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[1960

WEIGHTS AND MEASURES ACT, 1915-1958.

Office of the Commissioner of Police,
Perth, 30th March, 1960.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Weights and Measures Act, 1915-1958, has been pleased to make the regulations set out in the Schedule hereunder.

J. I. JOHNSTON,
Deputy Commissioner of Police.

Schedule.

Regulations.

1. In these regulations the Weights and Measures Regulations, 1927, published in the *Government Gazette* on the 3rd June, 1927, as duly amended from time to time thereafter, are referred to as the principal regulations.

Reg. 2 of
Part I
amended.

2. Regulation 2 of Part I of the principal regulations is amended by adding before the passage, "Part XI" the passage, "Part XA—Sale of Earth, Sand, etc."

Reg. 3 of
Part I
amended.

3. Regulation 3 of Part I of the principal regulations is amended—

- (a) by substituting for the passage, "by Act No. 42 of 1926" in line two of the definition, "The Act," the passage, "from time to time";
- (b) by adding after the definition, "The Act" the following definitions—

"ballast" means crushed or broken stone, solidified furnace slag, ashes, screenings, stone chippings, and other like material sold, conveyed, or otherwise dealt with in the course of trade, and used, intended to be used, or capable of being used, for road or building construction or for similar purposes;

"calibrating measure or instrument" means any measure or instrument primarily used for the purpose of calibration of trade measures and liquid measuring instruments to standard;

- (c) by adding after the definition, "correct" the following definition—

"earth" means any kind of earth sold, conveyed or otherwise dealt with in the course of trade and includes earth used, or intended to be used, or capable of being used, for filling purposes or for agricultural, horticultural or gardening purposes;

- (d) by adding after the definition, "error" the following definitions—

"fabric measuring instrument" is a measuring instrument equipped with a mechanism for measuring and for indicating automatically the length of fabric passed through it;

"fancy package" means any package of which the substantial value is the container and on which there is no advertising matter, but for the purposes of this definition, the manufacturers' name and address and a factual description of the article contained in the package does not constitute advertising matter;

"farm milk tank" means a measure having a capacity of not less than fifty gallons for measuring milk or liquid milk products, provided with a suitable graduated scale by reference to which the quantity of liquid in the tank may be determined;

- (e) by adding after the definition, "flow meter" the following definition—

"leather measuring instrument" means any instrument designed to measure the area of any piece of leather; and

- (f) by adding after the definition, "retail flow meter" the following definitions—

"sand" means any kind of sand sold, conveyed or otherwise dealt with in the course of trade and includes foundry moulding sand used, or intended to be used, or capable of being used for road or building construction or for agricultural, horticultural or gardening purposes;

"undercut" in reference to a hole intended to contain lead for the purpose of stamping, adjusting or sealing any weight, measure or instrument, means tapered in such manner that the cross section of the hole is smallest at its opening.

Reg. 1 of
Part III
amended.

4. Regulation 1 of Part III of the principal regulations is amended—

- (a) by deleting the proviso to subparagraph (1) of paragraph (d); and

- (b) by adding the following paragraph after paragraph (e)—

(ee) on a retail flow meter if the retail flow meter does not conform to the requirements of subparagraph (2) or subparagraph (3) of paragraph (e) of this regulation, and if the error in excess is more than one-half as much again as the error allowed on verification; .

Reg. 2 of
Part IV
amended.

5. Regulation 2 of Part IV of the principal regulations is amended by substituting for the passage, "Table XIII hereto" in line three of paragraph (a) the passage, "Table XIV of these regulations."

Reg. 5 of
Part IV
amended.

6. Regulation 5 of Part IV of the principal regulations is amended by deleting the words, "is not contrary to the regulations" in lines two and three.

Reg. 11 of Part IV amended. 7. Regulation 11 of Part IV of the principal regulations is amended by deleting the passage commencing, "Provided" in line two and ending with the word, "date" in line five.

Reg. 21 of Part IV amended. 8. Regulation 21 of Part IV of the principal regulations is amended—
 (a) by deleting the colon following the word, "thereon" being the last word of paragraph (i); and
 (b) by deleting the proviso.

Reg. 23 of Part IV amended. 9. Regulation 23 of Part IV of the principal regulations is amended by adding after the passage, "Table III" in lines one and two the words, "of these regulations."

Reg. 24 of Part IV amended. 10. Regulation 24 of Part IV of the principal regulations is amended—
 (a) by deleting the colon following the last word, "graduations" in paragraph (e); and
 (b) by deleting the proviso.

Reg. 26 of Part IV amended. 11. Regulation 26 of Part IV of the principal regulations is amended by adding after the passage, "Table IV" the words, "of these regulations."

Reg. 28 of Part IV amended. 12. Regulation 28 of Part IV of the principal regulations is amended—
 (a) by deleting the colon following the word, "bottoms" in line one of paragraph (h);
 (b) by deleting the proviso to paragraph (h); and
 (c) by deleting the second proviso to paragraph (i).

Reg. 39A of Part IV added. 13. The principal regulations are amended by adding after regulation 39 of Part IV the following regulation:—

39A. (1) For the purposes of this regulation "official liquid measuring instrument" means a measuring instrument, used for measuring liquids, which has been verified by comparison with departmental standards to the satisfaction of the Commissioner and is correct within the tolerances for error prescribed for Local Standards in Table II of these regulations or (if not so prescribed) specified in the schedule to subregulation (3) of this regulation.

(2) Any measure of capacity or liquid measuring instrument may be verified or reverified by comparison with an official liquid measuring instrument.

(3) The schedule referred to in subregulation (1) of this regulation is as follows:—

Denominations.	Error in Excess or Deficiency.
Imperial Measure—	
22 gallons	1 fluid ounce.
44 gallons	2 fluid ounces.
50 gallons	2½ fluid ounces.
100 gallons	5 fluid ounces.
Capacities above 100 gallons	5 fluid ounces for first 100 plus 5 fluid ounces for each additional 100 gallons.

(4) An official measuring instrument shall not be used for the purposes of the Act or these regulations unless it has been verified as prescribed in these regulations within a period of two years before the time at which it is used.

Reg. 40 of Part IV amended. 14. Regulation 40 of Part IV of the principal regulations is amended by substituting for the passage, "in Table V for such measures" in line two, the passage, "for those measures in Table V of these regulations."

