

*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. S. MOWLE,  
*For Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 9 February, 1915.*

## New South Wales.



ANNO QUINTO

## GEORGII V REGIS.

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Act No. , 1915.

An Act to provide standards and units, and to declare the law of weights and measures; for the verification and stamping of weights, measures, and weighing and measuring instruments; to regulate the sale of coal and firewood; to repeal the Weights and Measures Act, 1898, and the Sydney Coal Delivery Act, 1901; to amend the Government Railways Act, 1912, the Pure Food Act, 1908, and certain other Acts; and for purposes consequent thereon or incidental thereto.



*Weights and Measures.*

**B**E it enacted by the King's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative Council and Legislative Assembly of New South  
Wales in Parliament assembled, and by the authority of  
5 the same, as follows :—

PART I.

PRELIMINARY.

*Preliminary and repeal.*

**1.** (1) This Act may be cited as the "Weights and Measures Act, 1915," and shall commence and take  
10 effect on and from the first day of June, one thousand  
nine hundred and fifteen.

(2) This Act is divided into Parts, as follows :—

PART I.—PRELIMINARY—*ss.* 1-11.

15 PART II.—STANDARDS AND UNITS—*ss.* 12-21.

PART III.—THE LAW OF WEIGHTS AND MEASURES—*ss.* 22-29.

PART IV.—VERIFICATION AND STAMPING—*ss.* 30-34.

20 PART V.—SALE OF COAL AND FIREWOOD—*ss.* 35-39.

PART VI.—GENERAL AND SUPPLEMENTAL—*ss.* 40-58.

**2.** The Weights and Measures Act, 1898, the Sydney  
25 Coal Delivery Act, 1901, and section thirty-seven of the  
Government Railways Act, 1912, are repealed.

**3.** All members of the police force who are inspectors  
under the Weights and Measures Act, 1898, and who  
hold office at the commencement of this Act, shall be  
30 deemed to be appointed hereunder.

**4.** All copies of standard weights and measures de-  
posited with clerks of petty sessions or other persons  
under the Weights and Measures Act, 1898, shall be  
deemed to be "local standards" within the meaning of  
35 this Act, and with all books, papers, records, weights,  
measures, scales, and other things in the possession of  
any clerk of petty sessions or other person under the said  
Act shall, at the request of the Inspector-General, be  
handed over to such persons as he may appoint.



**5.** This Act shall apply to all weights, measures, and weighing and measuring instruments in use upon any of the railways or tramways, or upon any station, pier, wharf, jetty, or other premises vested in the Chief Commissioner for Railways and Tramways.

**6.** In this Act, unless the context or subject matter Definitions, otherwise indicates,—

- “Coal” means all descriptions of coal, coke, and charcoal.
- “Driver” means any person driving or in charge of a vehicle.
- “Inspector” means inspector of weights and measures appointed under this Act.
- “Inspector General” means Inspector General of Police.
- “Measuring instrument” means any instrument or machine, other than standard measures of extension or capacity, used for measuring any article or any liquid.
- “Package” includes anything in or by which articles are cased, covered, enclosed, contained, or packed.
- “Prescribed” means prescribed by this Act or the regulations.
- “Public weighing instrument” means any weighing instrument open for use by the public, or for the use of which a charge is made.
- “Purchaser” includes person purchasing as agent for any other person.
- “Regulation” means regulation made under this Act.
- “Schedule” means Schedule to this Act.
- “Superintendent” means superintendent appointed under this Act.
- “The court” means the court in or before which the proceedings in question are had.
- “To stamp” means to stamp or otherwise mark in such a manner as to be, as far as practicable, indelible.
- “Vehicle”



*Weights and Measures.*

“Vehicle” means any description of vehicle upon wheels.

5 “Weighing instrument” means weighbridge, weighing machine, scales, balance, steelyard, or other instrument for weighing, and includes the weights belonging thereto.

“Weighman” means the person in charge of a public weighing instrument.

*Administration.*

10 **7.** Subject to the control of the Minister, this Act shall be administered by the Inspector-General, a superintendent, and inspectors. Inspector-General of Police to administer.

**8.** The Governor shall appoint the superintendent, who, when so appointed, shall be a superintendent of police. The Inspector-General shall appoint the inspectors from the members of the police force. Appointment of superintendent and inspectors.

**9.** The superintendent, subject to the control of the Inspector-General, shall control the inspectors in the performance of their duties under this Act. Superintendent to control inspectors.

20 **10.** Whenever the superintendent is absent from his duties by reason of illness or other cause the Inspector-General may appoint a deputy, and during such absence such deputy shall have the powers and shall perform the duties of, and for the purposes of this Act be deemed to be, the superintendent. Absence of the superintendent.

**11.** A superintendent or inspector shall not derive any profit from or be employed in making, adjusting, or selling weights, measures, or weighing instruments: Superintendent or inspector not to derive profit from making, adjusting, or selling weights or measures.

30 Provided that, with the approval of the Inspector-General, an inspector may, outside the metropolitan police district, adjust any weight submitted to him for verification and charge a fee for the same, but in no case shall this be done without sufficient cause; such fee shall be as prescribed in Schedule A.



*Weights and Measures.*

PART II.

STANDARDS AND UNITS.

*Standards.*

**12.** The weights and measures now deposited in the Treasury shall, respectively, until removed therefrom for the purpose of substituting standards to be provided in pursuance of the following sections, be standard weights and measures of New South Wales:

Standards  
now in  
Treasury.

**13.** Specimens of weights and measures of the standard of the United Kingdom of Great Britain and Ireland, as described in Schedule B, shall be provided by the Minister and deposited in the Treasury by the authority of the Governor; such weights and measures shall, subject to this Act, be standard weights and measures of New South Wales.

Standards in  
Schedule B to  
be provided.

**14.** If any standard weight or measure is lost, destroyed, defaced, or injured, another weight or measure of the same standard shall, with the approval of the Governor, be provided by the Minister in place of the one so lost, destroyed, defaced, or injured. Such weight or measure shall be deposited in the Treasury, and shall, subject to this Act, be a standard weight or measure of New South Wales.

Replacing  
standards  
lost,  
destroyed,  
defaced, or  
injured.

**15.** The Governor, by proclamation in the Gazette, may declare that any standard of New South Wales shall cease to be such standard, and may revoke or alter any such proclamation.

When stand-  
ards cease to  
be standards.

**16.** The Governor may cause such new denominations of standards as may appear to him to be required in addition to those hereinbefore in this Act mentioned to be provided and deposited in the Treasury, and may prescribe the fees for adjusting, testing, verifying, and stamping the same. Such new denominations of standards when proclaimed by the Governor in the Gazette shall be standard weights and measures of New South Wales.

New denomi-  
nations of  
standards.

*Departmental*



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*Weights and Measures.*

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*Departmental standards.*

**17.** The Minister shall provide copies of the standard weights and measures of New South Wales. Such copies shall be verified as prescribed with the standards in the Treasury, and shall be known as the "departmental standards," and be deposited in the office of the superintendent.

Departmental standards shall be renewed when necessary.

10 *Local standards.*

**18.** (1) The Minister shall provide such copies of the departmental standards as may be necessary.

Each such copy, except where its size renders it impracticable, shall be legibly stamped with such letters and figures as are commonly used to signify the name or mark of the Sovereign, together with "S.W." for standard weight or "S.M." for standard measure, as the case may be, and the denomination of such weight or measure.

20 (2) Such copies shall be known as "local standards," and, after being verified as prescribed with the departmental standards, shall be transmitted to the inspectors, and shall be safely and securely kept by them.

**19.** A local standard of weight shall not be deemed legal nor be used for the purposes of this Act unless it has been verified or reverified within ten years before the time at which it is used.

*Falsifying standard.*

**20.** Any person who falsifies, injures, or destroys any standard shall be liable to a penalty not exceeding one hundred pounds.

*Units.*

**21.** The units of weight and measure shall be those described in Schedule C.



*Weights and Measures.*

## PART III.

## THE LAW OF WEIGHTS AND MEASURES.

*Sale of goods.*

**22.** (1) Every contract, bargain, sale, purchase, or  
 5 dealing made or had in New South Wales for any work,  
 goods, wares, or merchandise, or other thing which has  
 been or is to be done, sold, purchased, delivered, carried,  
 or agreed for by weight or measure, shall be deemed to  
 be made and had according to the standard weights or  
 10 measures ascertained by this Act, or to some multiple or  
 part thereof, and if not so made or had shall be void.  
 All tolls or duties charged or collected according to  
 weight or measure shall be charged and collected  
 according to one of the abovementioned standards, or to  
 15 some multiple or part thereof.

Contracts and  
 sales to be  
 according to  
 standard  
 weights and  
 measures.  
 Act, 1878,  
 s. 19.  
 41 & 42 Vic.,  
 c. 49, s. 19.

Such contract, bargain, sale, purchase, or dealing and  
 collection of tolls or duties as is in this section mentioned  
 is in this Act referred to under the term "trade."

Definition of  
 "trade."

(2) No person shall sell or buy by any denomina-  
 20 tion of weight or measure other than the standard  
 weights or measures, or some multiple or part thereof.

Sale to be by  
 standards.

(3) This section shall not apply to a contract,  
 bargain, sale, purchase, or dealing in connection with  
 the importation or export of goods, wares, or merchandise  
 25 from or to a country where other than the standard  
 weights or measures, ascertained by this Act, are used.

Foreign  
 contracts  
 and sales.

**23.** (1) All articles sold by weight shall be sold by  
 avoirdupois weight, except that—

Articles to be  
 sold by  
 avoirdupois.

30 (a) gold, silver, and articles made thereof, platinum,  
 and other precious metals may be sold by the  
 ounce troy, or by any decimal part of such  
 ounce, or by pennyweights or grains;

Act, 1878,  
 s. 20.

(b) diamonds and other precious stones shall be  
 35 sold by the metric carat, or by any decimal  
 part of such carat; and

(c) drugs, when sold by retail, may be sold by  
 apothecaries weight.

(2) All contracts, bargains, sales, and dealings  
 in relation thereto shall be deemed to be made and had  
 40 by such weights and, where so made or had, shall be  
 valid.

**24.**



*Weights and Measures.*

**24.** In any contract for the sale by the bushel of any articles mentioned in Schedule E, the bushel shall be determined by weighing; the weight equivalent to a bushel of any such article being that stated in the said  
5 Schedule.

Weight of  
bushel.  
(Canada.)

**25.** (1) No person shall sell by retail any article by weight or measure unless by net weight or measure.

Sale by net  
weight or  
measure.

(2) Every person delivering to any purchaser, at any place other than the premises of the seller, any  
10 article so sold, shall deliver an invoice or delivery note showing the net weight or measure of such article, provided that this shall not apply to bread, or to any article weighed or measured at the premises of the purchaser.

Invoices and  
delivery  
notes.

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

Package of  
goods to have  
weight or  
measure  
printed  
thereon.

20 But this subsection shall not apply to articles weighed or measured, before or at the time of sale, in the presence of the purchaser.

(4) This section shall not apply to any article—

Exemptions.

(a) exempted by the regulations; or

25 (b) exposed for sale or sold by weight in a package if the weight of such article is subject to variation by reason of climatic influences, and the package bears a conspicuous label or inscription showing the words "Net weight  
30 when packed", together with such weight.

(5) In the case of any liquors paying excise or customs duties, the measures set forth in any Act dealing with such liquors shall be held to satisfy the requirements of this section in regard to measure.

Liquors.

35 (6) Weights and measures closely approximating those indicated on the invoice or delivery note, label, or inscription will be allowed, when and as prescribed by regulations under this Act, either generally or with respect to particular articles.

Approximate  
weights and  
measures.

(7)



*Weights and Measures.*

(7) This section shall not take effect until the expiration of one year from the commencement of this Act.

Postpone-  
ment of  
operation of  
section.

**26.** Where the net weight or measure of an article sold is stated in an invoice or delivery note, or is written or printed on a package enclosing the article, and such net weight or measure is not correctly so stated, written, or printed, the seller shall be guilty of an offence against this Act :

Where net  
weight or  
measure is  
not correctly  
stated.

10 Provided that in any prosecution for a contravention of this section it shall be sufficient defence if the seller—

(a) produces from the person from whom he purchased such article a written guarantee that the weight or measure written or printed on the package is correct; and

15 (b) proves that he sold such article in the same state as when purchased by him,

subject to the following conditions—

(c) that the person giving the guarantee must be resident in New South Wales, or, if a company, must have a registered office in New South Wales; and

20 (d) the guarantee must state the name and the place of business of the guarantor, and the name under which he trades.

25 The form of guarantee under this section may be prescribed by regulation.

Any person who gives a guarantee which is false, shall in addition to the penalty for the sale of any articles in contravention of this Act, be guilty of an offence against this Act.

**27.** (1) Where any person in a shop or other place, or in any vehicle, pack, basket, or other receptacle, offers or exposes for sale, by retail, by weight or measure, any article, he shall have in a convenient place, capable of being easily seen by the purchaser, a suitable weighing instrument or measure, with the necessary weights for weighing such article; and shall, at the request of a purchaser of any such article sold by retail, by weight or measure, weigh or measure it in the presence of the purchaser.

