and "public weighing instrument" respectively mean any measuring instrument or weighing instrument open for use by the public or for the use of which a charge is made. "Public measuring instrument."
"Public weighing instrument."
- "Purchaser" includes person purchasing as agent for any other person. "Purchaser."
- "Regulations" means regulations made under this Act. "Regulations."
- "Schedule" means Schedule to this Act. "Schedule."

" Sell."	" Sell " includes barter or exchange; and also includes deal in, agree to sell, offer or expose for sale, keep or have in possession for sale, send forward or receive for sale or on sale, or authorize direct cause suffer permit or attempt any of such acts; and the derivatives of " Sell " have a corresponding interpretation.
" Stamp."	" Stamp " means stamp or otherwise mark in such a manner as to be as far as practicable indelible.
" Super-intendent."	" Superintendent " means the Superintendent under this Act.
" The court."	" The court " means the court in or before which the proceedings in question are had.
" Trade."	" Trade " includes not only any contract bargain sale purchase or dealing for or with respect to any work goods or other things but also the charging or collecting of any tolls or duties.
" Union."	" Union " means Union constituted under this Act.
" Weighing instrument."	" Weighing instrument " means weighbridge weighing machine scales balance spring-balance steelyard or other instrument for weighing and includes the weights belonging thereto.
" Weigh-man."	" Weighman " means person in charge of a public weighing instrument.

References to
instruments
used in
trade &c.

(2) In this Act any reference to weighing instruments or measuring instruments used in trade or used for trade or for use in trade or any like expression shall include a reference to public weighing instruments and public measuring instruments.

Construction
of other
weights and
measures
legislation.
No. 4712
s. 5 (1).

4. The provisions of the *Local Government Act* 1958 and of every other enactment with respect to weights measures and other matters and things which are dealt with by or under this Act shall be read and construed as in aid of and not in derogation from the provisions of this Act and the provisions of every such Act and enactment shall be read and construed and take effect accordingly.

Operation
subject to
(C'with) No.
29 of 1948.
No. 4712
s. 5 (2);
No. 5471 s. 5.

5. This Act shall operate and have effect subject to the Commonwealth Act known as the *Weights and Measures (National Standards) Act* 1948 and any amendment thereof, and shall be read and construed accordingly.

Act not to
apply to
water gas or
electricity.
No. 4712 s. 6;
No. 5471 s. 6.

6. Nothing in this Act shall apply to the measurement sale or supply of—

- (a) water sold or supplied by any statutory authority;
- (b) gas sold or supplied from the mains or pipes of any statutory authority municipality or public utility company; or
- (c) electricity.

7. Arrangements may be made and carried into effect by and between the Minister administering any Government Department and the Superintendent or any local authority for the carrying into execution by inspectors of all or any of the provisions of this Act with respect to weights measures weighing instruments and measuring instruments used or to be used in or in connexion with that Department.

Arrangements
with
Government
Departments.
No. 4712 s. 7;
No. 5471 s. 7.

PART II.—UNITS AND STANDARDS.

Imperial System.

8. (1) The imperial standard yard (defined in section ten of and the First Schedule to the Imperial *Weights and Measures Act* 1878) shall be the unit or standard measure of length from which all other measures of extension whether linear superficial or solid shall (except as otherwise expressly provided in this Act) be ascertained for Victoria.

Fundamental
unit of length.
No. 4712 s. 8.

(2) For Victoria the imperial standard yard shall be represented by length defined in terms of a standard measure.

How
represented
for Victoria.

(3) This standard measure may be provided by the Minister and after verification may be declared by the Governor in Council to be the primary standard yard and its value in terms of the imperial standard yard sanctioned.

Provision of
standard.

9. (1) One third part of the standard yard shall be a foot; and the twelfth part of such foot shall be an inch.

Computations
from the
standard yard.
No. 4712 s. 9;
No. 5471 s. 8.

(2) Five such yards and one half yard shall be a rod pole or perch; four such rods poles or perches shall be a chain; ten such chains shall be a furlong; and eight such furlongs shall be a mile.

(3) One hundredth part of such chain shall be a link.

(4) Ten square chains shall be an acre and one fourth part of such acre shall be a rood.

Acre and
rood.

(5) One hundred and forty-four cubic inches of timber shall be a superficial foot.

Superficial
foot.

10. (1) The imperial standard pound (defined in section thirteen of and the First Schedule to the Imperial *Weights and Measures Act* 1878) shall be the unit or standard measure of weight from which all other weights and all measures having reference to weight shall (except as otherwise expressly provided in this Act) be ascertained for Victoria.

Fundamental
unit of weight.
No. 4712 s. 10.

(2) For Victoria the imperial standard pound shall be represented by weight defined in terms of a standard weight.

How
represented
for Victoria.

(3) This standard weight may be provided by the Minister and after verification may be declared by the Governor in Council to be the primary standard pound and its value in terms of the imperial standard pound sanctioned.

Provision of
standard.

Computations
from the
standard
pound.
No. 4712 s. 11;
No. 5471 s. 9.

11. (1) One sixteenth part of the standard pound shall be an ounce; and one sixteenth part of such ounce shall be a dram.

(2) One seven thousandth part of the standard pound shall be a grain.

(3) Fourteen such pounds shall be a stone; two such stones shall be a quarter; four such quarters shall be a hundredweight; and twenty such hundredweights shall be a ton.

(4) One hundred such pounds shall be a cental and two thousand such pounds shall be a short ton.

(5) Twenty-four such grains shall be a pennyweight; and twenty such pennyweights shall be an ounce troy.

(6) Twenty such grains shall be a scruple; three such scruples shall be a drachm; and eight such drachms shall be an ounce apothecaries.

Unit or
standard
measure of
capacity.
No. 4712 s. 12.

12. The unit or standard measure of capacity for Victoria shall (except as otherwise expressly provided in this Act) be the gallon containing ten standard pounds of distilled water weighed in air against brass weights with the water and the air at the temperature of sixty-two degrees of Fahrenheit's thermometer, and with the barometer at thirty inches of mercury at the same temperature.

Computations
from the
standard
gallon.
No. 4712 s. 13.

13. (1) One fourth part of such gallon shall be a quart; one half of such quart shall be a pint; and one quarter of such pint shall be a gill.

(2) Two such gallons shall be a peck; and four such pecks shall be a bushel.

(3) One twentieth part of such pint shall be a fluid ounce; one eighth part of such fluid ounce shall be a fluid drachm; and one sixtieth part of such fluid drachm shall be a minim.

Metric System.

Fundamental
unit of length
of metric
system.
No. 4712 s. 14.

14. (1) The metre, defined by the distance at the temperature of melting ice between the axes of two straight lines traced on a bar of iridio-platinum deposited at the Bureau International des Poids et Mesures at Sèvres near Paris and proclaimed by the First General Conference of Weights and Measures held at Paris during the month of September One thousand eight hundred and eighty-nine the prototype standard of the metre, shall be the unit or standard of length from which all other metric measures of extension whether linear superficial or solid shall be ascertained for Victoria.

How
represented
for Victoria.

(2) For Victoria the metre shall be represented by length defined in terms of a standard measure.

(3) This standard measure may be provided by the Minister and after verification may be declared by the Governor in Council to be the primary standard metre and its value in terms of the prototype standard metre sanctioned.

Provision of
standard.

15. (1) One thousand such metres shall be a kilometre; one hundred such metres shall be a hectometre; and ten such metres shall be a dekametre.

Computations
from the
standard
metre.
No. 4712 s. 15.

(2) One tenth part of such metre shall be a decimetre; one hundredth part of such metre shall be a centimetre; one thousandth part of such metre shall be a millimetre; and one millionth part of such metre shall be a micron.

(3) For land measurement the square dekametre shall be an are; the square hectometre shall be a hectare; and the square metre shall be a centiare.

16. (1) The kilogram, defined by the weight of the cylinder of iridio-platinum deposited at the Bureau International des Poids et Mesures aforesaid and proclaimed by the First General Conference of Weights and Measures aforesaid the prototype standard of the kilogram, shall be the unit or standard of weight from which all other metric weights and all measures having reference to metric weight shall be ascertained for Victoria.

Fundamental
unit of weight
of metric
system.
No. 4712 s. 16.

(2) For Victoria the kilogram shall be represented by weight defined in terms of a standard weight.

How
represented
for Victoria.

(3) This standard weight may be provided by the Minister and after verification may be declared by the Governor in Council to be the primary standard kilogram and its value in terms of the prototype standard kilogram sanctioned.

Provision of
standard.

17. (1) One thousand such kilograms shall be a tonne; and one hundred such kilograms shall be a quintal.

Computations
from the
standard
kilogram.

(2) One tenth part of such kilogram shall be a hectogram; one hundredth part of such kilogram shall be a dekagram; and one thousandth part of such kilogram shall be a gramme.

No. 4712 s. 17.

(3) One tenth part of such gramme shall be a decigram; one hundredth part of such gramme shall be a centigram; and one thousandth part of such gramme shall be a milligram.

(4) (a) In the sale of precious stones the term "metric carat" may be used to designate the weight of two decigrams.

Metric carat.
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(b) No person shall use the term "carat" to denote any other weight.

Unit of
capacity of
metric system.
No. 4712 s. 18.