Reg. 43 of
Part IV
amended.

15. Regulation 43 of Part IV of the principal regulations is amended by substituting for the passage, "in Table V for such measures" in line two, the passage, "for those measures in Table V of these regulations."

Reg. 47 of
Part IV
amended.

16. Regulation 47 of Part IV of the principal regulations is amended by substituting for the passage, "in Table V for such measures" in line two, the passage, "for those measures in Table V of these regulations."

Reg. 47A of
Part IV
added.

17. The principal regulations are amended by adding after regulation 47 of Part IV the following regulation:—

Farm Milk Tanks.

47A. (1) No farm milk tank which is not of an approved type and pattern shall be verified.

(2) Every farm milk tank shall have the maker's name and serial number plainly, legibly, and prominently stamped on it.

(3) The graduated scale provided for use with any farm milk tank shall be plainly and legibly stamped on—

- (a) a metal dip-stick having a dull finish designed to be read at the point where the surface of the liquid intersects with such dip-stick; or
- (b) a metal surface gauge rod designed to be read by reference to a fixed indicator when the end of such gauge rod is brought into contact with the surface of the liquid from above.

(4) Every dip-stick or surface gauge rod shall be plainly and legibly stamped with the maker's name and with the serial number corresponding with the serial number of the farm milk tank with which such dip-stick or surface gauge rod is to be used.

(5) Suitable means shall be provided on every farm milk tank to ensure—

- (a) that every dip-stick or surface gauge rod when in use is suitably supported or otherwise held in position, so that a definite reading is readily obtained; and
- (b) that it can be readily ascertained whether such farm milk tank is in a level position in relation to a suitable indicating device permanently attached thereto.

(6) Suitable means shall be provided to enable an inspector readily to stamp with a mark of verification every farm milk tank and the dip-stick or surface gauge rod to be used therewith.

(7) A farm milk tank—

- (a) shall be of such strength and construction as not to be liable to become distorted during transport, erection or use;
- (b) shall be provided with a discharge valve through which such tank may be effectively and completely emptied when such tank is level; and
- (c) shall be permanently fixed in the position of use unless—
 - (i) of symmetrical form, approved for such purpose when viewed in plain; and
 - (ii) having the dip-stick or surface gauge rod mounted centrally in such farm milk tank, when in the position in which readings are to be taken.

(8) Notwithstanding the provisions of subregulation (7) of this regulation a farm milk tank need not be permanently fixed in the position of use if it is provided with approved means of adjustment of level.

(9) The dip-stick or surface gauge rod of any farm milk tank may be graduated in terms of either—

- (a) gallons; or
- (b) if such instrument is plainly and legibly and prominently stamped "For use in Measuring Cow's Milk Only," pounds and in which case one gallon of milk shall be deemed to weigh 10.32 pounds.

(10) The interval between any two adjacent graduations of any dip-stick or surface gauge rod shall not be less than one-sixteenth of one inch and shall correspond with maximum quantities of liquid in accordance with the following table:—

Capacity when denominated in terms of gallons	Maximum quantity of liquid corresponding to interval between any two adjacent graduation marks	Capacity when denominated in terms of pounds of milk	Maximum weight of milk corresponding to interval between any two adjacent graduation marks
Not over 200 gallons	$\frac{1}{2}$ gallon	Not over 2,000 lb.	5 lb.
Over 200 gallons	1 gallon for every 500 gallons or part thereof	Over 2,000 lb.	10 lb. for every 5,000 lb. or part thereof

(11) A farm milk tank, on verifications, shall be tested at its capacity and at not less than four other points.

(12) In any test, on verification or inspection, on the capacity corresponding to any graduation on the dip-stick or surface gauge rod provided for use with any farm milk tank either—

- (a) the quantity of water delivered from such farm milk tank shall be determined; or
- (b) the tank—
 - (i) shall have its interior surfaces thoroughly wetted with water; and
 - (ii) shall have such water removed through the discharge valve of such tank followed by drainage of the tank, for thirty seconds after the continuous flow of water has ceased, before testing of such tank by transferring water into it is commenced.

(13) Tolerances on farm milk tanks (whether or not means are provided for cooling liquid in those tanks) on verification shall be as specified in Table V of these regulations.

Reg. 50 of Part IV amended.

18. Paragraph (c) of regulation 50 of Part IV of the principal regulations is amended by deleting the passage commencing with the word, "provided" in line two and ending with the passage, "date;" in line four.

Reg. 52 of Part IV amended.

19. Regulation 52 of Part IV of the principal regulations is amended by deleting the proviso to paragraph (d).

Reg. 54A of Part IV added.

20. The principal regulations are amended by adding after regulation 54 of Part IV of the principal regulations the following regulation:—

54A. (1) On any weighing instrument used only for weighing coal, coke or firewood, if clearly, prominently and indelibly marked "coal," "coke," or "firewood," four times the tolerance for error prescribed for that instrument shall be permitted and the tolerance for sensitivity shall be the same as that allowed for error on instruments used for the purpose.

(2) Subregulation (1) of this regulation does not apply to new instruments purchased after the coming into operation of this regulation nor to instruments which are repaired or adjusted after that time, nor does it apply to the tolerance for error on acceleration.