Provision for  
weighing or  
measuring.

(2)



*Weights and Measures.*

(2) If the article is less than the due weight or measure, the person selling the same shall be guilty of an offence against this Act.

**28.** No person shall, by means of words, description, False declaration as to measures, weights, &c.  
 5 or other indication, direct or indirect, make any false declaration or statement, or wilfully mislead any person as to the number, quantity, measure, gauge, or weight of any articles sold or delivered by him, or sell or cause to be sold or delivered anything by weight or measure  
 10 short of the quantity ordered or purchased.

**29.** Where any fraud is wilfully committed in the Fraud in using weight or measure.  
 using of any weight, measure, or weighing or measuring instrument, the person committing such fraud, and Act, 1878, s. 26.  
 every person party to the fraud, shall be guilty of an  
 15 offence against this Act, and the weight, measure, or instrument shall be seized.

## PART IV.

## VERIFICATION AND STAMPING.

**30.** (1) Every weight, measure, and weighing or Verification and stamping.  
 20 measuring instrument used for trade, not being a weight, measure, or instrument exempted by the regulations shall be stamped with a mark of verification in pursuance of this Act.

(2) Provided that—

25 (a) for the purposes of this section, a weight or measure duly verified and stamped in pursuance of the Act hereby repealed shall, if it is correct, be deemed, for the period of one year from the commencement of this Act, to be stamped with a mark of verification in pursuance of this  
 30 Act; and

(b) the operation of this section is suspended for one year from the commencement of this Act

in



*Weights and Measures.*

in the case of weighing and measuring instruments which, before such commencement, might lawfully have been used without being stamped as aforesaid, if the same are correct.

5 **31.** (1) Every weight, measure, and weighing or measuring instrument used for trade, not being a measure made of glass, shall be produced at the office of an inspector, and reverified and stamped every two years. Reverification and re-stamping.

(2) Provided that the Governor, by regulation, may exempt from the operation of this section, subject to such conditions as he may impose, any places named therein which are situated at a greater distance than twenty miles from the office of an inspector.

(3) Provided also that the Governor may make regulations for the more frequent reverification and stamping of spring balances, computing scales, and weighbridges, and of weighing or measuring instruments for which a charge is made for use by the public, and of weighing instruments used at collieries. Such regulations may require the owners of such weighing instruments to provide such stamped weights and such labour as the inspector considers necessary for the proper conduct of such verification.

(4) In the case of a weighing or measuring instrument which, by reason of its being fixed or of its being so heavy that it cannot conveniently be moved, it shall be a sufficient compliance with this section if arrangements are made to the satisfaction of an inspector for the reverification and stamping of the instrument within the period prescribed.

**32.** No person shall use, or have in his possession for use for trade, any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust. Penalty for using unstamped weights, &c.

35 **33.** No person shall use for trade any weight, measure, or weighing or measuring instrument which has become defective in consequence of wear or accident, or has been mended or repaired, until the same has been re-stamped. Any person mending or repairing such defective weight, measure, or instrument shall destroy any existing stamp thereon. Using defective or repaired weights, &c., until re-stamped.



*Weights and Measures.*

**34.** The fees for testing, verifying, or stamping weights, measures, and weighing or measuring instruments shall be those prescribed in Schedule D.

Fees for  
verifying and  
stamping.

## PART V.

## 5 SALE OF COAL AND FIREWOOD.

- 35.** All coal and firewood shall be sold by weight, provided that in the case of quantities exceeding five hundredweights, if the written consent of the purchaser be obtained, it may be sold otherwise as agreed.
- 10 **36.** The driver of any vehicle conveying coal or firewood in quantities exceeding five hundredweights, which the purchaser has agreed shall be sold otherwise than by weight, shall carry the purchasers written consent to such sale, and shall produce it on demand to any inspector.
- 15 **37.** The last two preceding sections, so far as they relate to firewood, shall apply only to the metropolitan and Parramatta police districts, but may be extended to such other places as the Governor, by proclamation, may notify.
- 38.** No person shall—
- 20 (a) sell coal or firewood by description which is false as to the sort of coal or firewood sold; or
- (b) sell or deliver wet coal or firewood with intent to defraud the purchaser as to the weight of coal or firewood sold or delivered; or
- 25 (c) sell or deliver coal or firewood short of the quantity purchased, or of the quantity purported to be sold or delivered; or
- (d) make any false statement as to the weight of any coal or firewood; or
- 30 (e) being in charge of a vehicle, wilfully make any false statement as to the tare weight of the vehicle, or wilfully do any act by which either the seller or purchaser of any coal or firewood is defrauded.
- 35 **39.** The Governor may make regulations for any of the subjects following:—
- (a) The sale, weighing, and delivery of coal and firewood, and the provision and use of weighing instruments in connection therewith.

Sale to be  
by weight  
unless by  
consent of  
purchaser.

Written  
consent of  
purchaser to  
be produced.

Application  
of last two  
preceding  
sections.

Fraudulent  
sales.

English Act,  
1889, s. 23.

Regulations.

(b)



*Weights and Measures.*

- (b) The issue by sellers, to drivers of vehicles conveying coal or firewood, of weight tickets, and the carrying and production of such tickets and delivery of same to purchasers.
- 5 (c) The weighing of any vehicle conveying coal or firewood, or the load thereon, or any part of such load, on demand by a purchaser or an inspector.
- 10 (d) Generally for other matters for carrying out the provisions of this Part.
- (e) For imposing a penalty not exceeding ten pounds for any breach of any regulation.

## PART VI.

## GENERAL AND SUPPLEMENTAL.

15 *Inspection.*

- 40.** (1) Any inspector may at all reasonable times— Inspection of weights, measures, and instruments.
- (a) enter any building or place, or stop and inspect any vehicle wherein or in connection with which weights, measures, or weighing or measuring instruments are used for trade;
- 20 (b) inspect any weights, measures, or weighing instruments in the possession of any person having a pack, basket, or other receptacle containing articles for sale; and
- 25 (c) examine and test such weights, measures, and weighing or measuring instruments.
- (2) Any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust, may be
- 30 seized by an inspector. Seizure.

- 41.** Any inspector may at all reasonable times enter any building or place, and stop and inspect any vehicle, or inspect any pack, basket, or other receptacle, and any article therein kept or exposed for sale in a package, and
- 35 weigh or cause the article to be weighed or measured in the presence of the person in charge of the same, and may seize any article in respect of which a contravention of this Act has been committed. **42.** Inspection of articles in packages.



*Weights and Measures.*

**42.** Any person who hinders or obstructs any in-  
 spector in the execution of his duty under this Act, or  
 who does not, when requested by such inspector, produce  
 all weights, measures, or weighing or measuring instru-  
 5 ments in his possession for examination or testing, shall  
 be guilty of an offence against this Act.

Obstruction  
of inspector.

*Unjust weights, measures, or weighing instruments.*

**43.** (1) No person shall—

Forged  
stamp.

10 (a) forge or counterfeit or unlawfully have in his  
 possession any stamp used for stamping under  
 this Act or under the Act hereby repealed  
 any weight, measure, or weighing or measuring  
 instrument, or in any way alter or tamper with  
 15 any weight, measure, or weighing or measuring  
 instrument which has been so stamped, so as  
 to cause it to weigh or measure unjustly ;

Act, 1878,  
s. 32; Act,  
1889, s. 1.

20 (b) knowingly use, sell, dispose of, or expose for  
 sale any weight, measure, or weighing or  
 measuring instrument, with such forged or  
 counterfeit stamp thereon, or any weight,  
 measure, or weighing or measuring instrument  
 so altered or tampered with ;

Weight, mea-  
sure, or instru-  
ment, with  
forged stamp.  
Act, 1878, s. 2 ;  
Act, 1889, s. 1.

25 (c) wilfully or knowingly make, or sell, or cause  
 to be made or sold, any weight, measure, or  
 weighing or measuring instrument which is  
 false or unjust ;

False or unjust  
weight, mea-  
sure, or instru-  
ment.  
Act, 1878, s. 25.

30 (d) increase or diminish any stamped weight or  
 measure, or use, sell, dispose of, or expose for  
 sale any such 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.

Increasing or  
diminishing  
stamped  
weight or  
measure.

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

Contract in  
reference to  
false weight or  
measure.

*Penalties.*



*Weights and Measures.*

*Penalties.*

**44.** Any person who contravenes or is guilty of an Penalties.  
offence against this Act, for which no specific penalty  
is in this Act provided, shall on conviction be liable to  
5 a penalty not exceeding twenty pounds.

**45.** Any weights, measures, or weighing or measuring Forfeiture.  
instruments in connection with which any contravention  
of or offence against this Act was committed may on  
conviction of any person guilty of such contravention  
10 or offence be forfeited to His Majesty, and may be  
disposed of as the court directs.

**46.** Where a person is convicted of a second or sub- Imprison-  
ment for  
fraud.  
English Act,  
1889, s. 4.  
sequent contravention of or offence against this Act, and  
the court by which he is convicted is of opinion that such  
15 contravention or 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 not exceeding  
three months.

*Procedure.*

20 **47.** Penalties and forfeitures under this Act may be Recovery of  
penalties.  
imposed, recovered and enforced in any court of petty  
sessions.

**48.** No proceeding or conviction for any offence Conviction not  
to affect civil  
remedy.  
punishable under this Act shall prejudice any civil  
25 proceedings.

**49.** This Act shall not exempt any person from any This Act not  
to exempt  
person from  
indictment.  
indictment or other proceeding for an offence which is  
punishable at common law or under some other Act, but  
so that no person be punished twice for the same offence.

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

**51.** Proceedings for a penalty for a contravention Proceedings  
against  
corporations.  
of this Act by a corporation or incorporated company  
may be taken against any person who is the manager

or



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or who acts in the management of such corporation or company, and such person shall be personally liable in such proceedings for such contravention.

5 **52.** If 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. Costs or failure of prosecution.

10 **53.** In 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 defendant was convicted, or in connection with the proceedings to secure such conviction. Costs on conviction.

15 **54.** In any proceedings under this Act, any printed paper purporting to be regulations made by the Governor under this Act, and to be printed by the Government Printer, shall be evidence that the regulations in the words printed in such paper were duly made and published under this Act. Evidence of regulations.

20 **55.** One-half of any penalty imposed under this Act shall be placed to the credit of the Consolidated Revenue, and one-half to the credit of the Police Superannuation and Reward Fund. Penalty imposed.

*Fees.*

25 **56.** All fees received by an inspector in pursuance of this Act shall be accounted for by him, and paid into the Treasury and carried to the Consolidated Revenue Account. Fees to be paid into Treasury.

*Regulations.*

30 **57.** The Governor may make regulations for any of the subjects following :— Regulations (Canada and Board of Trade).

(a) The guidance of the superintendent and inspectors in the performance of their duties. Superintendent and inspectors.

35 (b) The fixing of times and places for the submitting for verification and the verifying and stamping of weights, measures, and weighing or measuring instruments.

40 (c) The conditions for the supply, custody, care, and verification of departmental and local standards, and the certifying of such verification. Local standards.  
(d)



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- (d) The amount of error which may be tolerated in weights, measures, and weighing or measuring instruments. Tolerance of error.
- 5 (e) The shapes, dimensions, and proportions to be required in weights, measures, and weighing or measuring instruments, and the materials of which they shall be made. Particulars of weights, measures, and instruments.
- 10 (f) Defining and specifying what weights, measures, and weighing or measuring instruments shall, or shall not, be admitted to verification, and the tests to be applied to ascertain their accuracy and efficiency. What weights, measures, and instruments may be verified.
- 15 (g) Limiting the purposes or trades for or in which certain weights, measures, weighing or measuring instruments may lawfully be used, and prescribing the class of weighing or measuring instruments which are to be used in certain trades. Limitation of use of instruments.
- 20 (h) The testing, verifying, and stamping of weights, measures, and weighing or measuring instruments, and the adjusting of weights. Testing, verification, and stamping.
- (i) Prescribing the instruments for testing and verifying weights, measures, and weighing or measuring instruments.
- 25 (j) The marking on weights and measures of their several denominations, and on weighing and measuring instruments of their capacities and other markings. The obliteration of stamps on weights, measures, and weighing or measuring instruments found to be incorrect or not in accordance with these regulations. Markings on weights and measures.
- 30 (k) The payment of the fees prescribed for the testing, verifying, adjusting, or stamping of weights, measures, and weighing or measuring instruments. Fees for inspection.
- 35 (l) The classes of weights to be used on certain weighing instruments. Classes of weights on certain machines.
- 40 (m) The registration by owners or lessees of public weighing or measuring instruments, and the examination and licensing of weighmen, and generally for their supervision and control.