18. The unit or standard measure of capacity of the metric system for Victoria shall be the litre containing one kilogram of distilled water freed from air at a temperature of thirty-nine degrees and two-tenths of a degree of Fahrenheit's thermometer (or four degrees of the Centigrade thermometer) and under the pressure exercised (with a change in velocity in each second due to gravity of 980.665 centimetres per second) by a column of mercury seventy-six centimetres high at the temperature of melting ice.

Computations
from the
standard litre.
No. 4712 s. 19.

19. (1) One thousand such litres shall be a kilolitre; one hundred such litres shall be a hectolitre; and ten such litres shall be a dekalitre.

(2) One tenth part of such litre shall be a decilitre; one hundredth part of such litre shall be a centilitre; one thousandth part of such litre shall be a millilitre; and one millionth part of such litre shall be a microlitre.

Table of
metric
equivalents.
No. 4712 s. 20;
No. 5471 s. 10.

20. The Governor in Council may by regulation prescribe a table setting forth the equivalent of weights and measures of the imperial system in terms of those of the metric system and such table may be lawfully used for computing and expressing, in weights and measures of the imperial system, weights and measures of the metric system.

Secondary Standards.

Specimens of
secondary
standards to
be provided.
Second
Schedule.
No. 4712 s. 21.

21. (1) Specimens of weights and measures derived from the primary standards and mentioned in the Second Schedule shall be provided by the Minister.

(2) Such weights and measures and no others (save as hereinafter mentioned) shall be the secondary standards for Victoria.

Replacing lost
&c. secondary
standards.
No. 4712 s. 22.

22. If at any time any of the secondary standards is lost destroyed defaced or injured the Minister shall cause another standard to be provided in place thereof which when verified shall be a secondary standard.

New
denominations
of standards.
No. 4712 s. 23.

23. (1) The Minister may cause such new denominations of standards as appear to him to be required for use for trade to be made and duly verified.

Approval
thereof.
Second
Schedule.

(2) These new denominations of standards when approved by the Governor in Council shall be secondary standards in like manner as if they were mentioned in the Second Schedule.

24. The Governor in Council may by proclamation—

- (a) declare that any secondary standard for the time being of any denomination shall cease to be a secondary standard; and
- (b) revoke or alter any such proclamation.

When
secondary
standards
cease to be so.
No. 4712 s. 24.

*Departmental Standards.***25. (1) The Minister shall provide copies of the secondary standards for Victoria which shall be the departmental standards.**

Departmental
standards.
No. 4712 s. 25.

(2) Such copies shall be—

- (a) verified and once at least in every five years re-verified by comparison with the secondary standards; and
- (b) adjusted or renewed when necessary.

Verification
&c.

*Local Standards.***26. (1) All copies of the secondary standards which after the commencement of this Act are compared with the departmental standards or with the secondary standards and verified for the purpose of being used by inspectors for verification and inspection of weights and measures shall be local standards.**

Local
standards.
No. 4712 s. 26;
No. 5471 s. 11.
No. 5633
s. 2 (a).

(2) The standards of weight and measure which immediately before the commencement of this Act were legally in use by inspectors of weights and measures for the purpose of verification and inspection shall, subject to such conditions as the Minister directs, continue provisionally to be local standards.

27. (1) Every local standard issued after the commencement of this Act shall be of such material and in such form as the Minister approves and when verified shall be stamped except where its size renders this impracticable.

Stamping of
local
standards.
No. 4712 s. 27
(1)-(3).

(2) The stamp shall consist of the imperial crown with the word "Standard" underneath and a distinguishing mark to be determined by the Minister.

(3) The fact that any weights or measures in the custody of any inspector bear the said stamp and distinguishing mark shall be sufficient evidence that such weights and measures are local standards.

Evidence.

28. (1) Every local standard shall be verified before issue and shall be re-verified at such intervals, not exceeding five years, as are prescribed, and notification of the date of such verification or re-verification shall be made in the manner prescribed.

Verification
and
re-verification.
No. 4712 s. 27
(4)-(6);
No. 5471 s. 12,
No. 5633
s. 2 (b).

(2) A local standard which has not been verified and (as the case requires) re-verified at successive intervals as required by the last preceding sub-section shall not be deemed legal or be used for the purposes of this Act.

Defective
local
standards.

(3) A local standard which has become defective shall not be legal or be used for the purposes of this Act until it has been re-verified by comparison with the departmental standards or with the secondary standards.

Register of
local
standards.
No. 4712 s. 28.

29. The Minister shall cause to be kept a register of all local standards issued under this Act or any corresponding previous enactment.

Falsifying Standards.

Falsification
&c. of
standards.
No. 4712 s. 30.

30. Any person who falsifies injures or destroys any primary standard or any secondary standard or any departmental standard or any local standard shall be liable to a penalty of not more than One hundred pounds.

PART III.—ADMINISTRATION.

DIVISION 1.—CENTRAL ADMINISTRATION.

Super-
intendent and
officers.
No. 4712 s. 31;
No. 5471 s. 13,
No. 5633
s. 3 (1).
Deputy super-
intendent.

31. (1) Subject to the *Public Service Act* 1958, there may be appointed a Superintendent and such other officers as are necessary for the proper central administration of this Act.

(2) Subject to the *Public Service Act* 1958, there may be appointed a deputy superintendent to discharge the duties of the Superintendent during the absence illness or other temporary inability to act of the Superintendent.

(3) The deputy superintendent during his tenure of office shall have all the powers and authorities and shall perform all the duties of the Superintendent.

Functions of
the Super-
intendent in
central admin-
istration.

(4) In the administration of this Act, which administration shall be divided into central and local administration, the Superintendent shall, subject to this Act, be responsible for the central administration.

(5) The central administration shall include—

- (a) the preservation and maintenance of the primary standards of length and weight, and the preservation and maintenance of the secondary, departmental and other standards of length weight and capacity which are provided in accordance with this Act;
- (b) the instruction of inspectors in the performance of their duties, and the general supervision of the local administration;

- (c) the verification, re-verification, inspection and stamping in accordance with the regulations of prescribed types of weights measures and weighing and measuring instruments used in trade which by reason of their construction or design the Minister considers should be dealt with by the central administration, and the prosecution of offences in relation thereto;
- (d) the charging and collection of fees for tests and verifications performed;
- (e) such other duties as are prescribed by or under this Act.

(6) The provisions of paragraph (c) of the last preceding sub-section shall not apply in respect of weighbridges in the district of any local authority in so far as on the recommendation of the Superintendent the Minister, being satisfied that the local authority was at the commencement of this Act and thereafter has continued to be sufficiently equipped to verify re-verify inspect and stamp weighbridges in the district, by notice published in the *Government Gazette* declares; and the Minister may by like declaration amend or revoke any such notice.

32. (1) (a) The Superintendent shall examine and test or cause to be examined and tested with reference to the materials of which and the principles on which they are constructed all such patterns of weights measures weighing instruments and measuring instruments for use for trade as are submitted to him by manufacturers of or dealers in weights measures weighing instruments or measuring instruments.

Examinations and tests by the Superintendent.
No. 4712 s. 32;
No. 5471 s. 14.

(b) For such examination and testing the Superintendent shall charge and receive such fees as are from time to time approved by the Minister.

Fees.

(2) If upon any such examination any such pattern is found to be suitable for trade the Superintendent shall as prescribed—

Certificate and stamping.

- (a) give a certificate to that effect; and
- (b) cause such pattern to be stamped with an appropriate mark.

DIVISION 2.—LOCAL ADMINISTRATION.

33. (1) The councils of the respective municipalities shall subject to this Act be charged with the local administration of this Act within their respective municipal districts:

Councils and Unions charged with local administration.

Provided that where two or more municipalities constitute a Union the managers for such Union shall subject to this Act be charged with the local administration of this Act within the municipal districts of such municipalities instead of the councils of such municipalities.

No. 4712 s. 33;
No. 5471 s. 15,
No. 5633
s. 3 (2).

Functions of
local
administra-
tion.

(2) The local administration shall include—

- (a) the verification, re-verification, inspection and stamping of all types of weights measures and weighing and measuring instruments used in trade other than those which under section thirty-one of this Act are the responsibility of the Superintendent;
- (b) subject to this Act, the enforcement of this Act and the regulations.

Inspectors.
No. 4712 s. 34;
No. 5471 s. 16.

34. (1) Every local authority—

- (a) shall from time to time appoint a sufficient number of inspectors for safely keeping the local standards and for the discharge of the other duties of inspectors under this Act;
- (b) may suspend or dismiss any inspector so appointed by it or appoint additional inspectors as occasion requires; and
- (c) shall assign reasonable remuneration to each inspector for his duties.

Appeal by
inspectors
against
suspension &c.

(2) Any inspector so suspended or dismissed may as prescribed appeal therefrom to the Minister whose decision shall be final and shall be given effect to by the local authority.

Exercise of
powers &c.
outside
district.

(3) Any inspector appointed by a local authority may, for the purpose of the administration of this Act or of assisting any other local authority in the administration of this Act, exercise his powers and discharge his duties outside the district of the local authority by which he was appointed.

Inspectors to
have
certificates.
No. 4712 s. 35;
No. 5471 s. 17.

35. (1) No person shall be appointed or continue to be an inspector unless he holds the prescribed certificate:

Provided that any person who holds a certificate recognized by the Superintendent in accordance with the regulations as equivalent to the prescribed certificate may be appointed as or continue to be an inspector.

Superin-
tendent to be
informed of
appointment
&c. of
inspectors.

(2) Every local authority shall advise the Superintendent of—

- (a) each appointment of an inspector made by it; and
- (b) the termination of any such appointment by resignation or otherwise.