- Reg. 56 of Part IV amended. 21. Regulation 56 of Part IV of the principal regulations is amended by adding after the passage, "Table VI" in line three, in line eight, and again in line eleven, the words, " of these regulations."
- Reg. 60 of Part IV amended. 22. Regulation 60 of Part IV of the principal regulations is amended—
 (a) by deleting the colon following the last word, "equilibrium" in paragraph (g); and
 (b) by deleting the proviso.
- Reg. 62 of Part IV amended. 23. Regulation 62 of Part IV of the principal regulations is amended by deleting the passage commencing with the word, "Provided" in line four and ending with the passage, "date;" in line six of paragraph (d).
- Reg. 63 of Part IV amended. 24. Regulation 63 of Part IV of the principal regulations is amended by deleting the proviso.
- Reg. 64 of Part IV amended. 25. Regulation 64 of Part IV of the principal regulations is amended—
 (a) by deleting the colon in line one of paragraph (a); and
 (b) by deleting the proviso which follows paragraph (a).
- Reg. 65 of Part IV amended. 26. Regulation 65 of Part IV of the principal regulations is amended—
 (a) by adding after the passage, "Table VII" in line two the words "of these regulations"; and
 (b) by adding after the passage, "Table VI" in line four the words, "of these regulations."
- Reg. 71 of Part IV amended. 27. Regulation 71 of Part IV of the principal regulations is amended—
 (a) by adding after the regulation designation, "71" the subregulation designation, "(1)";
 (b) by adding after the passage, "Table VII" in line two the words, "of these regulations";
 (c) by adding after the word, "for" in line two the words, "self indicating";
 (d) by deleting the colon which follows the word, "graduations" in line four;
 (e) by deleting the proviso; and
 (f) by adding after subregulation (1) the following subregulation:—
 (2) From and after the first day of January, 1960, double the error described in subregulation (1) of this regulation shall be permissible on verification of any spring-balance which is not equipped with a thermostatic control or other device to control variations caused in weighing indications by temperature changes.
- Reg. 73 of Part IV amended. 28. Regulation 73 of Part IV of the principal regulations is amended—
 (a) by deleting the colon following the word, "specified" in the first proviso to paragraph (d);
 (b) by deleting the first proviso to paragraph (d);
 (c) by substituting for the words, "Provided further that this" in line one of the second proviso to paragraph (d) the word, "This";
 (d) by deleting the colon following the word, "Commissioner" in line five of paragraph (e); and
 (e) by deleting the proviso to paragraph (e).

- Reg. 75 of Part IV amended. 29. Regulation 75 of Part IV of the principal regulations is amended by substituting for paragraph (c) the following paragraph—
- (c) (i) value graduation shall not represent—
- (I) more than one penny in relation to prices not exceeding three shillings and fourpence per lb.;
- (II) more than two pence in relation to prices exceeding three shillings and fourpence per lb. and not exceeding six shillings and eightpence per lb.; and
- (III) more than three pence in relation to prices exceeding six shillings and eightpence per lb.;
- (ii) the graduation lines shall not be less than 1,000th inch in width.
- Reg. 76 of Part IV amended. 30. Regulation 76 of Part IV of the principal regulations is amended—
- (a) by substituting for the words, "for counter scales" in line two the words, "of these regulations";
- (b) by deleting the passage commencing with the word, "Provided" in line three and ending with the passage, "date:" in line four; and
- (c) by deleting the word, "further" in line one of the second proviso.
- Reg. 81 of Part IV revoked. 31. Regulation 81 of Part IV of the principal regulations is revoked.
- Reg. 83 of Part IV amended. 32. Regulation 83 of Part IV of the principal regulations is amended—
- (a) by adding before the word, "Table" in line two the words "that part of";
- (b) by substituting for the words, "for platform machines" in line two the words, "which applies to steelyard type platform weighing machines";
- (c) by deleting the paragraph designation, "(a)" in the proviso; and
- (d) by deleting paragraph (b) of the proviso.
- Reg. 85 of Part IV amended. 33. Regulation 85 of Part IV of the principal regulations is amended by substituting for the words, "for platform weighing machines" in line two, the words, "of these regulations."
- Reg. 87 of Part IV amended. 34. Regulation 87 of Part IV of the principal regulations is amended—
- (a) by deleting the colon following the last word, "body" of paragraph (i); and
- (b) by deleting the proviso.
- Reg. 88 of Part IV amended. 35. Regulation 88 of Part IV of the principal regulations is amended by substituting for the words, "for platform machines" in line two the words, "of these regulations."
- Reg. 89 of Part IV amended. 36. Regulation 89 of Part IV of these regulations is amended by deleting the passage commencing with the word, "Such" in line three and ending with the passage, "date." in line four.
- Reg. 91 of Part IV amended. 37. Regulation 91 of Part IV of the principal regulations is amended by deleting the passage commencing with the passage, "Provided" in lines two and three and ending with the numerals, "89" in line four of paragraph (c).
- Reg. 92 of Part IV amended. 38. Regulation 92 of Part IV of the principal regulations is amended by deleting the proviso to paragraph (e).
- Reg. 93 of Part IV amended. 39. Regulation 93 of Part IV of the principal regulations is amended—
- (a) by deleting the colon following the passage, "1 lb." in line two of paragraph (c); and
- (b) by deleting the proviso to paragraph (c).

Reg. 93A of Part IV added.

40. The principal regulations are amended by adding after regulation 93 of Part IV the following regulation:—

93A. (1) Any self-indicating weighing instrument, excluding spring balances, brought into use after the date of these regulations shall, where applicable, in so far as the value of the minimum graduation is concerned, comply with the following table:—

Capacity.	Weight corresponding to interval between consecutive graduation marks, shall not exceed—
Exceeding 1 cwt. but not exceeding 2 cwt.	4 oz.
Exceeding 2 cwt. but not exceeding 5 cwt.	8 oz.
Exceeding 5 cwt. but not exceeding 15 cwt.	1 lb.
Exceeding 15 cwt. but not exceeding 30 cwt.	2 lb.
Exceeding 30 cwt. but not exceeding 50 cwt.	4 lb.
Exceeding 50 cwt. but not exceeding 5 tons	7 lb.
Exceeding 5 tons but not exceeding 20 tons	14 lb.
Exceeding 20 tons but not exceeding 40 tons	28 lb.
Exceeding 40 tons but not exceeding 75 tons	56 lb.
Exceeding 75 tons but not exceeding 200 tons	112 lb.

(2) Self-indicating instruments used only for freight and postal purposes, may be permitted twice the value of the interval between graduations, if those machines are clearly and indelibly marked "for freight and postal purposes only."

(3) Self-indicating instruments of a capacity exceeding 40 lb. used solely for the purpose of weighing persons are permitted four times the value of the interval between graduations.

Reg. 94 of Part IV amended.

41. Regulation 94 of Part IV of the principal regulations is amended by deleting the words, "or weighbridge" in line one.

Reg. 98 of Part IV amended.

42. The principal regulations are amended by substituting for regulation 98 of Part IV the following regulation:—

98. The errors permissible on verification of platform weighing machines and weighbridges are those specified in Table VIII and Table IX respectively of these regulations.

Reg. 103 of Part IV amended.

43. Paragraph (c) of regulation 103 of Part IV of the principal regulations is amended by substituting for the words, "twice the error permissible on a lever machine of similar capacity" in lines one and two the passage, "the errors specified in the appropriate part of Table IX of these regulations."