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*Weights and Measures.*

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- 5 (n) The regulation of the taking of tare weights of any vehicle used for the conveyance of goods sold or carried by weight; the issue and production of tickets showing such weight, or the weight of the loading on such vehicle, or the weight of the loading and the vehicle; providing for such weighing by an inspector, and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight.
- 10 (o) Prohibiting the sale of certain goods by measure of capacity.
- (p) Providing for exemptions in pursuance of this Act.
- 15 (q) The method of marking upon articles their weight or measure.
- (r) Generally for other matters for carrying out the provisions of this Act. General matters.
- 20 (s) For imposing any penalty not exceeding ten pounds for any breach of any regulation. Penalty.
- 58.** All regulations made under this Act shall be published in the Gazette, and shall, within fourteen days after such publication, be laid before Parliament if then in session, and, if not, then within fourteen days after the next ensuing session; and, upon such publication, if not disallowed by either House of Parliament by resolution of which notice is given within fourteen sitting days after such regulations have been laid before such House, such regulations shall be of the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever. Regulations to be published Gazette.



*Weights and Measures.*

## SCHEDULES.

## SCHEDULE A.

## FEES FOR ADJUSTING WEIGHTS.

<i>Avoirdupois.</i>			<i>Troy and Apothecaries.</i>		
	Each weight.			Each weight.	
5	56 lb. to 1 oz.	... 6d.	500 oz. to 1 oz.	... 1s.	

Slip weights on weighing instruments ... 6d. each weight.

An inspector is not required to adjust weights of a less denomination  
10 than shown in this Schedule.

## SCHEDULE B.

## STANDARDS.

## WEIGHTS.

*Avoirdupois.*

15	56 lb., or $\frac{1}{2}$ cwt.	4 oz. or $\frac{1}{4}$ lb.
	28 " or $\frac{1}{4}$ "	2 "
	14 "	1 "
	7 "	8 drams or $\frac{1}{2}$ oz.
	4 "	4 " or $\frac{1}{4}$ "
20	2 "	2 "
	1 "	1 dram
	8 oz or $\frac{1}{2}$ lb.	$\frac{1}{2}$ "

*Decimal grain (Avoirdupois)*

	4,000 grains	3 grains
25	2,000 "	2 "
	1,000 "	1 grain
	500 "	.5 "
	300 "	.3 "
	200 "	.2 "
30	100 "	.1 "
	50 "	.05 "
	30 "	.03 "
	20 "	.02 "
	10 "	.01 "
35	5 "	

*Troy.*



*Weights and Measures.*

<i>Troy</i>		
5	500 ounces	·5 ounce
	300 "	·3 "
	200 "	·2 "
	100 "	·1 "
	50 "	·05 "
	30 "	·03 "
10	20 "	·02 "
	10 "	·01 "
	5 "	·005 "
	3 "	·003 "
	2 "	·002 "
	1 ounce	·001 "

*Pennyweights and grains (Troy).*

15	240 grains, commonly called 10 pennyweights or $\frac{1}{2}$ oz.	6 grains
	120 " " 5 " " $\frac{1}{4}$ "	5 "
	72 " " 3 " "	4 "
	48 " " 2 " "	3 "
	24 " " 1 " "	2 "
20	12 " " $\frac{1}{2}$ "	1 grain

*Apothecaries'.*

25	1 ounce	10 grains, or $\frac{1}{2}$ scruple
	4 drachms, or $\frac{1}{2}$ ounce	6 "
	2 " or $\frac{1}{4}$ ounce	5 "
	1 " "	4 "
	2 scruples	3 "
	$1\frac{1}{2}$ " or $\frac{1}{2}$ drachm	2 "
30	1 scruple	1 grain
		$\frac{1}{2}$ "

*METRIC CARAT.*

35	500 carats	5 carats	·05 carat
	200 "	2 "	·02 "
	100 "	1 carat	·01 "
	50 "	·5 "	·005 "
	20 "	·2 "	
	10 "	·1 "	

*MEASURE OF EXTENSION.*

Yard, 2 feet, 1 foot, 1 inch.

MEASURES



*Weights and Measures.*

## MEASURES OF CAPACITY.

	10 gallons		<i>Apothecaries' measures.</i>
	8 gallons or 1 bushel		40 fluid ounces to 1 ounce
	5 "		16 fluid drachms to $\frac{1}{2}$ drachm
5	4 " or $\frac{1}{2}$ "		60 minims to 1 minim
	3 "		
	2 " or peck		
	Gallon		
	Half gallon		
10	Quart		
	Pint		
	Half pint		
	Gill or $\frac{1}{4}$ -pint		
	Half gill		
15	Quarter gill		

## SCHEDULE C.

## UNITS OF WEIGHT AND MEASURE.

*Measures of weight.*

20 The standard pound shall be the legal standard measure of weight, English Act.  
and of measure having reference to weight, and shall be the only unit  
or standard measure of weight from which all other weights, and all  
measures having reference to weight, shall be ascertained.

One-sixteenth part of the standard pound shall be an ounce, and *Ibid.*  
one-sixteenth part of such ounce shall be a dram, and one seven-  
25 thousandth part of the standard pound shall be a grain.

A hundredweight shall consist of one hundred and twelve pounds, English and  
and a ton shall consist of twenty such hundredweights. New South Wales Act.

30 Provided that a ton of flour, bran, pollard, sharps, semolina, wheat-  
meal, or other milled product of wheat shall consist of 2,000 pounds.  
Four hundred and eighty grains shall be an ounce troy or apothecaries.

*Measures of capacity.*

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

The quart shall be the fourth part of the gallon, and the pint shall  
be the eighth part of the gallon. Two gallons shall be a peck, and  
40 eight gallons shall be a bushel, and eight such bushels shall be a  
quarter.

*Measures of length.*

The standard yard shall be the only unit or standard measure of *Ibid.*  
extension, from which all other measures of extension, whether linear,  
45 superficial, or solid, shall be ascertained. One-third



*Weights and Measures.*

One-third of the standard yard shall be a foot, and the twelfth part English Act. of such foot shall be an inch, and the rod, pole, or perch in length shall be five such yards and a half; and the chain shall contain twenty-two such yards, and the mile one thousand seven hundred and sixty such 5 yards.

The rood of land shall contain one thousand two hundred and ten *Ibid.* square yards, according to the standard yard, and the acre of land shall contain four thousand eight hundred and forty such square yards, being one hundred and sixty square rods, poles, or perches.

10

SCHEDULE D.

FEES TO BE PAID FOR TESTING, VERIFYING, OR STAMPING WEIGHTS AND MEASURES AND WEIGHING OR MEASURING INSTRUMENTS.

*Weights.*

Avoirdupois.				Troy and Apothecaries.			
15	56 lb.	...	...	...	6d.	each	
	28 "	...	...	...	4d.	"	
	14 "	...	...	...	3d.	"	
	7 "	to 1 lb.	...	...	2d.	"	
20	8 oz.	or under	...	...	1d.	"	
				Over 100 oz.	...	1s.	each
				100 to 10 oz.	...	6d.	"
				5 oz. or under	...	3d.	"
				240 grains or under..	3d.	"	
				Decimal grains,	3d.	each	
					weight.		

*Measures of capacity.*

	10 gallons	..	...	...	...	1s.	each
	8 gallons or 1 bushel	...	...	...	...	1s.	"
	5 gallons	...	...	...	...	1s.	"
25	4 gallons or $\frac{1}{2}$ bushel	...	...	...	...	9d.	"
	3 gallons	...	...	...	...	9d.	"
	2 gallons or 1 peck	...	...	...	...	6d.	"
	1 gallon	...	...	...	...	4d.	"
	Half gallon	...	...	...	...	3d.	"
30	Quart or under	...	...	...	...	2d.	"

Subdivided measures shall be charged for each subdivision at the rate prescribed for measures of similar capacity.

Apothecaries' measures, 6d. each.

*Measures of extension.*

35	One yard, 2 feet, 1 foot, 1 inch	...	...	3d.	each
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*Weighing*



*Weights and Measures.**Weighing instruments.*

	Weighbridges and crane weighing machines	...	£1 1s. each.
	Weighing instruments (dormant)	... ..	15s. each.
	Weighing machines, steelyards, balances and		
5	spring scales, capacity 14 lb. and under	...	1s. each.
	" " over 14 lb. to 1 cwt.	...	2s. "
	" " over 1 cwt.	...	6d. for each additional cwt., or part thereof.
	Computing scales, 10 lb. and under	...	2s. 6d. each.
10	" " over 10 lb. to 150 lb.	...	5s. "
	" " over 150 lb.	...	1s. for each additional cwt., or part thereof.

These fees include the stamping of one set of proportional weights where such are used ; duplex sets to be charged half above fees.

- 15 One-half above fees to be chargeable for weights, measures, or weighing instruments tested and rejected as incorrect or otherwise unsuitable.

In the case of weighing instruments graduated in centals, read "100 lb." in place of "1 cwt."

- 20 For the testing for verification of weighing or measuring instruments at premises outside the inspector's office, owners shall provide cartage for necessary weights, and labour to handle same, and shall pay an additional mileage fee in accordance with the regulations.

## SCHEDULE E.

	Article.	WEIGHTS FOR BUSHEL.					Weight.
	Amber cane	...	...	...	...	...	60 lb.
	Barley	...	...	...	...	...	50 "
	Beans	...	...	...	...	...	60 "
30	Bran	...	...	...	...	...	20 "
	Broom corn	...	...	...	...	...	50 "
	Buckwheat	...	...	...	...	...	50 "
	Clover, red or white	...	...	...	...	...	20 "
	Grasses—couch, cocksfoot, paspalum, rib, rye	...	...	...	...	...	20 "
35	Hungarian millet	...	...	...	...	...	60 "
	Imphee	...	...	...	...	...	60 "
	Lucerne	...	...	...	...	...	20 "
	Maize	...	...	...	...	...	56 "
	Oats	...	...	...	...	...	40 "
40	Planter's friend	...	...	...	...	...	60 "
	Peas	...	...	...	...	...	60 "
	Pollard	...	...	...	...	...	20 "
	Rye corn	...	...	...	...	...	60 "
	Sorghum	...	...	...	...	...	60 "
45	Tares or vetches	...	...	...	...	...	60 "
	Wheat (seed)	...	...	...	...	...	60 "







New South Wales.



ANNO QUINTO

GEORGII V REGIS.

\*\*\*\*\*

Act No. 10, 1915.

An Act to provide standards and units, and to declare the law of weights and measures; for the verification and stamping of weights, measures, and weighing and measuring instruments; to regulate the sale of coal and firewood; to repeal the Weights and Measures Act, 1898, and the Sydney Coal Delivery Act, 1901; to amend the Government Railways Act, 1912, the Pure Food Act, 1908, and certain other Acts; and for purposes consequent thereon or incidental thereto. [Assented to, 22nd February, 1915.]



*Weights and Measures.*

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

## PART I.

## PRELIMINARY.

*Preliminary and repeal.*

Short title.

**1.** (1) This Act may be cited as the “Weights and Measures Act, 1915,” and shall commence and take effect on and from the first day of June, one thousand nine hundred and fifteen.

(2) This Act is divided into Parts, as follows :—

PART I.—PRELIMINARY—*ss.* 1–11.

PART II.—STANDARDS AND UNITS—*ss.* 12–21.

PART III.—THE LAW OF WEIGHTS AND MEASURES—*ss.* 22–29.

PART IV.—VERIFICATION AND STAMPING—*ss.* 30–34.

PART V.—SALE OF COAL AND FIREWOOD—*ss.* 35–39.

PART VI.—GENERAL AND SUPPLEMENTAL—*ss.* 40–58.

Repeal.

**2.** The Weights and Measures Act, 1898, the Sydney Coal Delivery Act, 1901, and section thirty-seven of the Government Railways Act, 1912, are repealed.

Savings.

**3.** All members of the police force who are inspectors under the Weights and Measures Act, 1898, and who hold office at the commencement of this Act, shall be deemed to be appointed hereunder.

Transfer of copies of standards.

**4.** All copies of standard weights and measures deposited with clerks of petty sessions or other persons under the Weights and Measures Act, 1898, shall be deemed to be “local standards” within the meaning of this Act, and with all books, papers, records, weights, measures, scales, and other things in the possession of any clerk of petty sessions or other person under the said Act shall, at the request of the Inspector-General, be handed over to such persons as he may appoint.



*Weights and Measures.*

**5.** This Act shall apply to all weights, measures, and weighing and measuring instruments in use upon any of the railways or tramways, or upon any station, pier, wharf, jetty, or other premises vested in the Chief Commissioner for Railways and Tramways.

Application  
of Act to  
railways and  
tramways.

*Definitions.*

**6.** In this Act, unless the context or subject matter otherwise indicates,—

Definitions.

“Coal” means all descriptions of coal, coke, and charcoal.

“Driver” means any person driving or in charge of a vehicle.

“Inspector” means inspector of weights and measures appointed under this Act.

“Inspector General” means Inspector General of Police.

“Measuring instrument” means any instrument or machine, other than standard measures of extension or capacity, used for measuring any article or any liquid.

“Package” includes anything in or by which articles are cased, covered, enclosed, contained, or packed.

