



Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

No. 85]

PERTH: MONDAY, 9th SEPTEMBER

[1968

WEIGHTS AND MEASURES ACT, 1915-1967.

Department of Labour,
Perth, 5th September, 1968

HIS Excellency the Lieutenant Governor in Executive Council, acting pursuant to the provisions of section 11 of the Interpretation Act, 1918-1962 and section 27R of the Weights and Measures Act, 1915-1967, has been pleased to make the regulations set out in the schedule hereunder, to have and take effect on and after the first day of October, 1968.

C. A. REEVE,
Secretary for Labour.

Schedule.

REGULATIONS.

PART I.—PRELIMINARY.

1. These regulations may be cited as the Weights and Measures (Pre-packed Articles) Regulations.
 2. These regulations are divided into Parts, as follow—
 - PART I.—Preliminary (Regs. 1-3).
 - PART II.—Packing of certain articles in prescribed quantities (Reg. 4).
 - PART III.—Marking of pre-packed articles (Regs. 5-24).
- SCHEDULE.

3. In these regulations, unless the contrary intention appears—
 - “bottle” means a hollow vessel of glass, plastic, synthetic resin, or other similar material, but does not include a jar, or a container of the tumbler or drinking glass type;
 - “cocoa” includes cocoa powder and chocolate powder;
 - “coffee” includes coffee beans;
 - “compressed or liquefied gases” does not include liquefied petroleum gas;

Interpretation.

- “condensed milk” and “evaporated milk” includes flavoured condensed milk and flavoured evaporated milk;
- “cream” does not include clotted cream;
- “dried or dehydrated fruit” includes currants, raisins, sultanas and other dried grape products, dates, and dried or dehydrated apples, pears, peaches, apricots, prunes, and figs, glace and crystallised fruit, and fruit peel;
- “dried or dehydrated mixed fruit” includes dried or dehydrated mixed fruit mixed with nuts;
- “drug” means any substance used as a medicine or in the composition or preparation of a medicine, whether for internal or external use;
- “flour” means all kinds of flour, including cornflour;
- “fresh milk” includes flavoured milk;
- “liquid chemicals” means all liquid chemicals, including solvents, packed for sale for pharmaceutical, laboratory, or industrial use;
- “lubricating oil” does not include any substance sold merely as an addition to a lubricating oil;
- “paint” includes enamel but does not include a two-pack paint or artist’s paints;
- “peas” includes split peas;
- “resins” includes natural resins, synthetic resins, and polymeric materials other than paints;
- “salt” includes flavoured salt;
- “solid detergents, laundry bleaches and household cleansers” means any such substance in a powder, flake, granular, or other similar form;
- “sugar” includes sugar icing and sugar icing mixture;
- “the Act” means the Weights and Measures Act, 1915;
- “the Schedule” means the Schedule to these regulations;
- “tobacco” includes plug tobacco; and
- “two-pack paint” means a paint, not being a neutral base paint, that is contained in a package that is marked with a statement that the contents of the package are to be used only in conjunction with another substance (whether that other substance is or is not a paint), and that is ordinarily only so used.

PART II.—PACKING OF CERTAIN ARTICLES IN PRESCRIBED QUANTITIES.

Denominations in which certain articles may be packed.

4. (1) Subject to subregulation (3) of this regulation, an article of any description specified in column A of the Schedule is prescribed as an article to which section 27D of the Act applies.
- (2) The denominations of weight or measure specified in column D of the Schedule opposite to the description of an article set out in column A of the Schedule are, for the purposes of section 27D of the Act, the prescribed denominations of weight or measure in relation to articles of that description.
- (3) Section 27D of the Act does not apply to or in relation to—
- (a) any article described in column A of the Schedule that is packed in a package containing a quantity of the article less than the quantity specified in column B of the schedule, or more than the quantity specified in column C of the Schedule, opposite to the description of the article set out in column A of the Schedule;
 - (b) confectionery, or nuts packed in or together with another article if the substantial value of the combined articles is represented by that other article;