Reg. 106 of Part IV revoked.

44. Regulation 106 of Part IV of the principal regulations is revoked.

Reg. 110 of Part IV amended.

45. The principal regulations are amended by substituting for the heading, "Measuring Instruments" to regulation 110 of Part IV and regulation 110, the following:—

Measuring Instruments—General.

110. (1) A measuring instrument—

(a) shall have its capacity, and capacity maximum and minimum rates of flow, and maximum operating pressure per square inch or other similar terms, as the case may require, plainly and legibly cast, stamped, or engraved on some prominent and essential part of the measuring instrument in the following form, for example,

"Capacity.....gallons," or
 "Capacity.....gallons, maximum rate of flow.....g.p.m., maximum pressure.....lb. per square inch";

- (b) shall have the maker's name plainly and legibly cast, stamped, or engraved, or otherwise marked thereon in a manner approved by the Commissioner, but where all essential parts of the instrument are enclosed in a casing or other enclosing device the pattern and consecutive number shall be marked on the outside of the casing, or other enclosing device, in a suitable position, in addition to such marking on an essential part thereof;
- (c) shall have the maker's consecutive and pattern number legibly cast, stamped, or engraved on a prominent and essential part;
- (d) may have the stamping or engraving required by subregulations (a), (b) or (c) of this regulation stamped or engraved, as the case may be on a metal plate suitably secured by driven screws of hard steel to the measuring instrument;
- (e) shall have a stamping plug of soft lead which—
 - (i) shall be not less than $\frac{3}{8}$ in. in diameter;
 - (ii) shall be securely and firmly set down in an undercut hole below the surface of such hole; and
 - (iii) shall have a clean and even surface;
- (f) shall have any indicating finger finely pointed;
- (g) shall be correct within the tolerance for error which applies to that instrument and the following conditions as to testing the instrument apply—
 - (i) fixed instruments shall be tested *in situ*;
 - (ii) movable instruments provided with a base shall be tested on a level plane, or as near as practicable thereto, and such instruments shall be so constructed as to stand evenly on a level surface; and
 - (iii) on instruments tested at less than full capacity, the permissible error shall be as specified for a similar instrument of the capacity at which the test is made;
- (h) shall have suitable means provided for securely sealing any adjusting device; and
- (i) shall have any stamp, mark, or seal mark so positioned that it may readily be inspected, without the necessity of removing any casing or other enclosing device.

(2) The provisions of paragraph (a) of subregulation (1) of this regulation do not apply to an instrument which has a dial or other similar indicating device which clearly shows the capacity and capacity maximum and minimum rates of flow, and maximum operating pressure per square inch and other similar terms, as the case requires.

Regs. 110A
to 110D of
Part IV
added.

46. The principal regulations are amended by adding after regulation 110 of Part IV the following regulations:—

110A. (1) (a) Any measuring instrument used for trade for the purpose of measuring more than one kind of article or liquid shall be verified for each kind of article or liquid for which it is, or is intended to be used to measure.

(b) The prescribed fee for a verification test shall be charged for each and every verification test for each kind of article or liquid.

(2) Where, in the opinion of the inspector, it is unnecessary to carry out more than a single verification test to ascertain the accuracy of the instrument for each and every kind of article or liquid to be passed through or contained therein for measurement, one test and one fee only shall be charged.

(3) A measuring instrument shall be clearly marked with the class of article or liquid for which its use is approved.

110B. (1) When a measuring instrument is situated or installed in a position exposed to any disturbing influences, or put to a use, the nature of which is such, that the instrument is likely to become affected by water, dust, or debris and its accuracy seriously affected thereby, an inspector may refuse to stamp the instrument until it, or its installation, is suitably enclosed or protected from the disturbing influence, water, dust or debris.

(2) An inspector may refuse to stamp an instrument which, owing to faulty installation or similar faults, or which will be subject in ordinary use to altered conditions of use either by the effect on it of water, dust, debris, or any disturbing influence, if, in his opinion, those altered conditions will seriously affect its accuracy.

110C. A measuring instrument shall be of a type approved by the Commissioner under regulation 5 of Part IV of these regulations and constructed in accordance with drawings and specifications relating thereto deposited in the Weights and Measures Office, but minor variations, if clearly in the nature of improvements and not contrary to the regulations, may be permitted.

Miscellaneous Measuring Instruments.

110D. (1) A measuring instrument of a type not particularised in these regulations shall comply with the regulations relating to the type to which it most closely approximates, having regard to its design and construction and the purposes for which it is commonly used.

(2) The Commissioner may in his discretion allow a tolerance for error equal to double that prescribed for the type of instrument to which it most closely approximates, if in his opinion that additional tolerance is reasonable.

- Reg. 111 of Part IV amended.— 47. Regulation 111 of Part IV of the principal regulations is amended—
- (a) by substituting for the passage, "provided. Fixed" in line one the passage, "provided, fixed"; and
 - (b) by adding the word, "manual" before the word, "petrol" in line one.
- Reg. 112 of Part IV amended. 48. Regulation 112 of Part IV of the principal regulations is amended by adding the word "manual" before the word, "petrol" in line one.
- Reg. 113 of Part IV amended.— 49. Regulation 113 of Part IV of the principal regulations is amended—
- (a) by adding the word, "manual" before the word, "petrol" in line one; and
 - (b) by adding the words, "of these regulations" after the passage, "Table V" in line two.
- Reg. 113A of Part IV amended. 50. Regulation 113A of Part IV of the principal regulations is amended by adding after the passage, "Table V" in line two of paragraph (c) the words, "of these regulations."
- Reg. 113B of Part IV amended. 51. Regulation 113B of Part IV of the principal regulations is amended by adding after subregulation (16) the following subregulation—
- (17) be correct within the tolerances specified in Table V of these regulations.

Reg. 113C
of Part IV
amended.

51A. Regulation 113C of Part IV of the principal regulations is amended by substituting for the passage, ". Provided that" in line two of subregulation (5) the passage, "unless the Commissioner authorises a lesser measurement, and."

Reg. 113D
of Part IV
amended.

52. Regulation 113D of Part IV of the principal regulations is amended by substituting for the passage, "of Part XI" in line four, the passage, "of these regulations."

Reg. 113E
of Part IV
amended.