“Prescribed” means prescribed by this Act or the regulations.

“Public weighing instrument” means any weighing instrument open for use by the public, or for the use of which a charge is made.

“Purchaser” includes person purchasing as agent for any other person.

“Regulation” means regulation made under this Act.

“Schedule” means Schedule to this Act.

“Superintendent” means superintendent appointed under this Act.

“The court” means the court in or before which the proceedings in question are had.

“To stamp” means to stamp or otherwise mark in such a manner as to be, as far as practicable, indelible.

“Vehicle”



*Weights and Measures.*

“Vehicle” means any description of vehicle upon wheels.

“Weighing instrument” means weighbridge, weighing machine, scales, balance, steelyard, or other instrument for weighing, and includes the weights belonging thereto.

“Weighman” means the person in charge of a public weighing instrument.

*Administration.*

Inspector-General of Police to administer.

**7.** Subject to the control of the Minister, this Act shall be administered by the Inspector-General, a superintendent, and inspectors.

Appointment of superintendent and inspectors.

**8.** The Governor shall appoint the superintendent, who, when so appointed, shall be a superintendent of police. The Inspector-General shall appoint the inspectors from the members of the police force.

Superintendent to control inspectors.

**9.** The superintendent, subject to the control of the Inspector-General, shall control the inspectors in the performance of their duties under this Act.

Absence of the superintendent.

**10.** Whenever the superintendent is absent from his duties by reason of illness or other cause the Inspector-General may appoint a deputy, and during such absence such deputy shall have the powers and shall perform the duties of, and for the purposes of this Act be deemed to be, the superintendent.

Superintendent or inspector not to derive profit from making, adjusting, or selling weights or measures.

**11.** A superintendent or inspector shall not derive any profit from or be employed in making, adjusting, or selling weights, measures, or weighing instruments:

Provided that, with the approval of the Inspector-General, an inspector may, outside the metropolitan police district, adjust any weight submitted to him for verification and charge a fee for the same, but in no case shall this be done without sufficient cause; such fee shall be as prescribed in Schedule A.



*Weights and Measures.*

PART II.

STANDARDS AND UNITS.

*Standards.*

**12.** The weights and measures now deposited in the Treasury shall, respectively, until removed therefrom for the purpose of substituting standards to be provided in pursuance of the following sections, be standard weights and measures of New South Wales.

Standards  
now in  
Treasury.

**13.** Specimens of weights and measures of the standard of the United Kingdom of Great Britain and Ireland, as described in Schedule B, shall be provided by the Minister and deposited in the Treasury by the authority of the Governor; such weights and measures shall, subject to this Act, be standard weights and measures of New South Wales.

Standards in  
Schedule B to  
be provided.

**14.** If any standard weight or measure is lost, destroyed, defaced, or injured, another weight or measure of the same standard shall, with the approval of the Governor, be provided by the Minister in place of the one so lost, destroyed, defaced, or injured. Such weight or measure shall be deposited in the Treasury, and shall, subject to this Act, be a standard weight or measure of New South Wales.

Replacing  
standards  
lost,  
destroyed,  
defaced, or  
injured.

**15.** The Governor, by proclamation in the Gazette, may declare that any standard of New South Wales shall cease to be such standard, and may revoke or alter any such proclamation.

When stand-  
ards cease to  
be standards.

**16.** The Governor may cause such new denominations of standards as may appear to him to be required in addition to those hereinbefore in this Act mentioned to be provided and deposited in the Treasury, and may prescribe the fees for adjusting, testing, verifying, and stamping the same. Such new denominations of standards when proclaimed by the Governor in the Gazette shall be standard weights and measures of New South Wales.

New denomi-  
nations of  
standards.

*Departmental*



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*Weights and Measures.*


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*Departmental standards.*

Departmental  
standards.

**17.** The Minister shall provide copies of the standard weights and measures of New South Wales. Such copies shall be verified as prescribed with the standards in the Treasury, and shall be known as the "departmental standards," and be deposited in the office of the superintendent.

Departmental standards shall be renewed when necessary.

*Local standards.*

Local  
standards.

**18.** (1) The Minister shall provide such copies of the departmental standards as may be necessary.

Each such copy, except where its size renders it impracticable, shall be legibly stamped with such letters and figures as are commonly used to signify the name or mark of the Sovereign, together with "S.W." for standard weight or "S.M." for standard measure, as the case may be, and the denomination of such weight or measure.

Their veri-  
fication.

(2) Such copies shall be known as "local standards," and, after being verified as prescribed with the departmental standards, shall be transmitted to the inspectors, and shall be safely and securely kept by them.

Periodical  
verification  
of local  
standards.

**19.** A local standard of weight shall not be deemed legal nor be used for the purposes of this Act unless it has been verified or reverified within ten years before the time at which it is used.

*Falsifying standard.*

Penalty for  
falsifying  
standard.

**20.** Any person who falsifies, injures, or destroys any standard shall be liable to a penalty not exceeding one hundred pounds.

*Units.*

Units of  
weight and  
measure.

**21.** The units of weight and measure shall be those described in Schedule C.



*Weights and Measures.*

PART III.

THE LAW OF WEIGHTS AND MEASURES.

*Sale of goods.*

**22.** (1) Every contract, bargain, sale, purchase, or dealing made or had in New South Wales for any work, goods, wares, or merchandise, or other thing which has been or is to be done, sold, purchased, delivered, carried, or agreed for by weight or measure, shall be deemed to be made and had according to the standard weights or measures ascertained by this Act, or to some multiple or part thereof, and if not so made or had shall be void. All tolls or duties charged or collected according to weight or measure shall be charged and collected according to one of the abovementioned standards, or to some multiple or part thereof.

Contracts and sales to be according to standard weights and measures.  
Act, 1878, s. 19.  
41 & 42 Vic., c. 49, s. 19.

Such contract, bargain, sale, purchase, or dealing and collection of tolls or duties as is in this section mentioned is in this Act referred to under the term "trade."

Definition of "trade."

(2) No person shall sell or buy by any denomination of weight or measure other than the standard weights or measures, or some multiple or part thereof.

Sale to be by standards.

(3) This section shall not apply to a contract, bargain, sale, purchase, or dealing in connection with the importation or export of goods, wares, or merchandise from or to a country where other than the standard weights or measures, ascertained by this Act, are used.

Foreign contracts and sales.

**23.** (1) All articles sold by weight shall be sold by avoirdupois weight, except that—

Articles to be sold by avoirdupois.

- (a) gold, silver, and articles made thereof, platinum, and other precious metals may be sold by the ounce troy, or by any decimal part of such ounce, or by pennyweights or grains;
- (b) diamonds and other precious stones shall be sold by the metric carat, or by any decimal part of such carat; and
- (c) drugs, when sold by retail, may be sold by apothecaries weight.

Act, 1878, s. 20.

(2) All contracts, bargains, sales, and dealings in relation thereto shall be deemed to be made and had by such weights and, where so made or had, shall be valid.

**24.**



*Weights and Measures.*

Weight of  
bushel.  
(Canada.)

**24.** In any contract for the sale by the bushel of any articles mentioned in Schedule E, the bushel shall be determined by weighing; the weight equivalent to a bushel of any such article being that stated in the said Schedule.

Sale by net  
weight or  
measure.

**25.** (1) No person shall sell by retail any article by weight or measure unless by net weight or measure.

Invoices and  
delivery  
notes.

(2) Every person delivering to any purchaser, at any place other than the premises of the seller, any article so sold, shall deliver an invoice or delivery note showing the net weight or measure of such article, provided that this shall not apply to bread, or to any article weighed or measured at the premises of the purchaser.

Package of  
goods to have  
weight or  
measure  
printed  
thereon.

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

But this subsection shall not apply to articles weighed or measured, before or at the time of sale, in the presence of the purchaser.

Exemptions.

- (4) This section shall not apply to any article—  
(a) exempted by the regulations; or  
(b) exposed for sale or sold by weight in a package if the weight of such article is subject to variation by reason of climatic influences, and the package bears a conspicuous label or inscription showing the words "Net weight when packed", together with such weight.

Liquors.

(5) In the case of any liquors paying excise or customs duties, the measures set forth in any Act dealing with such liquors shall be held to satisfy the requirements of this section in regard to measure.

Approximate  
weights and  
measures.

(6) Weights and measures closely approximating those indicated on the invoice or delivery note, label, or inscription will be allowed, when and as prescribed by regulations under this Act, either generally or with respect to particular articles.



*Weights and Measures.*

(7) This section shall not take effect until the expiration of one year from the commencement of this Act. Postponement of operation of section.

**26.** Where the net weight or measure of an article sold is stated in an invoice or delivery note, or is written or printed on a package enclosing the article, and such net weight or measure is not correctly so stated, written, or printed, the seller shall be guilty of an offence against this Act :

Provided that in any prosecution for a contravention of this section it shall be sufficient defence if the seller— Where net weight or measure is not correctly stated.

- (a) produces from the person from whom he purchased such article a written guarantee that the weight or measure written or printed on the package is correct; and
  - (b) proves that he sold such article in the same state as when purchased by him,
- subject to the following conditions—
- (c) that the person giving the guarantee must be resident in New South Wales, or, if a company, must have a registered office in New South Wales; and
  - (d) the guarantee must state the name and the place of business of the guarantor, and the name under which he trades.

The form of guarantee under this section may be prescribed by regulation.

Any person who gives a guarantee which is false, shall in addition to the penalty for the sale of any articles in contravention of this Act, be guilty of an offence against this Act.

**27.** (1) Where any person in a shop or other place, or in any vehicle, pack, basket, or other receptacle, offers or exposes for sale, by retail, by weight or measure, any article, he shall have in a convenient place, capable of being easily seen by the purchaser, a suitable weighing instrument or measure, with the necessary weights for weighing such article; and shall, at the request of a purchaser of any such article sold by retail, by weight or measure, weigh or measure it in the presence of the purchaser. Provision for weighing or measuring.



*Weights and Measures.*

(2) If the article is less than the due weight or measure, the person selling the same shall be guilty of an offence against this Act.

False declaration as to measures, weights, &c.

**28.** No person shall, by means of words, description, or other indication, direct or indirect, make any false declaration or statement, or wilfully mislead any person as to the number, quantity, measure, gauge, or weight of any articles sold or delivered by him, or sell or cause to be sold or delivered anything by weight or measure short of the quantity ordered or purchased.

Fraud in using weight or measure.  
Act, 1878,  
s. 26.

**29.** Where any fraud is wilfully committed in the using of any weight, measure, or weighing or measuring instrument, the person committing such fraud, and every person party to the fraud, shall be guilty of an offence against this Act, and the weight, measure, or instrument shall be seized.

## PART IV.

## VERIFICATION AND STAMPING.

Verification and stamping.

**30.** (1) Every weight, measure, and weighing or measuring instrument used for trade, not being a weight, measure, or instrument exempted by the regulations shall be stamped with a mark of verification in pursuance of this Act.

(2) Provided that—

- (a) for the purposes of this section, a weight or measure duly verified and stamped in pursuance of the Act hereby repealed shall, if it is correct, be deemed, for the period of one year from the commencement of this Act, to be stamped with a mark of verification in pursuance of this Act; and
- (b) the operation of this section is suspended for one year from the commencement of this Act

in



*Weights and Measures.*

in the case of weighing and measuring instruments which, before such commencement, might lawfully have been used without being stamped as aforesaid, if the same are correct.

**31.** (1) Every weight, measure, and weighing or measuring instrument used for trade, not being a measure made of glass, shall be produced at the office of an inspector, and reverified and stamped every two years. Reverification and re-stamping.

(2) Provided that the Governor, by regulation, may exempt from the operation of this section, subject to such conditions as he may impose, any places named therein which are situated at a greater distance than twenty miles from the office of an inspector.

(3) Provided also that the Governor may make regulations for the more frequent reverification and stamping of spring balances, computing scales, and weighingbridges, and of weighing or measuring instruments for which a charge is made for use by the public, and of weighing instruments used at collieries. Such regulations may require the owners of such weighing instruments to provide such stamped weights and such labour as the inspector considers necessary for the proper conduct of such verification.

(4) In the case of a weighing or measuring instrument which, by reason of its being fixed or of its being so heavy that it cannot conveniently be moved, it shall be a sufficient compliance with this section if arrangements are made to the satisfaction of an inspector for the reverification and stamping of the instrument within the period prescribed.

**32.** No person shall use, or have in his possession for use for trade, any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust. Penalty for using unstamped weights, &c.

**33.** No person shall use for trade any weight, measure, or weighing or measuring instrument which has become defective in consequence of wear or accident, or has been mended or repaired, until the same has been re-stamped. Any person mending or repairing such defective weight, measure, or instrument shall destroy any existing stamp thereon. Using defective or repaired weights, &c., until re-stamped.

**34.**



*Weights and Measures.*

Fees for  
verifying and  
stamping.

**34.** The fees for testing, verifying, or stamping weights, measures, and weighing or measuring instruments shall be those prescribed in Schedule D.