Inspectors not
to derive
profit &c.
No. 4712 s. 36;
No. 5471 s. 18.

36. Any inspector shall not during the time he holds office—

- (a) derive any profit from or be employed in the making adjusting or selling of weights measures weighing instruments or measuring instruments; or

- (b) accept any gratuity or reward from any trader or manufacturer:

Provided that—

- (a) in any district where on the representation of the local authority it appears to be desirable for an inspector to be allowed to adjust weights measures weighing instruments and measuring instruments the Minister may if he thinks fit authorize such inspector to act as an adjuster of weights measures weighing instruments and measuring instruments; and
- (b) an inspector so authorized—
- (i) may for any such adjustment make such charges as are prescribed; and
 - (ii) shall account for and pay any money received by him in respect of such charges in such manner as the local authority directs.

37. (1) Every inspector shall in the month of October in each year make a report in writing to the local authority in respect of the period of twelve months ended on the preceding thirtieth day of September setting out in the prescribed form details of his activities in relation to—

Reports by
inspectors.
No. 4712 s. 37;
No. 5471 s. 19.

- (a) verification of traders' weights measures and weighing and measuring instruments;
- (b) visits to shops and places of trade;
- (c) examination of goods prepared for sale or in course of delivery;
- (d) prosecutions instituted and the results thereof.

(2) A copy of such report shall be forwarded to the Superintendent by the local authority within seven days after such report is received by the local authority.

38. (1) No inspector shall—

- (a) except in the course of the proper administration of this Act disclose or cause directly or indirectly to be disclosed any matter relating to the business of any person which comes to his knowledge in the discharge of his duties; or
- (b) otherwise betray the confidence of his office.

Secrecy to be
observed.
No. 4712 s. 38;
No. 5471 s. 20.

(2) An inspector shall not be compelled to disclose in court any source from which he has derived information in relation to the case.

Inspectors to
enter into
bond.

No. 4712 s. 39;
No. 5471 s. 21.

39. Every inspector, immediately upon his appointment and before entering upon the duties of his office shall—

- (a) with two sureties approved of by the local authority enter into a bond to the local authority; or
- (b) obtain the guaranty of some company society or association approved by the local authority—

in the sum of Two hundred pounds to secure the due and punctual performance of the duties of his office and the payment at the times fixed by the local authority of all fees received by him under the authority of this Act and the safe custody and faithful and lawful use of the local standards and all other articles committed to his charge under this Act and their due restoration and surrender to such person and at such time as may be duly appointed in that behalf by the local authority, and every inspector shall at all times have such a bond or guaranty in force:

Provided that this section shall not apply in the case of an inspector whose conditions of employment are subject to the *Local Government Act 1958*.

Provision of
local
standards &c.
No. 4712 s. 40;
No. 5471 s. 22.

40. Every local authority shall from time to time—

- (a) provide such local standards as the Minister directs for the purpose of comparison by way of verification and inspection in accordance with this Act;
- (b) fix the places at which such standards are to be deposited; and
- (c) provide proper means of verifying weights measures weighing instruments and measuring instruments by comparison with the local standards and for stamping the weights measures weighing instruments and measuring instruments so verified.

Provision of
working
standards.
No. 4712 s. 41.

41. (1) Any local authority may and if so directed by the Minister shall provide for the use of its inspectors working standards and accessories of such material and in such form as the Minister approves.

(2) Such standards may, if verified as prescribed, be used by inspectors as standards for inspection and verification as if they were local standards.

Verification
and stamping
of weights &c.
No. 4712 s. 42.

42. (1) Every local authority shall from time to time fix the times and places within its jurisdiction at which each inspector appointed by it is to attend for the purpose of the verification of weights measures weighing instruments and measuring instruments.

(2) The inspector shall—

- (a) attend with the local standards in his custody at each time and place fixed; and

- (b) examine every weight measure weighing instrument or measuring instrument brought to him for the purpose of verification and test the accuracy of the same.

(3) If the inspector finds any weight measure weighing instrument or measuring instrument to be correct he shall stamp it with a stamp of verification in such manner as best to prevent fraud.

(4) The inspector shall—

- (a) enter in a book to be kept by him a record of every such verification; and
- (b) give if required a certificate under his hand of every such stamping.

43. (1) If at any time the Minister is of opinion that any local authority is not properly administering or has failed to administer this Act within the jurisdiction of such local authority or any part thereof the Governor in Council by Order published in the *Government Gazette* may direct that the Superintendent shall in lieu of such local authority be charged with the local administration of this Act within the jurisdiction of such local authority and may revoke any such Order.

Local
administration
by
Superintendent
in default
&c. of local
authority.
No. 4712 s. 44;
No. 5471 s. 24.

(2) Subject to the next succeeding sub-section during the operation of any such first-mentioned Order the Superintendent shall in lieu of such local authority carry out the local administration of this Act within the area referred to in the Order in all respects as if the Superintendent were a local authority having jurisdiction within such area and the provisions of this Act shall with such adaptations as are necessary extend and apply accordingly.

(3) Where the Superintendent is carrying out the local administration of this Act in any area—

- (a) inspectors for such area shall be appointed suspended or dismissed by the Governor in Council;
- (b) the expense of providing verifying and re-verifying local standards for such area, the salaries of inspectors for such area, and all other expenses incurred by the Superintendent in the local administration shall for the purposes of Division four of Part III. of this Act be deemed to be part of the expense of the central administration of this Act;
- (c) the Superintendent shall pay into the Consolidated Revenue all moneys received by him as fees in connexion with the local administration of this Act; and

- (d) where during any period of twelve months ending on the thirtieth day of September in respect of such area the amount of the expenses (including salaries) referred to in paragraph (b) of this sub-section exceeds the amount of the fees referred to in paragraph (c) of this sub-section the local authority in lieu of which the Superintendent is acting shall pay into the Consolidated Revenue the amount in excess.

DIVISION 3.—UNIONS.

*Constitution
of Unions.
No. 4712 s. 45;
No. 6093 s. 3.*

44. The Governor in Council at the request of and pursuant to any agreement made by the councils of any two or more municipalities may by proclamation declare such municipalities to be a Union for the purposes of this Act upon such terms (including terms as to apportionment among such municipalities of the expenses devolving on the Union under this Act) and in such manner as are agreed upon by such municipalities and the Governor in Council may at similar request by proclamation alter or revoke any such proclamation (including any proclamation under section forty-five of this Act).

*Extension of
Unions.
No. 4712 s. 46.*

45. At the request of the councils of all the municipalities concerned the Governor in Council may by proclamation declare that any municipality specified in such proclamation shall be added to and form part of a Union upon such terms (including terms as to apportionment among all such municipalities of the expenses devolving on the Union under this Act) and in such manner as are agreed upon by all such municipalities.

*Managers for
Unions.
No. 4712 s. 47.*

46. (1) Each of the councils of the Union shall elect such number of its councillors as is from time to time agreed upon by such councils to be its representative managers for the Union.

(2) Each council of any Union proclaimed under this Act shall elect its first managers within two months after such proclamation.

(3) Whenever the office of any of the managers for any Union becomes vacant the council which he represented shall within two months after the occurrence of such vacancy elect another councillor as manager in his stead.

(4) If any council whose duty it is at any time to elect one or more managers fails or neglects or refuses so to do in accordance with the provisions of this Act, the Governor in Council may appoint from among the members of the council so failing neglecting or refusing to elect as many fit and proper persons to be managers as such council could have elected,

and any managers so appointed shall for all purposes be deemed to have been elected by such council and any reference in this Act to an elected manager shall equally apply to a manager appointed as aforesaid.

47. Every councillor elected as one of the managers for a Union shall cease to be a manager when— Tenure of managers.
No. 4712 s. 48.

- (a) the council he represents elects another councillor as manager in his stead and notifies such election to the managers in writing; or
- (b) the number of managers to be elected by the council he represents is reduced; or
- (c) he resigns as a manager; or
- (d) he ceases to be a councillor excepting when he is one of the councillors who retires by rotation at an annual election and is re-elected; or
- (e) he has been absent from three consecutive meetings of the Union without leave from the managers.

48. (1) The managers for a Union shall hold their first meeting at a time and place to be fixed by the Minister and notified in the *Government Gazette*, and thereafter the managers shall hold meetings at least once in every six months at such place and time as the managers appoint. Meetings of managers.
No. 4712 s. 49.

(2) At any meeting of the managers for a Union whether all the managers are present or not a majority of all the managers of the Union may legally exercise any of the powers of such managers. Quorum.

(3) If there is an equal number of votes upon any question at any meeting the chairman of such meeting shall in addition to his own vote as a manager have a second or casting vote. Casting vote of chairman.

49. A Union shall be deemed to be constituted on the first meeting of the managers for such Union. When Union constituted.
No. 4712 s. 50.

50. The managers for any Union may sue and be sued in the name of the managers for such Union as though they were a corporation. Suits by and against Unions.
No. 4712 s. 51.

51. The managers for a Union shall in the month of January in each year cause reports of their proceedings and of prosecutions instituted by them or their inspectors under this Act during the last preceding year together with a statement showing the financial position of the Union on the thirtieth day of September next preceding the date of the report to be forwarded to each of the councils of the Union. Reports by managers.
No. 4712 s. 52.

Officers.
No. 4712 s. 53.

52. (1) The managers shall appoint such officers as are necessary but in no case shall an inspector hold also the position of secretary.