53. Regulation 113E of Part IV of the principal regulations is amended by substituting for the words, "for measures of capacity on verification" in line two of subregulation (1), the words, "of these regulations for retail flow meters."

Reg. 113G
of Part IV
added.

54. The principal regulations are amended by adding after regulation 113F of Part IV the following regulation:—

113G. (1) Every calibrating measure or instrument—

- (a) shall have any indicating hook or other similar device identified with the body of the measure by a number or other sufficient indelible mark, and where the actual capacity of the measure is determined by the point of a hook or other similar device, the distance between the tip of such point and some permanent mark or the like on the hook assembly thereof shall be plainly and indelibly marked on the body of such measure in a prominent position and in close proximity to the stamping plug;
- (b) where similar in construction to a measure of capacity, drum filling measuring machine, or flow meter, shall comply with the appropriate requirements thereof;
- (c) shall have any adjusting device provided with suitable means for adequately sealing such adjustment;
- (d) shall be so constructed that the overflow, if any, and the discharge will act quickly and without a prolonged dribble;
- (e) shall have the fittings and delivery hose of a pattern designed to give free and ready flow to all water from time to time delivered therefrom;
- (f) when provided with a tap or outlet valve shall be completely emptied by that tap or outlet valve without tilting; and
- (g) where necessary, shall be provided with suitable means for levelling the measure, such as adjustable levelling legs or the like; in such instances the measure shall be provided with adequate spirit levels or other means for determining when the measure is in level; and also be plainly and clearly and indelibly marked, "Instrument incorrect if not truly level" in some prominent position in close proximity to spirit levels or other means for determining when the measure is level.

(2) A calibrating measure or instrument—

- (a) shall not show any leakage, or seepage at any joint, valve, hose connection, or elsewhere; and
- (b) shall be correct within the tolerances prescribed for "measures of capacity" in Table II of these regulations, or as the case requires, for "Official Measuring Instruments" in regulation 39A of Part IV of these regulations.

Reg. 114 of
Part IV
amended.

55. The principal regulations are amended by substituting for regulation 114 of Part IV the following regulation:—

114. On every fabric measuring instrument—

- (a) the length graduations and the value graduations shall be clear and distinct;
- (b) the graduations shall be so arranged that their meaning is readily apparent and so that the indications may be conveniently read;
- (c) the figures denoting value, if any, shall be in alignment with those for unit, price and length;
- (d) the length corresponding to the interval between successive graduations shall not exceed one-eighth of one yard;
- (e) the clear interval between one-eighth of one yard graduations shall not be less than eleven-sixteenths of one inch;
- (f) if inch graduations are used, the clear interval between successive graduations shall not be less than one-eighth of one inch;
- (g) the clear interval between successive value graduations, if any, shall not be less than one-fifth of one inch;
- (h) all pointers or indicators shall be symmetrical about the graduations at which they may stand and shall reach to all such graduations;
- (i) the width of the end of any pointer or indicator shall not exceed the width of the smallest graduations on the scale on which it is used, and in no case shall it exceed fifteen-thousandths of one inch; and
- (j) the distance between any pointer or indicator and its scale or chart shall not exceed six-hundredths of one inch;
- (k) the maker's name, serial number and pattern number shall be clearly stamped thereon.

Regs. 114A
to 114D of
Part IV
added.

56. The principal regulations are amended by adding after regulation 114 of Part IV the following regulations:—

114A. Every fabric measuring instrument shall be—

- (a) so designed and constructed that—
 - (i) in any position which the length pointer or indicator and scale or chart may assume, a number of figures and graduations, sufficient to permit the length indications readily to be read correctly, shall be shown;
 - (ii) the indicating elements used in registering lengths or prices of deliveries to individual purchasers can be returned readily to a definite and distinct zero reading before the next measuring operation is begun;
 - (iii) if equipped with rollers such rollers shall be parallel when in position for measuring;
 - (iv) when reset, such rollers are free and the chart or charts are at zero; and
- (b) accurate in its length indications and value indications whether the indications are being increased or decreased.

114B. Every fabric measuring instrument which does not give accurate results when used for the measurement of all fabrics shall bear a stamp to indicate clearly its limitations.

114C. Every adjusting device of a fabric measuring instrument shall be securely protected so that it cannot be altered without breaking the inspector's seal.

114D. (1) Every fabric measuring instrument shall be correct within the tolerance in error specified in Table XI of these regulations.

(2) A test shall be made only by, with, or by the use of official testing tapes or other testing means approved by the Commissioner and in any case the testing medium shall be certified as correct by the Commissioner.

Reg. 115 of Part IV amended.

57. The principal regulations are amended by substituting for regulation 115 of Part IV the following regulation:—

115. (1) In a leather measuring instrument, every contrivance for setting the pointer of any recording dial to zero, for adjusting any recording mechanism and for setting the position of any adjusting shaft which effects the raising and lowering of rollers, shall be secured in position by lock-nuts or in any other manner approved by the Commissioner.

(2) A leather measuring instrument shall be tested for accuracy by means of official templets, which shall be chosen with due regard to size and thickness of the skins which the instrument is being or is to be used to measure and when templets are used in combination those templets shall all be of the same thickness.

(3) Every official templet shall be of pattern approved by the Commissioner and its area shall be certified by the Commissioner.

(4) Every leather measuring instrument in use for trade shall be verified at least once in every twelve months.

Reg. 115A of Part IV added.

58. The principal regulations are amended by adding after regulation 115 of Part IV the following regulation:—

115A. The tolerances on leather measuring instruments on verification shall be as specified in Table XII of these regulations.

Reg. 124 of Part IV amended.

58A. Condition (3) to proviso (a) of regulation 124 of the principal regulations is amended by substituting for the passage, "one shilling and sixpence per mile or part thereof; minimum fee seven shillings and sixpence" the passage, "as prescribed by Table XIII B."

Reg. 128A of Part IV amended.

59. Regulation 128A of Part IV of the principal regulations is amended—

(a) by adding after the word, "measures" in line one, the words, "or instruments"; and

(b) by adding before the word, "flow" in line one, the word, "wholesale."

Regs. 132 to 135 of Part IV revoked.

60. Regulations 132, 133, 134 and 135 of Part IV of the principal regulations are revoked.

Reg. 1 of Part V amended.