## PART V.

## SALE OF COAL AND FIREWOOD.

Sale to be  
by weight  
unless by  
consent of  
purchaser.

**35.** All coal and firewood shall be sold by weight, provided that in the case of quantities exceeding five hundredweights, if the written consent of the purchaser be obtained, it may be sold otherwise as agreed.

Written  
consent of  
purchaser to  
be produced.

**36.** The driver of any vehicle conveying coal or firewood in quantities exceeding five hundredweights, which the purchaser has agreed shall be sold otherwise than by weight, shall carry the purchasers written consent to such sale, and shall produce it on demand to any inspector.

Application  
of last two  
preceding  
sections.

**37.** The last two preceding sections, so far as they relate to firewood, shall apply only to the metropolitan and Parramatta police districts, but may be extended to such other places as the Governor, by proclamation, may notify.

**38.** No person shall—

Fraudulent  
sales.

- (a) sell coal or firewood by description which is false as to the sort of coal or firewood sold; or
- (b) sell or deliver wet coal or firewood with intent to defraud the purchaser as to the weight of coal or firewood sold or delivered; or
- (c) sell or deliver coal or firewood short of the quantity purchased, or of the quantity purported to be sold or delivered; or
- (d) make any false statement as to the weight of any coal or firewood; or
- (e) being in charge of a vehicle, wilfully make any false statement as to the tare weight of the vehicle, or wilfully do any act by which either the seller or purchaser of any coal or firewood is defrauded.

English Act,  
1889, s. 23.

Regulations.

**39.** The Governor may make regulations for any of the subjects following:—

- (a) The sale, weighing, and delivery of coal and firewood, and the provision and use of weighing instruments in connection therewith.

(b)



*Weights and Measures.*

- (b) The issue by sellers, to drivers of vehicles conveying coal or firewood, of weight tickets, and the carrying and production of such tickets and delivery of same to purchasers.
- (c) The weighing of any vehicle conveying coal or firewood, or the load thereon, or any part of such load, on demand by a purchaser or an inspector.
- (d) Generally for other matters for carrying out the provisions of this Part.
- (e) For imposing a penalty not exceeding ten pounds for any breach of any regulation.

PART VI.

GENERAL AND SUPPLEMENTAL.

*Inspection.*

- 40.** (1) Any inspector may at all reasonable times—
- (a) enter any building or place, or stop and inspect any vehicle wherein or in connection with which weights, measures, or weighing or measuring instruments are used for trade; Inspection of weights, measures, and instruments.
  - (b) inspect any weights, measures, or weighing instruments in the possession of any person having a pack, basket, or other receptacle containing articles for sale; and
  - (c) examine and test such weights, measures, and weighing or measuring instruments.

(2) Any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust, may be seized by an inspector. Seizure.

**41.** Any inspector may at all reasonable times enter any building or place, and stop and inspect any vehicle, or inspect any pack, basket, or other receptacle, and any article therein kept or exposed for sale in a package, and weigh or cause the article to be weighed or measured in the presence of the person in charge of the same, and may seize any article in respect of which a contravention of this Act has been committed. Inspection of articles in packages.

**42.**



*Weights and Measures.*

Obstruction  
of inspector.

**42.** Any person who hinders or obstructs any inspector in the execution of his duty under this Act, or who does not, when requested by such inspector, produce all weights, measures, or weighing or measuring instruments in his possession for examination or testing, shall be guilty of an offence against this Act.

*Unjust weights, measures, or weighing instruments.*

Forged  
stamp.

Act, 1878,  
s. 32; Act,  
1889, s. 1.

**43.** (1) No person shall—

- (a) forge or counterfeit or unlawfully have in his possession any stamp used for stamping under this Act or under the Act hereby repealed any weight, measure, or weighing or measuring instrument, or in any way alter or tamper with any weight, measure, or weighing or measuring instrument which has been so stamped, so as to cause it to weigh or measure unjustly;
- (b) knowingly use, sell, dispose of, or expose for sale any weight, measure, or weighing or measuring instrument, with such forged or counterfeit stamp thereon, or any weight, measure, or weighing or measuring instrument so altered or tampered with;
- (c) wilfully or knowingly make, or sell, or cause to be made or sold, any weight, measure, or weighing or measuring instrument which is false or unjust;
- (d) increase or diminish any stamped weight or measure, or use, sell, dispose of, or expose for sale any such 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.

Weight, mea-  
sure, or instru-  
ment, with  
forged stamp.

Act, 1878, s. 2;  
Act, 1889, s. 1.

False or unjust  
weight, mea-  
sure, or instru-  
ment.  
Act, 1878, s. 25.

Increasing or  
diminishing  
stamped  
weight or  
measure.

Contract in  
reference to  
false weight or  
measure.

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

*Penalties.*



*Weights and Measures.**Penalties.*

**44.** Any person who contravenes or is guilty of an offence against this Act, for which no specific penalty is in this Act provided, shall on conviction be liable to a penalty not exceeding twenty pounds. Penalties.

**45.** Any weights, measures, or weighing or measuring instruments in connection with which any contravention of or offence against this Act was committed may on conviction of any person guilty of such contravention or offence be forfeited to His Majesty, and may be disposed of as the court directs. Forfeiture.

**46.** Where a person is convicted of a second or subsequent contravention of or offence against this Act, and the court by which he is convicted is of opinion that such contravention or 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 not exceeding three months. Imprisonment for fraud.  
English Act, 1889, s. 4.

*Procedure.*

**47.** Penalties and forfeitures under this Act may be imposed, recovered and enforced in any court of petty sessions. Recovery of penalties.

**48.** No proceeding or conviction for any offence punishable under this Act shall prejudice any civil proceedings. Conviction not to affect civil remedy.

**49.** This Act shall not exempt any person from any indictment or other proceeding for an offence which is punishable at common law or under some other Act, but so that no person be punished twice for the same offence. This Act not to exempt person from indictment.

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

**51.** Proceedings for a penalty for a contravention of this Act by a corporation or incorporated company may be taken against any person who is the manager Proceedings against corporations.

OR



*Weights and Measures.*

or who acts in the management of such corporation or company, and such person shall be personally liable in such proceedings for such contravention.

Costs or  
failure of  
prosecution.

**52.** If 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.

Costs on  
conviction.

**53.** In 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 defendant was convicted, or in connection with the proceedings to secure such conviction.

Evidence of  
regulations.

**54.** In any proceedings under this Act, any printed paper purporting to be regulations made by the Governor under this Act, and to be printed by the Government Printer, shall be evidence that the regulations in the words printed in such paper were duly made and published under this Act.

Penalty  
imposed.

**55.** One-half of any penalty imposed under this Act shall be placed to the credit of the Consolidated Revenue, and one-half to the credit of the Police Superannuation and Reward Fund.

*Fees.*

Fees to be  
paid into  
Treasury.

**56.** All fees received by an inspector in pursuance of this Act shall be accounted for by him, and paid into the Treasury and carried to the Consolidated Revenue Account.

*Regulations.*

Regulations  
(Canada and  
Board of  
Trade).

Superin-  
tendent and  
inspectors.

**57.** The Governor may make regulations for any of the subjects following :—

- (a) The guidance of the superintendent and inspectors in the performance of their duties.
- (b) The fixing of times and places for the submitting for verification and the verifying and stamping of weights, measures, and weighing or measuring instruments.
- (c) The conditions for the supply, custody, care, and verification of departmental and local standards, and the certifying of such verification.
- (d)

Local  
standards.



*Weights and Measures.*

- (d) The amount of error which may be tolerated in weights, measures, and weighing or measuring instruments. Tolerance of error.
- (e) The shapes, dimensions, and proportions to be required in weights, measures, and weighing or measuring instruments, and the materials of which they shall be made. Particulars of weights, measures, and instruments.
- (f) Defining and specifying what weights, measures, and weighing or measuring instruments shall, or shall not, be admitted to verification, and the tests to be applied to ascertain their accuracy and efficiency. What weights, measures, and instruments may be verified.
- (g) Limiting the purposes or trades for or in which certain weights, measures, weighing or measuring instruments may lawfully be used, and prescribing the class of weighing or measuring instruments which are to be used in certain trades. Limitation of use of instruments.
- (h) The testing, verifying, and stamping of weights, measures, and weighing or measuring instruments, and the adjusting of weights. Testing, verification, and stamping.
- (i) Prescribing the instruments for testing and verifying weights, measures, and weighing or measuring instruments.
- (j) The marking on weights and measures of their several denominations, and on weighing and measuring instruments of their capacities and other markings. The obliteration of stamps on weights, measures, and weighing or measuring instruments found to be incorrect or not in accordance with these regulations. Markings on weights and measures.
- (k) The payment of the fees prescribed for the testing, verifying, adjusting, or stamping of weights, measures, and weighing or measuring instruments. Fees for inspection.
- (l) The classes of weights to be used on certain weighing instruments. Classes of weights on certain machines.
- (m) The registration by owners or lessees of public weighing or measuring instruments, and the examination and licensing of weighmen, and generally for their supervision and control.

(n)



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*Weights and Measures.*

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- (n) The regulation of the taking of tare weights of any vehicle used for the conveyance of goods sold or carried by weight; the issue and production of tickets showing such weight, or the weight of the loading on such vehicle, or the weight of the loading and the vehicle; providing for such weighing by an inspector, and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight.
- (o) Prohibiting the sale of certain goods by measure of capacity.
- (p) Providing for exemptions in pursuance of this Act.
- (q) The method of marking upon articles their weight or measure.
- (r) Generally for other matters for carrying out the provisions of this Act.
- (s) For imposing any penalty not exceeding ten pounds for any breach of any regulation.

General  
matters.

Penalty.

Regulations  
to be  
published  
Gazette.

**58.** All regulations made under this Act shall be published in the Gazette, and shall, within fourteen days after such publication, be laid before Parliament if then in session, and, if not, then within fourteen days after the next ensuing session; and, upon such publication, if not disallowed by either House of Parliament by resolution of which notice is given within fourteen sitting days after such regulations have been laid before such House, such regulations shall be of the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever.



*Weights and Measures.*

SCHEDULES.

SCHEDULE A.

FEES FOR ADJUSTING WEIGHTS.

<i>Avoirdupois.</i>			<i>Troy and Apothecaries.</i>		
	Each			Each	
	weight.			weight.	
56 lb. to 1 oz.	...	6d.	500 oz. to 1 oz.	...	1s.

Slip weights on weighing instruments ... 6d. each weight.  
 An inspector is not required to adjust weights of a less denomination than shown in this Schedule.

SCHEDULE B.

STANDARDS.

WEIGHTS.

*Avoirdupois.*

56 lb., or $\frac{1}{2}$ cwt.	4 oz. or $\frac{1}{4}$ lb.
28 " or $\frac{1}{4}$ "	2 "
14 "	1 "
7 "	8 drams or $\frac{1}{2}$ oz.
4 "	4 " or $\frac{1}{4}$ "
2 "	2 "
1 "	1 dram
8 oz or $\frac{1}{2}$ lb.	$\frac{1}{2}$ "

*Decimal grain (Avoirdupois)*

4,000 grains	3 grains
2,000 "	2 "
1,000 "	1 grain
500 "	.5 "
300 "	.3 "
200 "	.2 "
100 "	.1 "
50 "	.05 "
30 "	.03 "
20 "	.02 "
10 "	.01 "
5 "	

*Troy.*



*Weights and Measures.**Troy*

500	ounces	·5	ounce
300	"	·3	"
200	"	·2	"
100	"	·1	"
50	"	·05	"
30	"	·03	"
20	"	·02	"
10	"	·01	"
5	"	·005	"
3	"	·003	"
2	"	·002	"
1	ounce	·001	"

*Pennyweights and grains (Troy).*

240	grains, commonly called 10 pennyweights or $\frac{1}{2}$ oz.	6	grains
120	"	5	"
72	"	3	"
48	"	2	"
24	"	1	"
12	"	$\frac{1}{2}$	"

*Apothecaries'.*

1	ounce	10	grains, or $\frac{1}{2}$ scruple
4	drachms, or $\frac{1}{2}$ ounce	6	"
2	" or $\frac{1}{4}$ ounce	5	"
1	"	4	"
2	scruples	3	"
$1\frac{1}{2}$	" or $\frac{1}{2}$ drachm	2	"
1	scruple	1	grain
		$\frac{1}{2}$	"

## METRIC CARAT.

500	carats	·05	carat
200	"	·02	"
100	"	·01	"
50	"	·005	"
20	"		
10	"		

## MEASURE OF EXTENSION.

Yard, 2 feet, 1 foot, 1 inch.



*Weights and Measures.*

## MEASURES OF CAPACITY.

10 gallons	<i>Apothecaries' measures.</i>
8 gallons or 1 bushel	40 fluid ounces to 1 ounce
5 "	16 fluid drachms to $\frac{1}{2}$ drachm
4 " or $\frac{1}{2}$ "	60 minims to 1 minim
3 "	
2 " or peck	
Gallon	
Half gallon	
Quart	
Pint	
Half pint	
Gill or $\frac{1}{4}$ pint	
Half gill	
Quarter gill	

## SCHEDULE C.

## UNITS OF WEIGHT AND MEASURE.

*Measures of weight.*

The standard pound shall be the legal standard measure of weight, and of measure having reference to weight, and shall be the only unit or standard measure of weight from which all other weights, and all measures having reference to weight, shall be ascertained. English Act.