(2) The managers may remove any of such officers and appoint others in the place of such as are so removed or as die resign or discontinue their offices.

(3) The managers may pay such salaries and allowances to the said officers as the managers determine.

(4) It shall be the duty of the secretary to carry out the orders of the managers, to keep the minutes of the proceedings of all meetings held, and to notify every manager at least three clear days before each meeting of the time and place of holding thereof.

Accounts.
No. 4712 s. 54.

53. (1) The secretary shall keep full and accurate accounts of all sums of money received or expended by the managers and of the matters and things for which such sums of money have been received or expended.

(2) Such accounts shall in each and every year be balanced up to and inclusive of the thirtieth day of September in such year.

(3) Forthwith on the accounts being so balanced an annual account shall be made up which shall exhibit a true statement of the receipts and expenditure respectively.

(4) The managers shall annually appoint some person holding a certificate issued by the Municipal Auditors Board who shall audit all such books and accounts.

Evidence.
No. 4712 s. 55.

54. In any prosecution or other legal proceedings under this Act—

(a) no proof shall unless evidence is given to the contrary be required—

(i) of the constitution of any Union or of the election of managers thereof;

(ii) of the appointment of any secretary of the Union; or

(iii) of the presence of a majority of the managers for a Union at any meeting at the making of any order or the doing of any act; and

(b) all courts shall take judicial notice of the signatures of any managers for a Union and of any secretary of a Union if attached to any document purporting to be made under this Act.

55. The local standards and all apparatus and accessories used in carrying out the provisions of this Act by a Union shall be vested in the municipalities forming the Union jointly, and any bond entered into or other security given by any inspector appointed by such Union shall be to the said municipalities jointly.

Vesting of property.
No. 4712 s. 56.

56. (1) The Governor in Council may at any time if he thinks fit (either with or without a request from the council of any of the municipalities constituting such Union) and shall at the request of not less than half of such councils dissolve any Union by proclamation, and thereupon such municipalities shall cease to constitute a Union.

Dissolution of Union.
No. 4712 s. 57;
No. 6093 s. 4.

(2) Thereupon all local standards and all apparatus and accessories used in carrying out the provisions of this Act by such Union shall be vested in Her Majesty and the Minister shall forthwith take possession of the same, and upon the same being purchased by any council the amount paid for the same shall be divided amongst the municipalities which constituted such Union in the proportion in which the expenses thereof were borne by such municipalities immediately prior to the date of such dissolution.

(3) Notwithstanding such dissolution such municipalities shall be and continue jointly liable for any contracts made by the managers for the Union as fully as if such Union had not been abolished.

DIVISION 4.—FINANCE.

57. Subject to this Act the expense of the central administration of this Act shall be paid out of moneys provided by Parliament for the purpose.

Expense of central administration.
No. 4712 s. 58.

58. The expense of providing verifying and re-verifying local standards, the salaries of inspectors, and all other expenses incurred by the local authority under this Act shall be paid by the local authority.

Expense of local administration.
No. 4712 s. 59.

59. Moneys received by a local authority or by any inspector of a local authority as fees under this Act shall be available for use by the local authority towards the cost of the local administration of this Act.

Local authority to retain fees collected.
No. 4712 s. 61;
No. 5471 s. 25.

60. Any moneys payable by a municipality under this Act shall be paid out of the municipal or town fund thereof, which fund is hereby declared to be available for the purpose.

Payments out of municipal funds.
No. 4712 s. 62.

PART IV.—INSPECTION VERIFICATION AND STAMPING.

Powers of
entry
inspection &c.
No. 4712 s. 63;
No. 5471 s. 26.

61. For the purpose of carrying out the provisions of this Act and the regulations any inspector on production if so requested of a certificate of identification in the prescribed form may at all reasonable times—

- (a) enter any building or place or stop and inspect any vehicle wherein or in connexion with which weights measures weighing instruments or measuring instruments are used for trade;
- (b) inspect any weights measures weighing instruments or measuring instruments in the possession of any person having a pack basket or other receptacle containing goods for sale; and
- (c) examine and test such weights measures weighing instruments and measuring instruments.

Seizure of
unstamped or
incorrect
weights
measures &c.
No. 4712 s. 64.

62. Any weight measure weighing instrument or measuring instrument which—

- (a) is not stamped as required by or under this Act; or
- (b) is incorrect or unjust—

may be seized by an inspector.

Further
powers of
inspectors.
No. 4712 s. 65;
No. 5471 s. 27.

63. For the purpose of carrying out the provisions of this Act and the regulations any inspector on production if so requested of a certificate of identification in the prescribed form may—

- (a) at all reasonable times enter any building or place or stop and examine any vehicle;
- (b) examine any pack basket or other receptacle in which goods are being conveyed;
- (c) examine any goods kept or exposed for sale or in course of delivery in or on any such building place vehicle pack basket or receptacle;
- (d) in the presence of the person in charge thereof if such person desires to be present weigh or measure or cause to be weighed or measured any such goods and ascertain whether or not the provisions of this Act and the regulations are being complied with;
- (e) on payment or tender to the person in charge thereof of the current market value or of the rate prescribed, demand and procure any such goods; and
- (f) seize any goods in respect of which a contravention of this Act or the regulations appears to have been committed.

64. Any person who—

- (a) hinders or obstructs any inspector in the execution of his duty; or
- (b) does not when requested by an inspector produce all weights measures weighing instruments or measuring instruments in his possession for examination or testing; or
- (c) refuses on request to state his name and address to an inspector or states to an inspector a false name or address; or
- (d) uses abusive language to or directly or indirectly threatens an inspector; or
- (e) assaults an inspector while executing his duties under this Act; or
- (f) impersonates an inspector—

shall be guilty of an offence against this Act.

Penalty for obstructing &c. inspectors.
No. 4712 s. 66;
No. 5471 s. 28.

65. Every weight measure weighing instrument and measuring instrument used for trade and every public weighing instrument and public measuring instrument (not being a weight measure or instrument exempted by the regulations) shall be stamped with a mark of verification as prescribed.

Weights measures &c. used for trade to be stamped.
No. 4712 s. 67.

66. (1) Every weight measure weighing instrument and measuring instrument used for trade and every public weighing instrument and public measuring instrument shall as prescribed be produced to an inspector at least once in every two years for verification and stamping:

Periodical verification and stamping.
No. 4712 s. 68;
No. 5471 s. 29.

Provided that the Governor in Council by regulations may—

- (a) subject to such conditions as are prescribed exempt wholly or in part from the operation of this sub-section such classes of weights measures weighing instruments or measuring instruments as are prescribed;
- (b) provide for the more frequent verification and stamping of any prescribed classes of weights measures weighing instruments or measuring instruments.

(2) Every local authority shall arrange that at least once in every two years an inspector shall visit and inspect each place of business within its jurisdiction at which weights measures weighing instruments or measuring instruments are used for trade, or where goods are kept or exposed for sale; except in any case

where the local authority considers the foregoing provisions of this sub-section are impracticable of administration, in which case the fact and reason shall be recorded in the inspector's annual report.

Prohibition of
certain
weights
measures &c.
unstamped &c.
No. 4712 s. 69;
No. 5471 s. 30.

67. (1) No person shall use or have in his possession for use for trade any weight measure weighing instrument or measuring instrument which—

- (a) is not stamped as prescribed; or
- (b) is incorrect or unjust.

Stamped
weights &c. to
have
currency
throughout
Victoria.

(2) Any weight measure weighing instrument or measuring instrument which is stamped as prescribed shall subject to this Act be considered to be a legal weight measure weighing instrument or measuring instrument (as the case may be) throughout Victoria unless found to be defective or unjust.

Use for trade
of defective
weights
measures &c.
prohibited.
No. 4712 s. 70;
No. 5471 s. 31.

68. (1) No person shall use for trade any weight measure weighing instrument or measuring instrument (not being a weight measure or instrument exempted by the regulations from stamping) which—

- (a) has become defective; or
- (b) has been mended or repaired—

until the same has been restamped pursuant to this Act.

(2) Any person mending or repairing such a defective weight measure or instrument shall obliterate any existing stamp thereon.

(3) Notwithstanding anything in the foregoing provisions of this section a person may in accordance with a permit issued as prescribed by the regulations temporarily use such a weight measure or instrument which has been repaired but not restamped.

Offences.
No. 4712 s. 71;
No. 5471 s. 32.

69. (1) No person shall—

- (a) use or have in his possession for use for trade a weight or measure which is not of a denomination authorized by this Act to be used:

Provided that this paragraph shall not apply in connexion with the import or export of goods from or to a place outside Victoria where other than the standard weights or measures ascertained in accordance with this Act are used;

- (b) forge or counterfeit or cause to be forged or counterfeited or assist in forging or counterfeiting or unlawfully have in his possession any stamp used for stamping under this Act any weight measure weighing instrument or measuring instrument or unless duly authorized under this Act make on any weight measure weighing instrument or measuring instrument any impression

purporting to be the impression of any such stamp or alter any date mark used in connexion with the impression of any such stamp;

- (c) in any way alter or tamper with so as to cause it to weigh or measure incorrectly or unjustly any weight measure weighing instrument or measuring instrument which has been stamped;
- (d) use sell dispose of or expose for sale any weight measure weighing instrument or measuring instrument so altered or tampered with or any weight measure weighing instrument or measuring instrument with a forged or counterfeit stamp thereon;
- (e) make or sell or cause to be made or sold any weight measure weighing instrument or measuring instrument which is false or unjust; or
- (f) increase or diminish any stamped weight or measure or use sell dispose of or expose for sale any increased or diminished weight or measure: Provided that nothing herein shall apply to any person who increases or diminishes any stamped weight or measure when he adjusts the same to standard and entirely obliterates the stamp thereon.