61. Regulation 1 of Part V of the principal regulations is amended—

(a) by adding after the last word, "marking" of paragraph (d), the passage, "or on and after the first day of January, 1960, any spring scale of a maximum capacity of thirty lb. or less which is not equipped with a thermostatic control or other device to control variations caused in the weighing indications by temperature changes, for the weighing of any article or commodity except agricultural products (including wheat, maize, oats, potatoes), fruit, and vegetables"; and

(b) by adding after subparagraph (3) of paragraph (k) the following subparagraph—

(4) with any farm milk tank, dip-stick, or surface gauge rod, other than that which at the last verification was verified for use therewith.

- Reg. 3 of Part V amended. 62. Regulation 3 of Part V of the principal regulations is amended by adding after paragraph (g) the following paragraph—
(h) use for purposes other than trade an unstamped weighing or measuring instrument on trade premises, where other stamped weighing or measuring instruments are used for trade purposes, unless such instrument is clearly and indelibly marked "Not for trade use."
- Reg. 2 of Part VI amended. 63. Regulation 2 of Part VI of the principal regulations is amended—
(a) by adding after the regulation designation, "2" the subregulation designation, "(1)"; and
(b) by adding after subregulation (1) the following subregulation:—
(2) Notwithstanding the provisions of subregulation (1) of this regulation, the Minister may exempt any article of food from the provisions of subregulation (1) of this regulation.
- Item 9 of Table A of Part VI amended. 64. Item 9 of Table A of Part VI of the principal regulations is amended by substituting for the passage, "boxes. (A fancy box shall not include a tin, or any box with advertising matter on it.)" the passage, "packages."
- Item 10 of Table A of Part VI amended. 65. Item 10 of Table A of Part VI of the principal regulations is amended by substituting for the numeral, "6" the numeral "8."
- Item 5 of Table B of Part VI amended. 66. Item 5 of Table B of Part VI of the principal regulations is amended by substituting for the numeral, "5" secondly occurring in line three the numeral, "6."
- Reg. 2 of Part VII added. 67. Part VII of the principal regulations is amended by adding after regulation 1 the following heading and regulation:—
Exemption from Delivery or Invoice or Delivery Note.
2. (1) The articles specified in paragraphs (a), (b) and (c) of this regulation are exempt from the provisions of subsection (2) of section 21 of the Act—
(a) any article weighed or measured at the time of sale in the presence of the purchaser;
(b) any article for which an invoice or delivery note showing the net weight or measure of the article is handed to the purchaser at the time of sale; and
(c) any article enclosed in a package on which the weight or measure of such article is marked in accordance with Part VIII of these regulations.
(2) Notwithstanding the provisions of subregulation (1) of this regulation the Minister may exempt from the provisions of subsection (2) of section 21 of this Act any other article or class of articles which in his opinion should be exempt from the provisions of that subsection.
- Reg. 1 of Part VIII amended. 68. Regulation 1 of Part VIII of the principal regulations is amended by deleting the passage, "Section 21 (3)," in line two.
- Reg. 6 of Part VIII amended. 69. Regulation 6 of Part VIII of the principal regulations is amended by adding after Item 42 the following item:—
43. Any article exempted by the Minister by notice published in the *Gazette*.
- Reg. 1 of Part IX amended. 70. Regulation 1 of Part IX of the principal regulations is amended by substituting for the numeral, "5" in paragraph (b) the numeral, "8."
- Reg. 2 of Part IX amended. 70A. Regulation 2 of Part IX of the principal regulations is amended by substituting for the words, "such districts as are prescribed by the Governor by Order in Council published in the

Gazette" in lines one and two the passage, "those municipal districts, townsites, or other places which are situated within the area having a radius of twenty miles from the General Post Office, Perth."

Reg. 17 of Part IX amended.

71. Regulation 17 of Part IX of the principal regulations is amended by substituting for the word, "two" in line one of paragraph (a) the word, "five."

Reg. 2 of Part X amended.

72. Regulation 2 of Part X of the principal regulations is amended by substituting for the passage, "a fee of £2 10s." in line one the passage, "the fee prescribed in Table XIIIB of these regulations for Registered Public Weighbridges."

Reg. 9 of Part X amended.

73. Regulation 9 of Part X of the principal regulations is amended—

- (a) by substituting for the words, "shall be ten shillings" in line four the passage, "is as prescribed in Table XIIIB of these regulations"; and
- (b) by adding after the passage, "shall," secondly occurring in line four the passage, "be in the form of Schedule E and."

Reg. 13 of Part X amended.

74. Regulation 13 of Part X of the principal regulations is amended by substituting for the proviso to paragraph (m) the following passage, "but that person may be required to pay the minimum fee from time to time prescribed for a weighing by paragraph (b) of this regulation."

Reg. 14 of Part X amended.

75. Regulation 14 of Part X of the principal regulations is amended—

- (a) by substituting for the passage, "(h)" in line one of the proviso to paragraph (g1) the passage, "(g1)"; and
- (b) by substituting for the numerals, "14" in line two of the proviso to paragraph (g1) the numerals, "13."

Schedule E of Part X added.

76. The principal regulations are amended by adding after Schedule D of Part X the following Schedule:—

Schedule E.

Weights and Measures Act, 1915-1958.

PUBLIC WEIGHMAN'S LICENSE.

....., of....., is hereby licensed as a public weighman for the year ending theday of....., 19.....

Dated this.....day of....., 19.....
Fee.....

.....
Commissioner of Police.

Part XA added.

77. The principal regulations are amended by adding after Part X a new Part as follows:—

Part XA.—Sale of Earth, Sand, Etc.

1. The determination for purposes of trade of quantities of earth, sand, ballast, or manure, shall be in terms of weight or of cubic measure.

2. (1) In all instances where earth, sand, ballast, or manure is sold, the seller shall cause the correct weight or measure, as the case may be, to be clearly stated on a ticket bearing the name and address of both the seller and the purchaser and shall cause that ticket to be handed to the purchaser or his representative before any of such earth, sand, ballast or manure is unloaded.

(2) Unless the earth, sand, ballast or manure is delivered to the purchaser on the premises of the seller, the person in charge of any vehicle on which the earth, sand, ballast or manure is being delivered shall—

- (a) at all times while he is in charge have a ticket on which all the prescribed particulars have been correctly entered;

- (b) deliver that ticket to the purchaser or his representative before any earth, sand, ballast or manure is unloaded; and
- (c) on demand produce the ticket to an inspector and promptly give to the inspector all necessary assistance and facilities for checking the quantity of earth, sand, ballast or manure on the vehicle, but if an inspector finds that the quantity of earth, sand, ballast or manure stated on any ticket is incorrect, he shall retain that ticket.