One-sixteenth part of the standard pound shall be an ounce, and one-sixteenth part of such ounce shall be a dram, and one seven-thousandth part of the standard pound shall be a grain. *Ibid.*

A hundredweight shall consist of one hundred and twelve pounds, and a ton shall consist of twenty such hundredweights. English and New South Wales Act.

Provided that a ton of flour, bran, pollard, sharps, semolina, wheat-meal, or other milled product of wheat shall consist of 2,000 pounds.

Four hundred and eighty grains shall be an ounce troy or apothecaries.

*Measures of capacity.*

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

The quart shall be the fourth part of the gallon, and the pint shall be the eighth part of the gallon. Two gallons shall be a peck, and eight gallons shall be a bushel, and eight such bushels shall be a quarter.

*Measures of length.*

The standard yard shall be the only unit or standard measure of extension, from which all other measures of extension, whether linear, superficial, or solid, shall be ascertained. *Ibid.*

One-third



*Weights and Measures.*

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

*Ibid.* The rood of land shall contain one thousand two hundred and ten square yards, according to the standard yard, and the acre of land shall contain four thousand eight hundred and forty such square yards, being one hundred and sixty square rods, poles, or perches.

SCHEDULE D.

FEES TO BE PAID FOR TESTING, VERIFYING, OR STAMPING WEIGHTS AND MEASURES AND WEIGHING OR MEASURING INSTRUMENTS.

*Weights.*

Avoirdupois.		Troy and Apothecaries.	
56 lb. ... ..	6d. each	Over 100 oz. ...	1s. each
28 „ ... ..	4d. „	100 to 10 oz. ...	6d. „
14 „ ... ..	3d. „	5 oz. or under ...	3d. „
7 „ to 1 lb. ...	2d. „	240 grains or under..	3d. „
8 oz. or under ...	1d. „	Decimal grains, 3d. each weight.	

*Measures of capacity.*

10 gallons ... ..	1s. each
8 gallons or 1 bushel ... ..	1s. „
5 gallons ... ..	1s. „
4 gallons or ½ bushel ... ..	9d. „
3 gallons ... ..	9d. „
2 gallons or 1 peck ... ..	6d. „
1 gallon ... ..	4d. „
Half gallon ... ..	3d. „
Quart or under ... ..	2d. „

Subdivided measures shall be charged for each subdivision at the rate prescribed for measures of similar capacity.

Apothecaries' measures, 6d. each.

*Measures of extension.*

One yard, 2 feet, 1 foot, 1 inch ... ..	3d. each
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*Weighing.*



*Weights and Measures.**Weighing instruments.*

Weighbridges and crane weighing machines	... £1 1s. each.
Weighing instruments (dormant)	... 15s. each.
Weighing machines, steelyards, balances and spring scales, capacity 14 lb. and under	... 1s. each.
"                    "                    over 14 lb. to 1 cwt.	... 2s. "
"                    "                    over 1 cwt.	... 6d. for each additional cwt., or part thereof.
Computing scales, 10 lb. and under	... 2s. 6d. each.
"                    "                    over 10 lb. to 150 lb.	... 5s. "
"                    "                    over 150 lb.	... 1s. for each additional cwt., or part thereof.

These fees include the stamping of one set of proportional weights where such are used; duplex sets to be charged half above fees.

One-half above fees to be chargeable for weights, measures, or weighing instruments tested and rejected as incorrect or otherwise unsuitable.

In the case of weighing instruments graduated in centals, read "100 lb." in place of "1 cwt."

For the testing for verification of weighing or measuring instruments at premises outside the inspector's office, owners shall provide cartage for necessary weights, and labour to handle same, and shall pay an additional mileage fee in accordance with the regulations.

## SCHEDULE E.

## WEIGHTS FOR BUSHEL.

Article.	Weight.
Amber cane	60 lb.
Barley	50 "
Beans	60 "
Bran	20 "
Broom corn	50 "
Buckwheat	50 "
Clover, red or white	20 "
Grasses—couch, cocksfoot, pa-palum, rib, rye	20 "
Hungarian millet	60 "
Imphee	60 "
Lucerne	20 "
Maize	56 "
Oats	40 "
Planter's friend	60 "
Peas	60 "
Pollard	20 "
Rye corn	60 "
Sorghum	60 "
Tares or vetches	60 "
Wheat (seed)	60 "

By Authority :

WILLIAM APPLGATE GULLICK, Government Printer, Sydney, 1915.







*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

**RICHD. A. ARNOLD,**  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 11 February, 1915.*

## **New South Wales.**



ANNO QUINTO

## **GEORGII V REGIS.**

\*\*\*\*\*

### **Act No. 10, 1915.**

An Act to provide standards and units, and to declare the law of weights and measures; for the verification and stamping of weights, measures, and weighing and measuring instruments; to regulate the sale of coal and firewood; to repeal the Weights and Measures Act, 1898, and the Sydney Coal Delivery Act, 1901; to amend the Government Railways Act, 1912, the Pure Food Act, 1908, and certain other Acts; and for purposes consequent thereon or incidental thereto. [Assented to, 22nd February, 1915.] BE

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

**THOS. H. THROWER,**  
*Chairman of Committees of the Legislative Assembly.*



*Weights and Measures.*

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

## PART I.

## PRELIMINARY.

*Preliminary and repeal.*

Short title.

**1.** (1) This Act may be cited as the "Weights and Measures Act, 1915," and shall commence and take effect on and from the first day of June, one thousand nine hundred and fifteen.

(2) This Act is divided into Parts, as follows :—

PART I.—PRELIMINARY—ss. 1-11.

PART II.—STANDARDS AND UNITS—ss. 12-21.

PART III.—THE LAW OF WEIGHTS AND MEASURES—ss. 22-29.

PART IV.—VERIFICATION AND STAMPING—ss. 30-34.

PART V.—SALE OF COAL AND FIREWOOD—ss. 35-39.

PART VI.—GENERAL AND SUPPLEMENTAL—ss. 40-58.

Repeal.

**2.** The Weights and Measures Act, 1898, the Sydney Coal Delivery Act, 1901, and section thirty-seven of the Government Railways Act, 1912, are repealed.

Savings.

**3.** All members of the police force who are inspectors under the Weights and Measures Act, 1898, and who hold office at the commencement of this Act, shall be deemed to be appointed hereunder.

Transfer of copies of standards.

**4.** All copies of standard weights and measures deposited with clerks of petty sessions or other persons under the Weights and Measures Act, 1898, shall be deemed to be "local standards" within the meaning of this Act, and with all books, papers, records, weights, measures, scales, and other things in the possession of any clerk of petty sessions or other person under the said Act shall, at the request of the Inspector-General, be handed over to such persons as he may appoint.

5.



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*Weights and Measures.*

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**5.** This Act shall apply to all weights, measures, and weighing and measuring instruments in use upon any of the railways or tramways, or upon any station, pier, wharf, jetty, or other premises vested in the Chief Commissioner for Railways and Tramways.

Application  
of Act to  
railways and  
tramways.

*Definitions.*

**6.** In this Act, unless the context or subject matter otherwise indicates,—

Definitions.

- “Coal” means all descriptions of coal, coke, and charcoal.
- “Driver” means any person driving or in charge of a vehicle.
- “Inspector” means inspector of weights and measures appointed under this Act.
- “Inspector General” means Inspector General of Police.
- “Measuring instrument” means any instrument or machine, other than standard measures of extension or capacity, used for measuring any article or any liquid.
- “Package” includes anything in or by which articles are cased, covered, enclosed, contained, or packed.
- “Prescribed” means prescribed by this Act or the regulations.
- “Public weighing instrument” means any weighing instrument open for use by the public, or for the use of which a charge is made.
- “Purchaser” includes person purchasing as agent for any other person.
- “Regulation” means regulation made under this Act.
- “Schedule” means Schedule to this Act.
- “Superintendent” means superintendent appointed under this Act.
- “The court” means the court in or before which the proceedings in question are had.
- “To stamp” means to stamp or otherwise mark in such a manner as to be, as far as practicable, indelible.
- “Vehicle”



*Weights and Measures.*

“Vehicle” means any description of vehicle upon wheels.

“Weighing instrument” means weighbridge, weighing machine, scales, balance, steelyard, or other instrument for weighing, and includes the weights belonging thereto.

“Weighman” means the person in charge of a public weighing instrument.

*Administration.*

Inspector-General of Police to administer.

**7.** Subject to the control of the Minister, this Act shall be administered by the Inspector-General, a superintendent, and inspectors.

Appointment of superintendent and inspectors.

**8.** The Governor shall appoint the superintendent, who, when so appointed, shall be a superintendent of police. The Inspector-General shall appoint the inspectors from the members of the police force.

Superintendent to control inspectors.

**9.** The superintendent, subject to the control of the Inspector-General, shall control the inspectors in the performance of their duties under this Act.

Absence of the superintendent.

**10.** Whenever the superintendent is absent from his duties by reason of illness or other cause the Inspector-General may appoint a deputy, and during such absence such deputy shall have the powers and shall perform the duties of, and for the purposes of this Act be deemed to be, the superintendent.

Superintendent or inspector not to derive profit from making, adjusting, or selling weights or measures.

**11.** A superintendent or inspector shall not derive any profit from or be employed in making, adjusting, or selling weights, measures, or weighing instruments:

Provided that, with the approval of the Inspector-General, an inspector may, outside the metropolitan police district, adjust any weight submitted to him for verification and charge a fee for the same, but in no case shall this be done without sufficient cause; such fee shall be as prescribed in Schedule A.



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*Weights and Measures.*

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PART II.

STANDARDS AND UNITS.

*Standards.*

**12.** The weights and measures now deposited in the Treasury shall, respectively, until removed therefrom for the purpose of substituting standards to be provided in pursuance of the following sections, be standard weights and measures of New South Wales.

Standards  
now in  
Treasury.

**13.** Specimens of weights and measures of the standard of the United Kingdom of Great Britain and Ireland, as described in Schedule B, shall be provided by the Minister and deposited in the Treasury by the authority of the Governor; such weights and measures shall, subject to this Act, be standard weights and measures of New South Wales.

Standards in  
Schedule B to  
be provided.

**14.** If any standard weight or measure is lost, destroyed, defaced, or injured, another weight or measure of the same standard shall, with the approval of the Governor, be provided by the Minister in place of the one so lost, destroyed, defaced, or injured. Such weight or measure shall be deposited in the Treasury, and shall, subject to this Act, be a standard weight or measure of New South Wales.

Replacing  
standards  
lost,  
destroyed,  
defaced, or  
injured.

**15.** The Governor, by proclamation in the Gazette, may declare that any standard of New South Wales shall cease to be such standard, and may revoke or alter any such proclamation.

When stand-  
ards cease to  
be standards.

**16.** The Governor may cause such new denominations of standards as may appear to him to be required in addition to those hereinbefore in this Act mentioned to be provided and deposited in the Treasury, and may prescribe the fees for adjusting, testing, verifying, and stamping the same. Such new denominations of standards when proclaimed by the Governor in the Gazette shall be standard weights and measures of New South Wales.

New denomi-  
nations of  
standards.

*Departmental*



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*Weights and Measures.*


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*Departmental standards.*

Departmental standards.

**17.** The Minister shall provide copies of the standard weights and measures of New South Wales. Such copies shall be verified as prescribed with the standards in the Treasury, and shall be known as the "departmental standards," and be deposited in the office of the superintendent.

Departmental standards shall be renewed when necessary.

*Local standards.*

Local standards.

**18.** (1) The Minister shall provide such copies of the departmental standards as may be necessary.

Each such copy, except where its size renders it impracticable, shall be legibly stamped with such letters and figures as are commonly used to signify the name or mark of the Sovereign, together with "S.W." for standard weight or "S.M." for standard measure, as the case may be, and the denomination of such weight or measure.

Their verification.

(2) Such copies shall be known as "local standards," and, after being verified as prescribed with the departmental standards, shall be transmitted to the inspectors, and shall be safely and securely kept by them.

Periodical verification of local standards.

**19.** A local standard of weight shall not be deemed legal nor be used for the purposes of this Act unless it has been verified or reverified within ten years before the time at which it is used.

*Falsifying standard.*

Penalty for falsifying standard.

**20.** Any person who falsifies, injures, or destroys any standard shall be liable to a penalty not exceeding one hundred pounds.

*Units.*

Units of weight and measure.