(2) Any bargain sale or contract made in reference to any false or unjust weight measure weighing instrument or measuring instrument shall be void:

Sales &c.
made in
reference to
false &c.
weights &c.
void.
Savings.

Provided that in any proceedings in which the validity of any such bargain sale or contract comes in question it shall not be held to be void if it is proved to the satisfaction of the court that the use of the false or unjust weight measure weighing instrument or measuring instrument was due to a *bona fide* mistake or an accident or to any other cause beyond the control of the parties thereto and in spite of all reasonable precautions being taken and all due diligence exercised by them or was due to the action of a person over whom the parties had no control:

Provided further that this sub-section shall not apply to any bargain sale or contract made in reference to a public weighing instrument or public measuring instrument over which the parties to the bargain sale or contract have no control.

70. The provisions of section sixty-two sixty-five to sixty-seven and paragraph (a) of sub-section (1) of section sixty-nine of this Act shall not apply to vessels as defined in by or under any Commonwealth Act providing for excise or customs duty on liquors where such vessels are used in relation to liquors to which such Commonwealth Act applies.

Non-
application
&c. of ss. 62,
65-67, 69 (1)
(a) to vessels
defined in
Common-
wealth
Customs and
Excise Acts.
No. 4712 s. 71

PART V.—SALE OF GOODS.

DIVISION 1.—GENERAL.

Non-application of this Part.
No. 4712 s. 73.

71. This Part shall not apply to a contract bargain sale purchase or dealing in connexion with the export of goods to a place outside Victoria where other than the standard weights or measures ascertained by this Act are used.

Contracts, purchases &c. to be according to standard weights or measures.
No. 4712 s. 74.

72. (1) Every contract bargain sale purchase or dealing made or had in Victoria for any work goods or other things which has or have been or is or are to be done sold purchased delivered carried or agreed for by weight or measure shall be made and had according to some standard weight or measure prescribed by this Act or to some multiple or part thereof and if not so made or had shall be void.

Tolls and duties.

(2) All tolls or duties charged or collected according to weight or measure shall be charged and collected according to some standard weight or measure prescribed by this Act or to some multiple or part thereof.

As to vessels under Commonwealth and Customs Excise Acts.

(3) In the case of any liquors to which any Commonwealth Act providing for excise or customs duty applies the vessels specified or provided for in by or under any such Act shall be deemed to satisfy the foregoing requirements of this section in regard to measure.

Sales by avoirdupois or metric weight &c.

(4) All goods sold by weight shall be sold by avoirdupois weight or metric weight except that—

- (a) gold silver platinum and other precious metals and goods made in whole or in part thereof may be sold by troy weight;
- (b) diamonds and other precious stones shall be sold by the metric carat or its subdivisions; and
- (c) drugs when sold by retail may be sold by apothecaries weight.

Exceptions.

(5) This section shall not apply to a contract bargain sale purchase or dealing in connexion with the importation of goods from a place outside Victoria where other than the standard weights or measures ascertained by this Act are used or in connexion with timber in the log.

Retail sales by weight or measure.
No. 4712 s. 75;
No. 5471 s. 33.

73. (1) No person shall sell by retail any goods by weight or measure unless by net weight or measure.

(2) Every person delivering to any purchaser any goods sold by retail by weight or measure shall deliver with such goods to such purchaser an invoice or delivery note showing the net weight or measure (as the case may be) of such goods:

Provided that this sub-section shall not apply to—

- (a) bread;
- (b) any goods of which delivery is made immediately after the goods have been weighed or measured in the presence of the purchaser; or
- (c) any goods in a package on which or on a label securely attached to which is marked as prescribed by or under this or any other Act the net weight or measure of such goods.

(3) No person shall sell by wholesale in a package of a size or description in which goods are commonly sold by retail—

Wholesale sales of goods in packages.

- (a) any goods ordinarily sold by retail by weight or measure; or

- (b) any prescribed class of goods (whether ordinarily sold by weight or measure or not)—

unless the net weight or measure (as the case may be) of the goods is legibly written on the outside of such package or upon a label securely attached thereto.

(4) When any package containing goods subject to diminution of weight by reason of climatic influences bears a conspicuous label or inscription showing legibly the words “net weight when packed” followed by a correct statement of such weight such package shall be deemed to have been marked in accordance with the provisions of this Act:

Marking goods in package when liable to be affected by climatic influences.

Provided that in the case of prescribed classes of goods a permissible percentage of diminution from the stated weight may be prescribed, and if such prescribed percentage of diminution is exceeded the net weight of the goods shall be deemed to be incorrectly stated.

(5) Weights and measures closely approximating those indicated on the invoice or delivery note or package or label will be allowed when and as prescribed whether generally or with respect to particular classes of goods.

Approximate weight &c.

(6) Any prescribed classes of goods may be exempted from the requirements of this section either wholly or in part.

Exemption.

74. (1) Subject to this section any person who sells whether by wholesale or retail any goods in a package on which or on a label attached to which the weight or measure of the goods in the package is incorrectly stated shall be guilty of an offence against this Act.

Penalty in case of packages where weight &c. incorrectly stated.
No. 4712 s. 76.
No. 5471 s. 34.

(2) A person shall not be liable for a contravention of the last preceding sub-section if—

- (a) he purchased such goods in a package on which or on a label securely attached to which is written a statement of the weight or measure of the goods

in the package together with the name and address of the packer of such goods, and such package and label (if any) are in the same state as when purchased by him; and

- (b) the packer of such goods or the agent of the packer or of the manufacturer of the goods from which agent such person bought the goods is resident in Victoria—

but such statement shall constitute a warranty by the packer and (where the case so requires) by the agent aforesaid that the weight or measure of the goods in the package is as set out in the statement.

(3) (a) Where any goods in a package such as is referred to in the last preceding sub-section are sold, any person who appears from the written statement on the package or label (if any) to have packed the goods or (if such person is not resident in Victoria) the agent aforesaid shall—

- (i) be deemed to have sold such goods to an inspector as on a day and at a place where such inspector bought examined weighed or measured such goods; and
- (ii) shall be liable to the same penalty as if he had actually sold the goods to the inspector on that day and at that place.

(b) It shall be a good defence to any prosecution under this sub-section if the person charged shows that—

- (i) he (not being the agent aforesaid) neither packed the goods nor caused them to be packed or (being the agent aforesaid) did not sell or otherwise deal with the goods; or
- (ii) the discrepancy between the actual weight or measure of the goods and the statement thereof on the package or label (if any) is due to the act or default of some other person after the goods have passed from the control of the person charged.

(c) Where a firm appears from the written statement on the package or label (if any) to have packed the goods or where the agent aforesaid is a firm—

- (i) this sub-section shall have effect as if the name or names of the member or members of the firm had appeared on the package or label as the packer thereof; and
- (ii) proceedings may be taken and penalties may be recovered accordingly against any member or members of the firm.

75. (1) In any proceedings under this Act in respect of an alleged deficiency of weight or measure of any pre-packed goods the court shall —

Permissible variations of weight &c. of pre-packed goods.

No. 4712 s. 77.

- (a) disregard any inconsiderable variation in the weight or measure of a single package of such goods; and
- (b) have regard to the average weight or measure of not less than ten packages thereof of the same kind sold or delivered by the defendant or in his possession for the purpose of sale or delivery on the same occasion and, generally, to all the circumstances of the case:

Provided that if there are less than ten such packages the court shall have regard to the average weight or measure of all the packages of the same kind found on such occasion.

(2) In this section “pre-packed” goods means any goods which are packed or made up in advance ready for retail sale in a package, and where any goods packed or made up in a package are found on any premises where such goods are packed kept or stored for sale the goods shall be deemed to be packed or made up in advance ready for retail sale unless the contrary is proved.

“Pre-packed” goods.

76. (1) Where any person in a shop or other place or in any vehicle pack basket or other receptacle offers or exposes any goods for sale by retail by weight or measure he shall—

Weighing and measuring instruments to be provided.

No. 4712 s. 78.

- (a) at the request of a purchaser of any of such goods weigh or measure the same in the presence of the purchaser; and
- (b) have a suitable weighing instrument with the necessary weights for weighing such goods or (as the case requires) a suitable measure or measuring instrument for measuring such goods.

(2) Every such measure or measuring instrument or weighing instrument shall be so constructed and shall be placed in such a position and shall be so used that the purchaser can easily see the weights or measure or the register of weight or measure by which he is buying.

Construction and position of such instruments.

77. (1) Subject to this Act any person who—

- (a) by means of words description or other indication (whether direct or indirect) makes any false declaration or statement or wilfully misleads any person as to the weight or measure of any goods sold or delivered by him;

Offences as to false declarations, short weight &c.

No. 4712 s. 79;
No. 5471 s. 35.

- (b) sells or delivers or causes to be sold or delivered goods by weight or measure short of the quantity ordered or purchased or purported to be sold or delivered; or
- (c) being in charge of a vehicle makes any false statement or does any act whereby the seller or the purchaser of any goods is defrauded—

shall be guilty of an offence against this Act.

(2) Where goods are purchased by weight or measure and the weight or measure thereof is determined by the purchaser any such purchaser making to the seller or his agent a false representation (whether directly or indirectly) of the weight or measure of such goods shall be guilty of an offence against this Act.