(3) Where earth, sand, ballast or manure is delivered or is being delivered to a purchaser it shall be no defence, in any case where it is alleged that measure has been, or is being given short of the quantity purported to be sold or delivered, to prove or allege that the shortage is due to consolidation in transit.

(4) (a) The capacity of any receptacle used for ascertaining the quantity of earth, sand, ballast or manure by cubic measurement whether or not fitted to or forming part of any vehicle, shall be ascertained by a method approved by the Commissioner in terms of cubic measurement.

(b) For the purpose of this subregulation any portion of a receptacle which may be used for such measurement shall be deemed to be a receptacle.

(5) Where one or more of the commodities described in this regulation is or are carried in bulk on any vehicle for delivery to different purchasers, the commodity or commodities for each purchaser shall be definitely separated by boards or other effective means, and on demand by an inspector the driver of the vehicle shall indicate the commodity or commodities which is or are to be delivered to each purchaser.

(6) The driver of a vehicle on which a commodity described in this regulation is being hawked or carried for delivery to a purchaser or from which such a commodity has recently been sold or delivered on demand by an inspector—

- (a) shall drive the vehicle for the purpose of weighing the vehicle or all or part of its load a distance of not more than five miles to any street, premises, or place selected by the inspector; and
- (b) shall permit the inspector to weigh the vehicle and all or any of the commodity on the vehicle; and
- (c) shall render prompt and efficient assistance in the weighing and unloading and loading necessary or consequent on the weighing.

Part XI
amended.

78. The principal regulations are amended by substituting for Part XI (Miscellaneous) the following Part:—

Part XI.—Miscellaneous.

1. If it is found on inspection that an adjustment or other service relating to weights or measures or instruments is necessary in a locality where no adjuster or repairer is available, that adjustment or service may be made or rendered by the inspector and a charge made by him at the rate prescribed in Table XIII B of these regulations.

2. No scale adjuster or repairer shall lend any unstamped scales to a trader for use, nor shall the owner of a weight, measure or instrument permit any person to use for trade such weight, measure or instrument, unless it is stamped in accordance with the provisions of section 29 of this Act.

3. (1) No person, firm, or company (whether incorporated or not) shall use the designation "scale adjuster," "scale repairer," or any like designation, unless he, or a member of his firm, or an employee of the company, is the holder of a scale adjuster's license issued by the Commissioner.

(2) Any person applying for a scale repairer's license will be required to undergo an oral examination by the Chief Inspector of Weights and Measurers, or an examiner appointed by him, and to produce satisfactory evidence of his practical experience.

(3) No person shall undertake the repair or adjustment of scales or weights, unless he is the holder of a scale repairer's license issued by the Commissioner, or a person employed by and working under the supervision of a licensed scale repairer.

4. (1) A scale adjuster's license shall be an annual license, and shall be in the following form:—

Weights and Measures Act, 1915-1958.

SCALE ADJUSTER'S LICENSE.

....., of....., is hereby licensed as a scale adjuster for one year ending the.....day of....., 19.....

Dated this.....day of....., 19.....

.....
Commissioner of Police.

(2) The form prescribed in Table XV of these regulations shall be used for every application by a person for a scale adjuster's license.

5. (1) A scale adjuster's license shall be an annual license and shall be in the following form:—

Weights and Measures Act, 1915-1958.

SCALE REPAIRER'S LICENSE.

....., of....., is hereby licensed as a scale repairer for one year ending the.....day of....., 19.....

Dated this.....day of....., 19.....

.....
Commissioner of Police.

(2) The form prescribed in Table XVI of these regulations shall be used for every application for a scale repairer's license.

6. The fee payable for a scale adjuster's license or a scale repairer's license shall be as prescribed in Table XIII B of these regulations.

7. The fee to be charged by the Commissioner of Police for weighing any vehicle on a weighbridge under his control shall be as prescribed by Table XIII B of these regulations.

8. A guarantee under section 22 of the Act shall be in the Form A or B, as the case may be, in the Schedule to this regulation.

The Schedule.

Form A.

Weights and Measures Act, 1915-1958 (Section 22).

I (or we),..... being resident in Western Australia, carrying on business at..... under the name of....., do hereby guarantee that the article(s) hereunder described is/are as sold by me/us of the correct net weight or measure written or printed on the package in which the same is/are enclosed.

Particulars of article(s) the net weight or measure whereof is guaranteed—

.....

Dated at.....the.....day of....., 19.....

Witness.....
 Guarantor.

Form B.

Weights and Measures Act, 1915-1958 (Section 22).

The..... Limited, having a registered office in Western Australia and carrying on business at..... under the name of....., doth hereby guarantee that the article(s) hereunder described is/are as sold by the company, of the correct weight or measure written or printed on the package in which the same is/are enclosed.

Particulars of article(s) the net weight or measure whereof is guaranteed—

.....

Dated the.....day of....., 19.....

(To be sealed with the common seal of the company, or signed by its duly authorised officer.)

9. The fees prescribed in Tables XIII, XIII A and XIII B shall be payable for testing, verifying, stamping, or examination of weights, measures and weighing and measuring instruments; and for other services.

10. The Tables hereto shall form part of these regulations.

Penalty.

11. Any person committing a breach of these regulations or who contravenes or fails to comply with any provision thereof shall, on conviction, be liable to a penalty not exceeding ten pounds.

Table V amended.

79. Table V of the principal regulations is amended—
- (a) by adding at the foot of the Table, "Wholesale flow meters" the following passage, "On wholesale flow meters one-twelfth of one per centum shall be allowed in deficiency.";
 - (b) by adding after the Table, "Wholesale flow meters" the following Table:—

Retail Flow Meters.