**21.** The units of weight and measure shall be those described in Schedule C.

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 PART



*Weights and Measures.*

## PART III.

## THE LAW OF WEIGHTS AND MEASURES.

*Sale of goods.*

**22.** (1) Every contract, bargain, sale, purchase, or dealing made or had in New South Wales for any work, goods, wares, or merchandise, or other thing which has been or is to be done, sold, purchased, delivered, carried, or agreed for by weight or measure, shall be deemed to be made and had according to the standard weights or measures ascertained by this Act, or to some multiple or part thereof, and if not so made or had shall be void. All tolls or duties charged or collected according to weight or measure shall be charged and collected according to one of the abovementioned standards, or to some multiple or part thereof.

Contracts and sales to be according to standard weights and measures.

Act, 1878, s. 19.  
41 & 42 Vic., c. 49, s. 19.

Such contract, bargain, sale, purchase, or dealing and collection of tolls or duties as is in this section mentioned is in this Act referred to under the term "trade."

Definition of "trade."

(2) No person shall sell or buy by any denomination of weight or measure other than the standard weights or measures, or some multiple or part thereof.

Sale to be by standards.

(3) This section shall not apply to a contract, bargain, sale, purchase, or dealing in connection with the importation or export of goods, wares, or merchandise from or to a country where other than the standard weights or measures, ascertained by this Act, are used.

Foreign contracts and sales.

**23.** (1) All articles sold by weight shall be sold by avoirdupois weight, except that—

Articles to be sold by avoirdupois.

- (a) gold, silver, and articles made thereof, platinum, and other precious metals may be sold by the ounce troy, or by any decimal part of such ounce, or by pennyweights or grains;
- (b) diamonds and other precious stones shall be sold by the metric carat, or by any decimal part of such carat; and
- (c) drugs, when sold by retail, may be sold by apothecaries weight.

Act, 1878, s. 20.

(2) All contracts, bargains, sales, and dealings in relation thereto shall be deemed to be made and had by such weights and, where so made or had, shall be valid.

**24.**



*Weights and Measures.*

Weight of  
bushel.  
(Canada.)

**24.** In any contract for the sale by the bushel of any articles mentioned in Schedule E, the bushel shall be determined by weighing; the weight equivalent to a bushel of any such article being that stated in the said Schedule.

Sale by net  
weight or  
measure.

**25.** (1) No person shall sell by retail any article by weight or measure unless by net weight or measure.

Invoices and  
delivery  
notes.

(2) Every person delivering to any purchaser, at any place other than the premises of the seller, any article so sold, shall deliver an invoice or delivery note showing the net weight or measure of such article, provided that this shall not apply to bread, or to any article weighed or measured at the premises of the purchaser.

Package of  
goods to have  
weight or  
measure  
printed  
thereon.

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

But this subsection shall not apply to articles weighed or measured, before or at the time of sale, in the presence of the purchaser.

Exemptions.

- (4) This section shall not apply to any article—
- (a) exempted by the regulations; or
  - (b) exposed for sale or sold by weight in a package if the weight of such article is subject to variation by reason of climatic influences, and the package bears a conspicuous label or inscription showing the words "Net weight when packed", together with such weight.

Liquors.

(5) In the case of any liquors paying excise or customs duties, the measures set forth in any Act dealing with such liquors shall be held to satisfy the requirements of this section in regard to measure.

Approximate  
weights and  
measures.

(6) Weights and measures closely approximating those indicated on the invoice or delivery note, label, or inscription will be allowed, when and as prescribed by regulations under this Act, either generally or with respect to particular articles.

(7)



*Weights and Measures.*

(7) This section shall not take effect until the expiration of one year from the commencement of this Act. Postpone-  
ment of  
operation of  
section.

**26.** Where the net weight or measure of an article sold is stated in an invoice or delivery note, or is written or printed on a package enclosing the article, and such net weight or measure is not correctly so stated, written, or printed, the seller shall be guilty of an offence against this Act : Where net  
weight or  
measure is  
not correctly  
stated.

Provided that in any prosecution for a contravention of this section it shall be sufficient defence if the seller—

- (a) produces from the person from whom he purchased such article a written guarantee that the weight or measure written or printed on the package is correct; and
  - (b) proves that he sold such article in the same state as when purchased by him,
- subject to the following conditions—
- (c) that the person giving the guarantee must be resident in New South Wales, or, if a company, must have a registered office in New South Wales; and
  - (d) the guarantee must state the name and the place of business of the guarantor, and the name under which he trades.

The form of guarantee under this section may be prescribed by regulation.

Any person who gives a guarantee which is false, shall in addition to the penalty for the sale of any articles in contravention of this Act, be guilty of an offence against this Act.

**27.** (1) Where any person in a shop or other place, or in any vehicle, pack, basket, or other receptacle, offers or exposes for sale, by retail, by weight or measure, any article, he shall have in a convenient place, capable of being easily seen by the purchaser, a suitable weighing instrument or measure, with the necessary weights for weighing such article; and shall, at the request of a purchaser of any such article sold by retail, by weight or measure, weigh or measure it in the presence of the purchaser. Provision for  
weighing or  
measuring.

(2)



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*Weights and Measures.*

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(2) If the article is less than the due weight or measure, the person selling the same shall be guilty of an offence against this Act.

False declaration as to measures, weights, &c.

**28.** No person shall, by means of words, description, or other indication, direct or indirect, make any false declaration or statement, or wilfully mislead any person as to the number, quantity, measure, gauge, or weight of any articles sold or delivered by him, or sell or cause to be sold or delivered anything by weight or measure short of the quantity ordered or purchased.

Fraud in using weight or measure.  
Act, 1878,  
s. 26.

**29.** Where any fraud is wilfully committed in the using of any weight, measure, or weighing or measuring instrument, the person committing such fraud, and every person party to the fraud, shall be guilty of an offence against this Act, and the weight, measure, or instrument shall be seized.

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**PART IV.****VERIFICATION AND STAMPING.**

Verification and stamping.

**30.** (1) Every weight, measure, and weighing or measuring instrument used for trade, not being a weight, measure, or instrument exempted by the regulations shall be stamped with a mark of verification in pursuance of this Act.

(2) Provided that—

- (a) for the purposes of this section, a weight or measure duly verified and stamped in pursuance of the Act hereby repealed shall, if it is correct, be deemed, for the period of one year from the commencement of this Act, to be stamped with a mark of verification in pursuance of this Act; and
- (b) the operation of this section is suspended for one year from the commencement of this Act



*Weights and Measures.*

in the case of weighing and measuring instruments which, before such commencement, might lawfully have been used without being stamped as aforesaid, if the same are correct.

**31.** (1) Every weight, measure, and weighing or measuring instrument used for trade, not being a measure made of glass, shall be produced at the office of an inspector, and reverified and stamped every two years. Reverification and re-stamping.

(2) Provided that the Governor, by regulation, may exempt from the operation of this section, subject to such conditions as he may impose, any places named therein which are situated at a greater distance than twenty miles from the office of an inspector.

(3) Provided also that the Governor may make regulations for the more frequent reverification and stamping of spring balances, computing scales, and weighbridges, and of weighing or measuring instruments for which a charge is made for use by the public, and of weighing instruments used at collieries. Such regulations may require the owners of such weighing instruments to provide such stamped weights and such labour as the inspector considers necessary for the proper conduct of such verification.

(4) In the case of a weighing or measuring instrument which, by reason of its being fixed or of its being so heavy that it cannot conveniently be moved, it shall be a sufficient compliance with this section if arrangements are made to the satisfaction of an inspector for the reverification and stamping of the instrument within the period prescribed.

**32.** No person shall use, or have in his possession for use for trade, any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust. Penalty for using unstamped weights, &c.

**33.** No person shall use for trade any weight, measure, or weighing or measuring instrument which has become defective in consequence of wear or accident, or has been mended or repaired, until the same has been re-stamped. Any person mending or repairing such defective weight, measure, or instrument shall destroy any existing stamp thereon. Using defective or repaired weights, &c., until re-stamped.

**34.**



*Weights and Measures.*

Fees for  
verifying and  
stamping.

**34.** The fees for testing, verifying, or stamping weights, measures, and weighing or measuring instruments shall be those prescribed in Schedule D.

## PART V.

## SALE OF COAL AND FIREWOOD.

Sale to be  
by weight  
unless by  
consent of  
purchaser.

**35.** All coal and firewood shall be sold by weight, provided that in the case of quantities exceeding five hundredweights, if the written consent of the purchaser be obtained, it may be sold otherwise as agreed.

Written  
consent of  
purchaser to  
be produced.

**36.** The driver of any vehicle conveying coal or firewood in quantities exceeding five hundredweights, which the purchaser has agreed shall be sold otherwise than by weight, shall carry the purchasers written consent to such sale, and shall produce it on demand to any inspector.

Application  
of last two  
preceding  
sections.

**37.** The last two preceding sections, so far as they relate to firewood, shall apply only to the metropolitan and Parramatta police districts, but may be extended to such other places as the Governor, by proclamation, may notify.

Fraudulent  
sales.

**38.** No person shall—

- (a) sell coal or firewood by description which is false as to the sort of coal or firewood sold; or
- (b) sell or deliver wet coal or firewood with intent to defraud the purchaser as to the weight of coal or firewood sold or delivered; or
- (c) sell or deliver coal or firewood short of the quantity purchased, or of the quantity purported to be sold or delivered; or
- (d) make any false statement as to the weight of any coal or firewood; or
- (e) being in charge of a vehicle, wilfully make any false statement as to the tare weight of the vehicle, or wilfully do any act by which either the seller or purchaser of any coal or firewood is defrauded.

English Act,  
1889, s. 23.

Regulations.

**39.** The Governor may make regulations for any of the subjects following:—

- (a) The sale, weighing, and delivery of coal and firewood, and the provision and use of weighing instruments in connection therewith.

(b)



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*Weights and Measures.*

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- (b) The issue by sellers, to drivers of vehicles conveying coal or firewood, of weight tickets, and the carrying and production of such tickets and delivery of same to purchasers.
- (c) The weighing of any vehicle conveying coal or firewood, or the load thereon, or any part of such load, on demand by a purchaser or an inspector.
- (d) Generally for other matters for carrying out the provisions of this Part.
- (e) For imposing a penalty not exceeding ten pounds for any breach of any regulation.

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PART VI.

GENERAL AND SUPPLEMENTAL.

*Inspection.*

- 40.** (1) Any inspector may at all reasonable times—
- (a) enter any building or place, or stop and inspect any vehicle wherein or in connection with which weights, measures, or weighing or measuring instruments are used for trade; Inspection of weights, measures, and instruments.
  - (b) inspect any weights, measures, or weighing instruments in the possession of any person having a pack, basket, or other receptacle containing articles for sale; and
  - (c) examine and test such weights, measures, and weighing or measuring instruments.

(2) Any weight, measure, or weighing or measuring instrument which is not stamped as required by this Act, or which is incorrect or unjust, may be seized by an inspector. Seizure.

**41.** Any inspector may at all reasonable times enter any building or place, and stop and inspect any vehicle, or inspect any pack, basket, or other receptacle, and any article therein kept or exposed for sale in a package, and weigh or cause the article to be weighed or measured in the presence of the person in charge of the same, and may seize any article in respect of which a contravention of this Act has been committed. Inspection of articles in packages.

**42.**



*Weights and Measures.*

Obstruction  
of inspector.

**42.** Any person who hinders or obstructs any inspector in the execution of his duty under this Act, or who does not, when requested by such inspector, produce all weights, measures, or weighing or measuring instruments in his possession for examination or testing, shall be guilty of an offence against this Act.

*Unjust weights, measures, or weighing instruments.*

Forged  
stamp.

Act, 1878,  
s. 32; Act,  
1889, s. 1.

**43.** (1) No person shall—

(a) forge or counterfeit or unlawfully have in his possession any stamp used for stamping under this Act or under the Act hereby repealed any weight, measure, or weighing or measuring instrument, or in any way alter or tamper with any weight, measure, or weighing or measuring instrument which has been so stamped, so as to cause it to weigh or measure unjustly ;

Weight, mea-  
sure, or instru-  
ment, with  
forged stamp.

Act, 1878, s. 2 ;  
Act, 1889, s. 1.

(b) knowingly use, sell, dispose of, or expose for sale any weight, measure, or weighing or measuring instrument, with such forged or counterfeit stamp thereon, or any weight, measure, or weighing or measuring instrument so altered or tampered with ;

False or unjust  
weight, mea-  
sure, or instru-  
ment.

Act, 1878, s. 25.

(c) wilfully or knowingly make, or sell, or cause to be made or sold, any weight, measure, or weighing or measuring instrument which is false or unjust ;

Increasing or  
diminishing  
stamped  
weight or  
measure.

(d) increase or diminish any stamped weight or measure, or use, sell, dispose of, or expose for sale any such 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.

Contract in  
reference to  
false weight or  
measure.

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

*Penalties.*



*Weights and Measures.*

*Penalties.*

**44.** Any person who contravenes or is guilty of an offence against this Act, for which no specific penalty is in this Act provided, shall on conviction be liable to a penalty not exceeding twenty pounds. Penalties.

**45.** Any weights, measures, or weighing or measuring instruments in connection with which any contravention of or offence against this Act was committed may on conviction of any person guilty of such contravention or offence be forfeited to His Majesty, and may be disposed of as the court directs. Forfeiture.