(3) For the purposes of sub-section (1) of this section the seller or deliverer, and for the purposes of sub-section (2) of this section the purchaser, of goods shall be deemed to know the correct weight or measure of the goods as soon as the act of weighing or measuring is completed, if not before.

Fraudulent
use of weights
&c.
No. 4712 s. 80;
No. 5471 s. 36.

78. Where any fraud is alleged or appears to have been committed in the use of any weight measure weighing instrument or measuring instrument—

- (a) the weight measure or instrument may be seized by an inspector; and
- (b) if the court finds a fraud to have been committed, every person who committed the fraud or was a party to the fraud shall be guilty of an offence against this Act.

DIVISION 2.—BREAD.

Bread to be
in loaves of
prescribed
weight.
No. 4712 s. 81;
No. 5471 s. 37;
No. 6093 s. 3.

79. (1) All bread (other than Vienna bread) made for sale shall be made into loaves—

- (a) (except in the case of bread referred to in paragraph (b) of this sub-section) weighing approximately but not less than one pound two pounds or four pounds and denominated the one pound loaf two pound loaf and four pound loaf respectively;
- (b) (in the case of any type of bread specified by the regulations for the purposes of this paragraph) weighing approximately but not less than such weight or weights and of such denomination or denominations respectively as are prescribed therefor by the regulations.

(2) All Vienna bread made for sale shall be made into loaves—

Vienna bread
to be in
loaves of
prescribed
weight.

(a) weighing approximately but not less than twelve ounces or twenty-four ounces respectively, and such loaves shall be denominated the twelve ounce Vienna loaf and the twenty-four ounce Vienna loaf respectively; and

(b) marked with not less than three and not more than five slashes across the upper surface but not longitudinally along the loaf and (unless baked in a tin) approximately semi-circular in cross-section tapering each way from the middle and rounded at each end—

and for the purposes of this Division any bread which is marked in the way referred to in paragraph (b) of this sub-section shall until the contrary is proved be deemed to be Vienna bread, and any bread not so marked shall until the contrary is proved be deemed to be bread other than Vienna bread.

(3) Notwithstanding anything in the last two preceding sub-sections bread may be made up into rolls weighing not more than six ounces.

Rolls.

(4) Every person who makes for sale or sells or delivers or causes to be made for sale sold or delivered any loaf of bread—

Penalty for
selling
underweight
bread.

(a) which is not of a denomination hereinbefore referred to; or

(b) which purports to be of a denomination hereinbefore referred to but is below the weight prescribed therefor—

shall be guilty of an offence against this Act:

Provided that with respect to paragraph (b) of this sub-section—

(i) in the case of bread found in a bakehouse such person shall be liable only if the average weight per loaf of not less than one hundred loaves so found purporting to be of the same denomination is less than the weight prescribed for loaves of such denomination;

(ii) in the case of bread found in a shop or in or on a vehicle used for the delivery of bread such person shall be liable only if the average weight per loaf of not less than ten loaves so found purporting to be of the same denomination is less than the weight prescribed for loaves of such denomination;

(iii) notwithstanding anything in the foregoing provisions of this proviso if there are not one hundred loaves purporting to be of the same denomination in the

bakehouse or ten loaves purporting to be of the same denomination in the shop or in or on the vehicle such person shall be liable only if the average weight per loaf of all the loaves purporting to be of the same denomination then and there found is less than the weight prescribed for loaves of such denomination;

(iv) for the purposes of this sub-section—

- (a) subject to sub-paragraphs (d) (e) (f) and (g) of this paragraph a loaf shall purport to be a one pound loaf if it weighs not more than one pound three ounces;
- (b) subject to sub-paragraphs (d) (e) (f) and (g) of this paragraph a loaf shall purport to be a two pound loaf if it weighs more than one pound three ounces and not more than two pounds six ounces;
- (c) subject to sub-paragraphs (d) (e) (f) and (g) of this paragraph a loaf shall purport to be a four pound loaf if it weighs more than two pounds six ounces;
- (d) a Vienna loaf shall purport to be a twelve ounce Vienna loaf if it weighs not more than fourteen ounces;
- (e) a Vienna loaf shall purport to be a twenty-four ounce Vienna loaf if it weighs more than fourteen ounces;
- (f) in the case of a type of bread which is specified for the purposes of paragraph (b) of sub-section (1) of this section and for which only one denomination is prescribed, a loaf shall purport to be of the denomination so prescribed;
- (g) in the case of a type of bread which is specified for the purposes of paragraph (b) of sub-section (1) of this section and for which two or more denominations are prescribed, the denomination of which a loaf purports to be shall be as prescribed for the purposes of this sub-paragraph having regard to the standard weight of such loaf—

and for the purposes of this proviso no loaf purporting to be of any denomination shall be taken into account if it exceeds the weight prescribed for such denomination by more than—

- (h) in the case of a four pound loaf—six ounces;

- (i) in the case of a twenty-four ounce Vienna loaf—four ounces;
- (j) in the case of a loaf of the heaviest or only denomination prescribed for a loaf of a type of bread specified for the purposes of paragraph (b) of sub-section (1) of this section—the appropriate weight prescribed for the purposes of this sub-paragraph;
- (v) notwithstanding anything in the foregoing provisions of this proviso an inspector shall not be required to include in any weighing any loaf which is drawn from an oven after his entry into any premises.

(5) If in any prosecution for an offence against this section the defendant proves to the satisfaction of the court that any deficiency in weight of the loaves to which the prosecution relates is due to such loaves having been kept for more than twenty-four hours after the same were baked the defendant shall not be liable to any penalty.

As to bread kept for more than twenty-four hours.

(6) For the purposes of this Act all bread found in a bakehouse or shop shall be deemed to have been baked for sale or to be in possession for sale.

Evidence.

DIVISION 3.—FUEL.

80. (1) The provisions of this Division (except where otherwise specifically provided in the next succeeding section) shall apply—

Application of this Division.
No. 4712 s. 82;
No. 5471
ss. 38, 39
(2) (d).

- (a) within any city or town;
- (b) within any other municipality or portion thereof to which the provisions of Division three of Part V of the *Weights and Measures Act 1939* or any corresponding previous enactment have been extended; and
- (c) within any other municipality or portion thereof to which the provisions of this Division are extended by Order of the Governor in Council published in the *Government Gazette*.

(2) The Governor in Council may by proclamation declare the municipalities and portions thereof to which paragraph (b) of the last preceding sub-section refers, and such proclamation shall be conclusive evidence of the facts stated therein and that the said paragraph does not refer to any other municipality or portion thereof.

Method of
sale of fuel.
No. 4712 s. 83;
No. 5471
s. 39 (1).

81. (1) Every person selling coal or coke in any part of Victoria whatsoever shall sell such coal or coke by weight.

(2) Every person selling firewood—

(a) in any part of Victoria to which the provisions of this Division apply and which is specified for the purposes of this sub-section by Order of the Governor in Council published in the *Government Gazette*—shall sell the same by weight;

(b) in any part of Victoria to which the provisions of this Division apply and which is not so specified—shall sell the same by weight except when selling the same in a quantity exceeding ten cubic feet when stacked, in which event he may sell the same either by weight or by measure at the option of the purchaser.

(3) In all cases where firewood coal coke or charcoal is sold the seller shall cause the correct measure or weight (as the case may be) to be clearly stated on a ticket and shall cause such ticket to be handed to the purchaser at the time of delivery of such firewood coal coke or charcoal. Unless the firewood coal coke or charcoal is delivered to the purchaser on the premises of the seller the person in charge of any vehicle on which it is carried or from which it is being delivered shall, unless exempted by the regulations, at all times while he is so in charge have such ticket, on which all the said particulars have been correctly entered, in his possession, subject to the provisions of sub-section (6) of this section.

(4) Firewood when sold by weight and coal coke or charcoal shall be sold only in one or more tons hundredweights or quarters except as otherwise prescribed.

(5) When firewood is sold by measure in any part of Victoria whatsoever—

(a) the quantity shall be expressed in terms of “cubic feet when stacked”; and

(b) the term “cord” shall mean one hundred and twenty-eight cubic feet when stacked.

Power of
inspectors as
to delivery
tickets or
weight tickets.

(6) Where by this section a ticket is required to be handed to the purchaser at the time of delivery of coal coke charcoal or firewood, the seller of such coal coke charcoal or firewood or the person in charge of any vehicle in or on which it is carried or from which it is being delivered to the purchaser shall on demand produce and hand such ticket to any inspector who shall retain the same if he finds it to be incorrect.

Penalties.

(7) Any person who—

(a) contravenes any of the foregoing provisions of this section;

- (b) sells coal coke charcoal or firewood by description which is false as to the sort of coal coke charcoal or firewood sold; or
- (c) sells or delivers wet coal coke charcoal or firewood with intent to defraud the purchaser as to the weight of coal coke charcoal or firewood sold or delivered or in any other way is concerned in any fraudulent act in relation to the sale or delivery of firewood coal coke or charcoal—

shall be guilty of an offence against this Act.

(8) Proof that coal coke charcoal or firewood was being conveyed in or on any vehicle shall be *prima facie* evidence that such coal coke charcoal or firewood was for sale or delivery to a purchaser.

Proof of sale or delivery.

(9) Notwithstanding anything in the foregoing provisions of this section coal coke charcoal or firewood when sold by the railway truck load may also be sold in such other manner (if any) as is prescribed by the regulations.