Denomination.	Tolerance.	
	Excess.	Deficiency.
1 gallon	1 fluid ounce	$\frac{1}{2}$ fluid ounce
2 gallons	$1\frac{1}{2}$ fluid ounces	$\frac{3}{4}$ fluid ounce
3 gallons	2 fluid ounces	1 fluid ounce
4 gallons	$2\frac{1}{2}$ fluid ounces	$1\frac{1}{4}$ fluid ounces
5 gallons	3 fluid ounces	$1\frac{1}{2}$ fluid ounces
6 gallons	4 fluid ounces	2 fluid ounces
Over 6 gallons	4 fluid ounces plus an additional $\frac{1}{2}$ fluid ounce for each gallon in excess of 6 gallons	2 fluid ounces plus $\frac{1}{4}$ fluid ounce for each gallon in excess of 6 gallons

Provided, however, that the tolerance permitted for variation shall not exceed two-thirds the permissible range of error allowed between excess and deficiency at the relevant denomination at which the test for variation is made. For example, where the range of error between the maximum excess and deficiency errors equals three fluid ounces the variation tolerance would be two fluid ounces.

Provided further that any test for variation shall be as follows:—

One test shall be at the maximum rate of flow, known as the "fast test," and in the other test, known as the "slow test," the rate of flow shall not be less than one-third minute for each one gallon, *e.g.*, a test of three gallons would take one minute. ; and

- (c) by adding before the heading, "Apothecaries' Graduated Glass Measures" the following Table:—

Farm Milk Tanks.		Tolerance. Excess or Deficiency. Gallons.
Indicated Gallonage.		
100 or less	....	$\frac{1}{8}$
101 to 200 inclusive	....	$\frac{1}{4}$
201 to 500 inclusive	....	$\frac{1}{2}$
501 to 1,000 inclusive	....	1
1,000 to 2,000 inclusive	....	2
Over 2,000	....	$2\frac{1}{2}$

Table VII amended.

- 80. Table VII of the principal regulations is amended—
 - (a) by substituting for the numerals, "156" appearing in line eight under the heading "Capacity" the numerals, "56";
 - (b) by substituting for the numerals, "12" appearing in line nine under the heading, "Capacity" the numerals, "112"; and
 - (c) by adding after the Table the following paragraph:—

On self-indicating counter scales, the tolerance for error shall be a weight equal to a quarter of the weight value of its minimum graduation, or the applicable tolerance for error in the above Table, whichever is the greater.

Table VIII amended.

- 81. Table VIII of the principal regulations is amended—
 - (a) by adding after the last word, "Machines" in the heading appearing above the Table, the words, "and Wall Beams";
 - (b) by deleting the passage commencing with the words, "On self-indicating" in line five under the Table and ending with the word, "date" in line six under the Table; and
 - (c) by adding after the last word, "amount" of the notes following the Table, the following paragraph:—

The tolerance for self-indicating platform weighing machines shall be a weight equal to a quarter of the weight value of its minimum graduation up to and including the half load of its capacity and thereafter a weight equal to a half of the minimum graduation or the applicable tolerance for error in the above Table, whichever is the greater.

On personal weighing machines of a capacity exceeding forty pounds the maximum error shall not exceed four ounces at any load.

Table IX amended.

82. Table IX of the principal regulations is amended by adding after that Table the following Table:—
Self indicating Weighbridges.

Table.	
Capacity.	Error. Excess or Deficiency.
Zero to half capacity	A weight equal to a quarter of the weight value of the minimum graduation, or the tolerance for error prescribed for "weighbridges" of the non self-indicating type in Table IX under sub-heading "Weighbridges," whichever is the greater.
Above half capacity to full capacity	A weight equal to half of the weight value of the minimum graduation, or the tolerance for error prescribed for "weighbridges" of the non self-indicating type in Table IX under sub-heading "Weighbridges," whichever is the greater.

Table X amended.

82A. Table X of the principal regulations is amended by substituting the word, "dram" for the word, "drachm" wherever it appears in the Table.

Table XIII amended.

83. Table XIII of the principal regulations is amended by adding after the item, "Steelyard Type" an item as follows:—

	£	s.	d.
Automatic Weighers—			
Whether fixed or portable:			
Up to and including 600 lb.	15	0	0
Over 600 lb. but not exceeding 1,500 lb.	1	10	0
Over 1,500 lb.	1	10	0
For self-indicating type, add 50 per centum to above fees.			

Table XIII A amended.

84. Table XIII A of the principal regulations is amended by adding after the last word, "machines" in item 2, namely "Calibrating measures" the passage, ", measures or instruments."

Table XIII B added.

85. The principal regulations are amended by adding after Table XIII A the following Table:—

Table XIII B.	
Miscellaneous Fees.	
	£ s. d.
Registration of a Public Weighbridge	2 10 0
Public Weighman's License	10 0
Scale Adjuster's License	10 0
Scale Repairer's License	10 0
Fee chargeable by Commissioner for—	
(1) Weighing any vehicle on a weigh-bridge under his control	1 6
(2) Inspector's time for any service rendered in carrying out repairs or adjustments, etc., to instruments, shall be per half hour or part thereof	12 6
(3) Any waiting time allowed by an inspector to permit another person to carry out necessary repairs, etc., shall be per half hour or part thereof	12 6
(4) Any adjustment to a—	
(a) 28 lb. or lesser weight	1 0
(b) 56 lb. weight	2 0
(c) Measure of capacity not exceeding 10 gallons	2 0

	s. d.
(5) Any mileage necessarily travelled by an inspector shall be per mile	1 6
Minimum fee	7 6

86. Amending regulations 1, 2, 3 and 4 published in the *Gazette* on the 17th June, 1927, at page 1543, are revoked.

WEIGHTS AND MEASURES ACT, 1915-1958.

Office of the Commissioner of Police,
Perth, 28th April, 1960.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Weights and Measures Act, 1915-1958, has been pleased to make the regulations set forth in the Schedule hereunder, to take and have effect on and after the 1st day of January, 1961.

J. I. JOHNSTON,
Deputy Commissioner of Police.

Schedule.

Regulations.

- | | |
|----------------------------------|--|
| Commence-
ment. | 1. These regulations shall take and have effect on and after the 1st day of January, 1961. |
| Principal
regulations. | 2. In these regulations the Weights and Measures Regulations, 1927, published in the <i>Government Gazette</i> on the 3rd June, 1927, and amended from time to time thereafter by notices published in the <i>Government Gazette</i> , are referred to as the principal regulations. |
| Reg. 2 of
Part VI
amended. | 3. Regulation 2 of Part VI of the principal regulations is amended by inserting after the passage, "12 oz.," in line two, the passage, "14 oz.,". |