**46.** Where a person is convicted of a second or subsequent contravention of or offence against this Act, and the court by which he is convicted is of opinion that such contravention or 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 not exceeding three months. Imprisonment for fraud.  
English Act, 1889, s. 4.

*Procedure.*

**47.** Penalties and forfeitures under this Act may be imposed, recovered and enforced in any court of petty sessions. Recovery of penalties.

**48.** No proceeding or conviction for any offence punishable under this Act shall prejudice any civil proceedings. Conviction not to affect civil remedy.

**49.** This Act shall not exempt any person from any indictment or other proceeding for an offence which is punishable at common law or under some other Act, but so that no person be punished twice for the same offence. This Act not to exempt person from indictment.

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

**51.** Proceedings for a penalty for a contravention of this Act by a corporation or incorporated company may be taken against any person who is the manager Proceedings against corporations.

or



*Weights and Measures.*

or who acts in the management of such corporation or company, and such person shall be personally liable in such proceedings for such contravention.

Costs or  
failure of  
prosecution.

**52.** If 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.

Costs on  
conviction.

**53.** In 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 defendant was convicted, or in connection with the proceedings to secure such conviction.

Evidence of  
regulations.

**54.** In any proceedings under this Act, any printed paper purporting to be regulations made by the Governor under this Act, and to be printed by the Government Printer, shall be evidence that the regulations in the words printed in such paper were duly made and published under this Act.

Penalty  
imposed.

**55.** One-half of any penalty imposed under this Act shall be placed to the credit of the Consolidated Revenue, and one-half to the credit of the Police Superannuation and Reward Fund.

*Fees.*

Fees to be  
paid into  
Treasury.

**56.** All fees received by an inspector in pursuance of this Act shall be accounted for by him, and paid into the Treasury and carried to the Consolidated Revenue Account.

*Regulations.*

Regulations  
(Canada and  
Board of  
Trade).  
Superin-  
tendent and  
inspectors.

**57.** The Governor may make regulations for any of the subjects following :—

Local  
standards.

- (a) The guidance of the superintendent and inspectors in the performance of their duties.
- (b) The fixing of times and places for the submitting for verification and the verifying and stamping of weights, measures, and weighing or measuring instruments.
- (c) The conditions for the supply, custody, care, and verification of departmental and local standards, and the certifying of such verification.
- (d)



*Weights and Measures.*

- (d) The amount of error which may be tolerated in weights, measures, and weighing or measuring instruments. Tolerance of error.
- (e) The shapes, dimensions, and proportions to be required in weights, measures, and weighing or measuring instruments, and the materials of which they shall be made. Particulars of weights, measures, and instruments.
- (f) Defining and specifying what weights, measures, and weighing or measuring instruments shall, or shall not, be admitted to verification, and the tests to be applied to ascertain their accuracy and efficiency. What weights, measures, and instruments may be verified.
- (g) Limiting the purposes or trades for or in which certain weights, measures, weighing or measuring instruments may lawfully be used, and prescribing the class of weighing or measuring instruments which are to be used in certain trades. Limitation of use of instruments.
- (h) The testing, verifying, and stamping of weights, measures, and weighing or measuring instruments, and the adjusting of weights. Testing, verification, and stamping.
- (i) Prescribing the instruments for testing and verifying weights, measures, and weighing or measuring instruments.
- (j) The marking on weights and measures of their several denominations, and on weighing and measuring instruments of their capacities and other markings. The obliteration of stamps on weights, measures, and weighing or measuring instruments found to be incorrect or not in accordance with these regulations. Markings on weights and measures.
- (k) The payment of the fees prescribed for the testing, verifying, adjusting, or stamping of weights, measures, and weighing or measuring instruments. Fees for inspection.
- (l) The classes of weights to be used on certain weighing instruments. Classes of weights on certain machines.
- (m) The registration by owners or lessees of public weighing or measuring instruments, and the examination and licensing of weighmen, and generally for their supervision and control.

(n)



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*Weights and Measures.*

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- (n) The regulation of the taking of tare weights of any vehicle used for the conveyance of goods sold or carried by weight; the issue and production of tickets showing such weight, or the weight of the loading on such vehicle, or the weight of the loading and the vehicle; providing for such weighing by an inspector, and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight.
- (o) Prohibiting the sale of certain goods by measure of capacity.
- (p) Providing for exemptions in pursuance of this Act.
- (q) The method of marking upon articles their weight or measure.
- (r) Generally for other matters for carrying out the provisions of this Act.
- (s) For imposing any penalty not exceeding ten pounds for any breach of any regulation.

General  
matters.

Penalty.

Regulations  
to be  
published  
Gazette.

**58.** All regulations made under this Act shall be published in the Gazette, and shall, within fourteen days after such publication, be laid before Parliament if then in session, and, if not, then within fourteen days after the next ensuing session; and, upon such publication, if not disallowed by either House of Parliament by resolution of which notice is given within fourteen sitting days after such regulations have been laid before such House, such regulations shall be of the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever.

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SCHEDULES.



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*Weights and Measures.*


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## SCHEDULES.

## SCHEDULE A.

## FEES FOR ADJUSTING WEIGHTS.

<i>Avoirdupois.</i>	Each weight.	<i>Troy and Apothecaries.</i>	Each weight.
56 lb. to 1 oz. ...	6d.	500 oz. to 1 oz. ...	1s.

Slip weights on weighing instruments ... 6d. each weight.  
 An inspector is not required to adjust weights of a less denomination  
 than shown in this Schedule.

## SCHEDULE B.

## STANDARDS.

## WEIGHTS.

*Avoirdupois.*

56 lb., or $\frac{1}{2}$ cwt.	4 oz. or $\frac{1}{4}$ lb.
28 " or $\frac{1}{4}$ "	2 "
14 "	1 "
7 "	8 drams or $\frac{1}{2}$ oz.
4 "	4 " or $\frac{1}{4}$ "
2 "	2 "
1 "	1 dram
8 oz or $\frac{1}{2}$ lb.	$\frac{1}{2}$ "

*Decimal grain (Avoirdupois)*

4,000 grains	3 grains
2,000 "	2 "
1,000 "	1 grain
500 "	.5 "
300 "	.3 "
200 "	.2 "
100 "	.1 "
50 "	.05 "
30 "	.03 "
20 "	.02 "
10 "	.01 "
5 "	

*Troy.*



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*Weights and Measures.*


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*Troy*

500	ounces				·5 ounce
300	"				·3 "
200	"				·2 "
100	"				·1 "
50	"				·05 "
30	"				·03 "
20	"				·02 "
10	"				·01 "
5	"				·005 "
3	"				·003 "
2	"				·002 "
1	ounce				·001 "

*Pennyweights and grains (Troy).*

240	grains, commonly called 10 pennyweights or $\frac{1}{2}$ oz.				6 grains
120	"	5	"	$\frac{1}{4}$ "	5 "
72	"	3	"		4 "
48	"	2	"		3 "
24	"	1	"		2 "
12	"	$\frac{1}{2}$	"		1 grain

*Apothecaries'.*

1 ounce				10 grains, or $\frac{1}{2}$ scruple
4 drachms, or $\frac{1}{2}$ ounce				6 "
2 " or $\frac{1}{4}$ ounce				5 "
1 "				4 "
2 scruples				3 "
$1\frac{1}{2}$ " or $\frac{1}{2}$ drachm				2 "
1 scruple				1 grain
				$\frac{1}{2}$ "

## METRIC CARAT.

500 carats		5 carats		·05 carat
200 "		2 "		·02 "
100 "		1 carat		·01 "
50 "		·5 "		·005 "
20 "		·2 "		
10 "		·1 "		

## MEASURE OF EXTENSION.

Yard, 2 feet, 1 foot, 1 inch.

## MEASURES



*Weights and Measures.*

## MEASURES OF CAPACITY.

10 gallons	<i>Apothecaries' measures.</i>
8 gallons or 1 bushel	40 fluid ounces to 1 ounce
5 "	16 fluid drachms to $\frac{1}{2}$ drachm
4 " or $\frac{1}{2}$ "	60 minims to 1 minim
3 "	
2 " or peck	
Gallon	
Half gallon	
Quart	
Pint	
Half pint	
Gill or $\frac{1}{4}$ pint	
Half gill	
Quarter gill	

## SCHEDULE C.

## UNITS OF WEIGHT AND MEASURE.

*Measures of weight.*

The standard pound shall be the legal standard measure of weight, English Act. and of measure having reference to weight, and shall be the only unit or standard measure of weight from which all other weights, and all measures having reference to weight, shall be ascertained.

One-sixteenth part of the standard pound shall be an ounce, and *Ibid.* one-sixteenth part of such ounce shall be a dram, and one seven-thousandth part of the standard pound shall be a grain.

A hundredweight shall consist of one hundred and twelve pounds, English and a ton shall consist of twenty such hundredweights. New South Wales Act.

Provided that a ton of flour, bran, pollard, sharps, semolina, wheat-meal, or other milled product of wheat shall consist of 2,000 pounds.

Four hundred and eighty grains shall be an ounce troy or apothecaries.

*Measures of capacity.*

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

The quart shall be the fourth part of the gallon, and the pint shall be the eighth part of the gallon. Two gallons shall be a peck, and eight gallons shall be a bushel, and eight such bushels shall be a quarter.

*Measures of length.*

The standard yard shall be the only unit or standard measure of *Ibid.* extension, from which all other measures of extension, whether linear, superficial, or solid, shall be ascertained. One-third



*Weights and Measures.*

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

*Ibid.* The rood of land shall contain one thousand two hundred and ten square yards, according to the standard yard, and the acre of land shall contain four thousand eight hundred and forty such square yards, being one hundred and sixty square rods, poles, or perches.

## SCHEDULE D.

## FEES TO BE PAID FOR TESTING, VERIFYING, OR STAMPING WEIGHTS AND MEASURES AND WEIGHING OR MEASURING INSTRUMENTS.

*Weights.*

Avoirdupois.				Troy and Apothecaries.			
56 lb. ...	...	...	6d. each	Over 100 oz. .	...	1s. each	
28 „ ...	...	...	4d. „	100 to 10 oz.	...	6d. „	
14 „ ...	...	...	3d. „	5 oz. or under	...	3d. „	
7 „ to 1 lb. ...	...	...	2d. „	240 grains or under..	...	3d. „	
8 oz. or under	...	...	1d. „	Decimal grains, 3d. each weight.			

*Measures of capacity.*

10 gallons ..	...	...	...	1s. each
8 gallons or 1 bushel	...	...	...	1s. „
5 gallons ...	...	...	...	1s. „
4 gallons or $\frac{1}{2}$ bushel	...	...	...	9d. „
3 gallons ...	...	...	...	9d. „
2 gallons or 1 peck	...	...	...	6d. „
1 gallon ...	...	...	...	4d. „
Half gallon	...	...	...	3d. „
Quart or under	...	...	...	2d. „

Subdivided measures shall be charged for each subdivision at the rate prescribed for measures of similar capacity.

Apothecaries' measures, 6d. each.

*Measures of extension.*

One yard, 2 feet, 1 foot, 1 inch ... 3d. each

*Weighing*



*Weights and Measures.**Weighing instruments.*

Weighbridges and crane weighing machines	...	£1 1s. each.
Weighing instruments (dormant)	...	15s. each.
Weighing machines, steelyards, balances and spring scales, capacity 14 lb. and under	...	1s. each.
" " over 14 lb. to 1 cwt.	...	2s. "
" " over 1 cwt.	...	6d. for each additional cwt., or part thereof.
Computing scales, 10 lb. and under	...	2s. 6d. each.
" " over 10 lb. to 150 lb.	...	5s. "
" " over 150 lb.	...	1s. for each additional cwt., or part thereof.

These fees include the stamping of one set of proportional weights where such are used; duplex sets to be charged half above fees.

One-half above fees to be chargeable for weights, measures, or weighing instruments tested and rejected as incorrect or otherwise unsuitable.

In the case of weighing instruments graduated in centals, read "100 lb." in place of "1 cwt."

For the testing for verification of weighing or measuring instruments at premises outside the inspector's office, owners shall provide cartage for necessary weights, and labour to handle same, and shall pay an additional mileage fee in accordance with the regulations.

## SCHEDULE E.

## WEIGHTS FOR BUSHEL.

Article.	Weight.
Amber cane	60 lb.
Barley	50 "
Beans	60 "
Bran	20 "
Broom corn	50 "
Buckwheat	50 "
Clover, red or white	20 "
Grasses—couch, cocksfoot, paspalum, rib, rye	20 "
Hungarian millet	60 "
Imphee	60 "
Lucerne	20 "
Maize	56 "
Oats	40 "
Planter's friend	60 "
Peas	60 "
Pollard	20 "
Rye corn	60 "
Sorghum	60 "
Tares or vetches	60 "
Wheat (seed)	60 "

*In the name and on behalf of His Majesty I assent to this Act.*

G. STRICKLAND,

State Government House,

Governor.

Sydney, 22nd February, 1915.