82. (1) Any seller or purchaser of coal coke charcoal or firewood or any person in charge of a vehicle in or on which coal coke charcoal or firewood is carried or any inspector may require that any coal coke charcoal or firewood or any vehicle used for the carriage of coal coke charcoal or firewood be weighed or re-weighed by any sufficient weighing instrument or that any firewood sold by measure be measured or re-measured.

Power to require the weighing &c. of fuel or vehicle.
No. 4712 s. 84;
No. 5471
s. 39 (2) (e).

(2) Where any such coal coke charcoal firewood or vehicle has at the instance of the purchaser been weighed or re-weighed or measured or re-measured in pursuance of this section and found to be of the weight or measure stated by the seller of the coal coke charcoal or firewood or the person in charge of the vehicle, the purchaser shall be liable to the payment of the costs actually incurred in such weighing re-weighing measuring or re-measuring.

Purchaser to pay costs of re-weighing &c. if weight &c. correct.

(3) If—

Offences.

- (a) any seller of coal coke charcoal or firewood or any person in charge of a vehicle in or on which coal coke charcoal or firewood is carried or the keeper of any weighing instrument refuses without reasonable excuse to have weighed or re-weighed or to weigh or re-weigh any vehicle or coal coke charcoal or firewood or to have measured or re-measured or to measure or re-measure any firewood; or

- (b) the keeper of any weighing instrument so weighs any vehicle or coal coke charcoal or firewood as wilfully to defraud either the seller or the purchaser of such coal coke charcoal or firewood or gives a weight ticket for any vehicle coal coke charcoal or firewood without having previously weighed the same—

he shall be guilty of an offence against this Act.

PART VI.—MISCELLANEOUS.

Offences and Penalties.

Offences
against this
Act.
No. 4712 s. 85;
No. 5471 s. 40.

83. (1) Where anything is by or under this Act directed or forbidden to be done or where by or under this Act authority is given to any person to direct anything to be done or to forbid anything to be done and anything so directed to be done is not done or anything so forbidden to be done is done every person who offends against any such direction or prohibition shall be guilty of an offence against this Act.

Penalties for
offences
against this
Act.

(2) Any person guilty of an offence against this Act for which no penalty is expressly provided shall be liable to a penalty of not more than Fifty pounds.

(3) Where a person is convicted of any offence against this Act or the regulations and the court by which he is convicted is of opinion that some person was defrauded or suffered pecuniary loss by reason of the commission of the offence the court may, in addition to imposing any penalty, order that the defendant shall pay to such last-mentioned person by way of recoupment of his loss such sum as the court thinks fit.

Forfeitures of
weights,
goods, &c.
No. 4712 s. 86;
No. 5471 s. 41.

84. (1) (a) Any weights measures weighing instruments measuring instruments or goods in connexion with which any offence against this Act or the regulations is committed may on conviction of any person guilty of the offence be forfeited by order of the court.

(b) Such forfeiture may extend to the whole of any similar goods in any package found on the defendant's premises or in his possession at the time the offence was committed.

(c) If the court does not convict any such person all such weights measures instruments and goods shall be returned to the owner thereof.

(2) Any local authority or (as the case requires) the Superintendent may, without instituting any prosecution, apply to a court of petty sessions consisting of a stipendiary magistrate for the forfeiture of any weights measures weighing instruments measuring instruments or goods seized under this Act, and the

court in its discretion may make such an order; but if the court declines to make such an order the local authority or (as the case requires) the Superintendent shall return them to the owner thereof immediately.

(3) Where any weights measures weighing instruments measuring instruments or goods have been seized under this Act and at the expiration of one month from such seizure—

(a) no prosecution has been instituted in relation thereto; and

(b) no application has been made for an order under the last preceding sub-section—

the local authority or (as the case requires) the Superintendent shall return them to the owner thereof immediately on the receipt of an application in that behalf made in writing by such owner.

85. Where a person is convicted of any offence against this Act or the regulations and the court by which 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 penalty to be imprisoned for a term of not more than three months.

Liability to imprisonment in cases of fraud.
No. 4712 s. 87.

86. All weights measures weighing instruments measuring instruments and goods forfeited under this Act shall be and become the property of the local authority or (where the prosecution was instituted by the Superintendent or the Crown) of the Crown and (save where other provision is made by or under this Act) may be disposed of as the local authority or (as the case requires) the Minister thinks fit.

Disposal of forfeited weights &c.
No. 4712 s. 38;
No. 5471 s. 42.

87. (1) No proceeding or conviction for any offence against this Act or the regulations shall prejudice any civil proceedings.

Saving of civil proceedings.
No. 4712 s. 89

(2) Nothing in this Act shall exempt any person from any presentment or other proceeding for an offence punishable at common law or under any other Act but so that no person shall be punished twice for the same offence.

Saving of other proceedings.

88. (1) When any weight measure weighing instrument or measuring instrument is found—

(a) in the possession of any person carrying on trade; or

(b) on any premises which (whether a building or not) are used by any person for trade or in or on any vehicle stall or standing which is used by any person for trade—

Weights &c. deemed to be in possession for trade in certain circumstances.
No. 4712 s. 90.

such person shall be deemed to have such weight measure or instrument in his possession for use for trade until the contrary is proved.

(2) When any goods are found in the possession of any person manufacturing or trading in such goods, such goods shall be deemed to be in the possession of such person for sale until the contrary is proved.

Offences by
corporations.
No. 4712 s. 91.

89. Proceedings under this Act for a penalty for any offence by a body corporate may be taken against any person who is the manager or who acts in the management of such body corporate and such person shall be personally liable in such proceedings for such offence.

Compensation
&c. on failure
of prosecution.
No. 4712 s. 92.

90. (1) If under this Act an information is laid by any person other than an inspector and the proceedings are withdrawn or dismissed, the court may if it thinks fit order that the said person pay to the defendant such compensation for costs and loss of time as seems reasonable.

On conviction.

(2) On any conviction under this Act the court may order such payment as it thinks fit as compensation for loss of time or expense incurred in consequence of the offence of which the defendant was convicted or in connexion with the proceedings to secure such conviction.

As to proof of
appointment
of inspector.
No. 4712 s. 93;
No. 5471 s. 43.

91. (1) In any prosecution or legal proceedings under this Act no proof shall unless evidence is given to the contrary be required of the appointment of any inspector.

Judicial notice
of certificates
of
Super-
intendent.

(2) All documents certifying that—

- (a) specified weights or measures in the possession of an inspector are local standards; or
- (b) such weights or measures have been verified or re-verified within the prescribed period; or
- (c) a specified person is or was acting under this Act in the capacity stated therein—

and all other documents relating to or arising out of the administration of this Act shall, if purporting to be signed by the Superintendent, be received as evidence in all courts and be deemed to be issued or written by or under the direction of the Superintendent without further proof unless the contrary is shown.

Defences in
prosecutions.
&c.
No. 4712 s. 94.

92. It shall be a sufficient defence in any proceedings under this Act if the defendant proves to the satisfaction of the court that the offence was due to a *bona fide* mistake or an accident or to any other cause beyond his control and in spite of all reasonable precautions being taken and all due diligence exercised by him to prevent the occurrence of the offence or was due to the action of a person over whom the defendant had no control.

Regulations.

93. (1) The Governor in Council may make regulations for or with respect to—

- (a) the duties of the Superintendent and inspectors including the appointment of inspectors for special duties;
- (b) the appointment duties and remuneration of examiners;
- (c) the examinations for and certificates of inspectors and the fees payable by candidates for such examinations; and the recognition of certificates other than those granted after such examination;
- (d) the registration or examination and licensing of repairers and adjusters of weighing instruments and of measuring instruments, and the supervision and control of repairers and adjusters of weighing instruments and of measuring instruments, including the prohibition of the use of the designation of repairer or adjuster of such instruments or any like designation by persons not so registered or licensed;
- (e) the supply custody care and verification of primary, secondary, departmental, local, and working standards; the certifying of such verification; and the fees chargeable for such verification;
- (f) the fixing of times and places for the submitting for verification and the testing verifying and stamping of weights measures weighing instruments and measuring instruments;
- (g) the shape dimensions and proportions to be required in weights measures weighing instruments and measuring instruments; and the materials of which they shall be made;
- (h) prescribing what weights measures weighing instruments and measuring instruments shall or shall not be admitted to verification; and the tests to be applied to ascertain their accuracy and efficiency;
- (i) the amount of error which may be tolerated in weights measures weighing instruments and measuring instruments;
- (j) limiting the purposes or trades for or in which prescribed weights measures weighing instruments or measuring instruments may lawfully be used, and prescribing the classes of weights measures weighing instruments and measuring instruments to be used in prescribed trades;

Regulations.
No. 4712 s. 95;
No. 5471
ss. 39 (2)
(j), 44.

- (k) the testing verifying and stamping of weights measures weighing instruments and measuring instruments;
- (l) requiring the owner of any weighing instrument to provide at the expense of such owner such stamped weights and dead weight and such labour as are considered necessary by any inspector for the proper conduct of any verification of such weighing instrument;
- (m) the adjusting of weights and measures;
- (n) prescribing instruments for testing and verifying weights measures weighing instruments and measuring instruments;
- (o) prescribing the method of use and limiting or regulating the use in trade of prescribed weights measures weighing instruments or measuring instruments;
- (p) the marking on weights and measures of their several denominations and on weighing instruments and measuring instruments of their capacities and other markings; and the obliteration of stamps on weights measures weighing instruments and measuring instruments found to be incorrect or not in accordance with the regulations;
- (q) prescribing the denominations of weights and measures permissible for use in trade;
- (r) prescribing the terms and conditions governing the testing verifying or stamping of weights and measures and of weighing instruments and measuring instruments at places other than an inspector's office and the fees to be taken therefor;
- (s) prescribing fees chargeable for testing verifying adjusting or stamping weights measures weighing instruments and measuring instruments;
- (t) the payment of the fees prescribed for the testing verifying adjusting or stamping of weights measures weighing instruments and measuring instruments;
- (u) the classes of weights to be used in or in connexion with prescribed weighing instruments;
- (v) the registration of public weighing instruments and public measuring instruments by the owners thereof; and the licensing of weighmen;
- (w) the conditions to be observed in the giving and taking of weight tickets; and the procedure to be followed in the weighing of goods;

- (x) 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 on demand by a purchaser or an inspector and for preventing frauds in connexion with goods conveyed on vehicles and sold or carried by weight;
- (y) prohibiting the sale of prescribed goods by measure of capacity and prescribing the method by which prescribed classes of goods shall be sold;
- (z) prohibiting the sale by retail of packages of any prescribed classes of goods not of the prescribed net weights or measures;
- (aa) the measuring of firewood and the sale weighing and delivery of coal coke charcoal and firewood, and the provision and use of weighing instruments in connexion therewith;
- (ab) prescribing the distance beyond which coal coke charcoal or firewood is not to be required to be carried for the purpose of being weighed or re-weighed in pursuance of this Act;
- (ac) the production and delivery of tickets invoices or delivery notes in respect of goods sold ordered or purported to be supplied by weight or measure and the information which is to be given on such tickets invoices or delivery notes;
- (ad) prescribing the weights or measures in which prescribed classes of goods shall be manufactured or packed for sale or sold, and the marking of weight or measure on such packages or on labels securely attached thereto and prescribing the form of receptacle to be fitted to or form part of any vehicle carrying any prescribed class of goods for delivery or sale by measure and the method of marking or stamping such receptacles;
- (ae) prescribing that prescribed classes of goods when sold by wholesale by weight or measure shall be sold by net weight or net measure;
- (af) prescribing the weight per bushel of prescribed classes of goods;
- (ag) the method of marking the weight or measure of goods in packages and prescribing classes of goods in packages the weight or measure of which is to be marked;

- (ah) providing for exemptions in pursuance of this Act;
- (ai) prescribing forms for use under this Act (and any forms so prescribed or to the like effect shall be sufficient in law);
- (aj) prescribing any penalty of not more than Twenty pounds for any breach of any regulation; and
- (ak) generally, prescribing any matters or things authorized or required to be prescribed or necessary or expedient to be prescribed for carrying this Act into effect.

Application of regulations.

(2) Regulations under this Act may be of general or specially limited application according to time place trades or circumstances.

Provision for securing co-operation in weights and measures administration.

(3) (a) In order to secure effective co-operation in the administration of Acts and enactments relating to or affecting weights measures and other matters and things which are dealt with by or under this Act, where this Act and any Act or enactment administered in any other Government Department deal with the same or the like subject-matters or contain provisions for the making or approval of regulations or by-laws relating to the same or the like subject-matters, it shall be the duty of the permanent heads (including in the case of a corporation which is a Government Department the chairman thereof) of the several Government Departments concerned before any such regulations or by-laws are made or (as the case may be) submitted to the Governor in Council for his approval to confer with one another so as to secure so far as practicable that the regulations and by-laws shall be uniform and consistent.

(b) The Governor in Council may make regulations for carrying into effect the purposes of this sub-section.

Publication.

(4) All regulations under this Act shall be published in the *Government Gazette* and shall be laid before both Houses of Parliament within fourteen days after the making thereof if Parliament is then sitting and if Parliament is not then sitting then within fourteen days after the next meeting of Parliament; and a copy of all such regulations shall be posted to each member of Parliament.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

Number of Act.	Title of Act.	Extent of Repeal.
4712 ..	<i>Weights and Measures Act 1939</i> ..	So much as is not already or otherwise repealed.
5471 ..	<i>Weights and Measures Act 1950</i> ..	So much as is not already repealed.
5602 ..	<i>Statute Law Revision Act 1951</i> ..	Item in Schedule referring to <i>Weights and Measures Act 1939</i> .
5633 ..	<i>Weights and Measures (Amendment) Act 1952</i>	The whole.
6093 ..	<i>Weights and Measures (Amendment) Act 1957</i>	The whole.

SECOND SCHEDULE.

Section 21, 23.
No. 5471 s. 46.

DENOMINATION OF STANDARDS.

IMPERIAL WEIGHTS AND MEASURES.

Measures of Length.

100 feet	33 feet	1 foot
66 feet	10 feet	
50 feet	1 yard	
1 yard with subdivisions at—	1 inch divided into—	
1 foot	$\frac{1}{16}$ yard	10 equal parts
2 feet	$\frac{1}{8}$ yard	12 equal parts
2½ feet	$\frac{1}{4}$ yard	16 equal parts
	$\frac{1}{2}$ yard	

Measures of Capacity.

Bushel or 8 gallons	Half-gallon	Gill
Half-bushel or 4 gallons	Quart	Half-gill
Peck or 2 gallons	Pint	Quarter-gill
Gallon	Half-pint	
40 fluid ounces	4 fluid drachms	
20 fluid ounces	3 fluid drachms	
10 fluid ounces	2 fluid drachms	
5 fluid ounces	1 fluid drachm	
4 fluid ounces	60 minims subdivided at each	
3 fluid ounces	5 minims down to zero	
2 fluid ounces	10 minims subdivided at each	
1 fluid ounce	minim down to zero	

Weights.

56 pounds	5 pounds	1 ounce
50 pounds	4 pounds	8 drams
28 pounds	2 pounds	4 drams
20 pounds	1 pound	2 drams
14 pounds	8 ounces	1 dram
10 pounds	4 ounces	$\frac{1}{2}$ dram
7 pounds	2 ounces	

SECOND SCHEDULE—continued.

Weights—continued.

4,000 grains	20 grains	0.5 grain
2,000 grains	12 grains	0.3 grain
1,000 grains	10 grains	0.2 grain
500 grains	6 grains	0.1 grain
300 grains	5 grains	0.05 grain
200 grains	4 grains	0.03 grain
100 grains	3 grains	0.02 grain
50 grains	2 grains	0.01 grain
30 grains	1 grain	
500 ounces troy	1 ounce troy	0.002 ounce troy
400 ounces troy	0.5 ounce troy	0.001 ounce troy
300 ounces troy	0.4 ounce troy	240 grains or 10 penny-weights
200 ounces troy	0.3 ounce troy	120 grains or 5 penny-weights
100 ounces troy	0.2 ounce troy	72 grains or 3 penny-weights
50 ounces troy	0.1 ounce troy	48 grains or 2 penny-weights
40 ounces troy	0.05 ounce troy	24 grains or 1 penny-weight
30 ounces troy	0.04 ounce troy	
20 ounces troy	0.03 ounce troy	
10 ounces troy	0.02 ounce troy	
5 ounces troy	0.01 ounce troy	
4 ounces troy	0.005 ounce troy	
3 ounces troy	0.004 ounce troy	
2 ounces troy	0.003 ounce troy	
10 ounces apothecaries	1 ounce apothecaries	1 drachm apothecaries
8 ounces apothecaries	4 drachms apothecaries	2 scruples
6 ounces apothecaries	or $\frac{1}{2}$ ounce apothecaries	$1\frac{1}{2}$ scruples or $\frac{1}{2}$ drachm apothecaries
4 ounces apothecaries	2 drachms apothecaries	1 scruple
2 ounces apothecaries		$\frac{1}{2}$ scruple

METRIC WEIGHTS AND MEASURES.

Measures of Length.

20 metres	Metre	Centimetre
10 metres	Decimetre	Millimetre

Measures of Capacity.

20 litres	0.5 litre	0.01 litre
10 litres	0.2 litre	0.005 litre
5 litres	0.1 litre	0.002 litre
2 litres	0.05 litre	0.001 litre
1 litre	0.02 litre	

NOTE.—The denominations from 0.5 litre down to 0.001 litre may be expressed as appropriate multiples of the millilitre which is the same as 0.001 litre.

Cubic Measures.

1000 cubic centimetres	50 cubic centimetres	2 cubic centimetres
500 cubic centimetres	20 cubic centimetres	1 cubic centimetre
200 cubic centimetres	10 cubic centimetres	
100 cubic centimetres	5 cubic centimetres	

SECOND SCHEDULE—*continued.**Weights.*

20 kilograms	50 grammes	1 decigram
10 kilograms	20 grammes	5 centigrams
5 kilograms	10 grammes	2 centigrams
2 kilograms	5 grammes	1 centigram
1 kilogram	2 grammes	5 milligrams
500 grammes	1 gramme	2 milligrams
200 grammes	5 decigrams	1 milligram
100 grammes	2 decigrams	

Metric Carat Weights.

500 metric carats	10 metric carats	0.2 metric carat
200 metric carats	5 metric carats	0.1 metric carat
100 metric carats	2 metric carats	0.05 metric carat
		0.02 metric carat
50 metric carats	1 metric carat	0.01 metric carat
20 metric carats	0.5 metric carat	0.005 metric carat