- (c) paint that—
- (i) is supplied with instructions that the total contents of the package are to be mixed with a stated volume of paint of a type specified in the instructions, being a volume specified in column D of the Schedule in relation to Item Number 22 therein, and is contained in a package the measure of the contents of which is not more than 10 parts per centum of that stated volume;
 - (ii) is in the form of paste paint or artist's paint; or
 - (iii) is an aerosol paint;
- (d) macaroni, spaghetti, or vermicelli, that has been processed;
 - (e) starch, or starch substitutes, in a liquid form or contained in a package that is marked with a statement that the contents of the package are not for laundry use;
 - (f) coffee, or mixtures of coffee and chicory, in the form of liquid essences;
 - (g) clotted cream;
 - (h) ice cream in the form of cakes or puddings or in novelty shapes;
 - (i) matured cheese or cheese spread;
 - (j) lubricating oil that is supplied with instructions that the total contents of the package are to be mixed with the number of gallons of fuel specified in the instructions;
 - (k) industrial methylated spirits contained in a package that is marked with a statement that the contents of the package are not for household use;
 - (l) linseed, maize, olive, peanut, and other vegetable oils sold otherwise than by volume;
 - (m) liquid household insecticides in aerosol form;
 - (n) confectionery in novelty shapes;
 - (o) essential oils; and
 - (p) a package containing a number of individual serves of any article, if each such serve is of a quantity less than the quantity specified in column B of the Schedule opposite to the description of the article set out in column A of the Schedule, and the package is marked with the number of individual serves of the article contained therein and with the total net weight or measure of its contents.

PART III.—MARKING OF PRE-PACKED ARTICLES.

5. Section 27E of the Act applies to pre-packed articles of every description except pre-packed articles of any description referred to in regulation twenty-four of these regulations.

Articles to which section 27E of the Act applies.

6. (1) Any name, address, or brand, required by section 27C of the Act to be marked on a package containing an article, shall be marked clearly and legibly on the package containing the article.

Manner, etc. of marking pre-packed articles pursuant to section 27C of the Act.

(2) Any address required by section 27C of the Act to be marked on a package containing an article shall be the full address of the place the address of which is required, by that section, to be so marked.

7. (1) Subject to this regulation—

(a) the marking of the weight or measure of an article to which section 27E of the Act applies on the package containing the article shall—

Manner, etc. of marking pre-packed articles to which section 27E of the Act applies.

- (i) be on the main display portion of the package or, where the package is of such shape or design that more than one portion of the package is likely to be displayed when the article is exposed for sale, then on at least two of those portions; and

- (ii) show the weight or measure clearly, prominently, and conspicuously in such manner that it may be readily seen and easily read by a purchaser when the article is exposed for sale;
- (b) the letters or figures or letters and figures setting out the weight or measure of an article to which section 27E of the Act applies that are marked on the package containing the article—
 - (i) shall be clearly stamped or printed in a colour of a distinct contrast to the colour of their background, unless they are clearly stamped or embossed and are of a height at least three times the height specified in subregulation (1) of regulation twelve of these regulations;
 - (ii) shall be placed in close proximity to the brand or name of the article where that brand or name appears on the package, or, if the brand or name appears in two or more places on the package, then in close proximity to the brand or name in two such places, and shall be so stamped, printed or, pursuant to subregulations (5) and (6) of this regulation, handwritten, as to be read in the same direction as the brand or name;
 - (iii) shall be in the English language and, unless otherwise provided, in Commonwealth legal units of measurement related to the yard, the pound, or the gallon; and
 - (iv) shall not be obscured or crowded by any other copy or any other graphic matter; and
- (c) every word used in expressing a quantity of an article to which section 27E of the Act applies, and contained in the statement of weight or measure of the article marked on the package containing the article, shall be in clear capital letters.

(2) Notwithstanding the provisions of paragraph (a) of subregulation (1) of this regulation, the marking of the weight or measure of an article to which section 27E of the Act applies on the package containing the article may show the weight or measure on some portion other than the main display portion of the package in the case of—

- (a) toilet preparations packed in quantities not exceeding two ounces or two fluid ounces—
 - (i) if the weight or measure of such an article marked on the package containing the article may be readily seen and easily read by a purchaser when the article is exposed for sale; or
 - (ii) if the weight or measure so marked is associated with descriptive material or directions as to the use of the article; and
- (b) an article of any description, or any group of articles of any description contained together in an outer package, exempted by the Minister by a notice under subregulation (4) of this regulation from subparagraph (i) of paragraph (a) of subregulation (1) of this regulation, if the weight or measure of the article marked on the package containing the article or, as the case may be, the weight or measure of each individual article contained in the outer package marked on the outer package is marked in accordance with the conditions and restrictions, if any, specified in the notice.

(3) Subparagraph (i) of paragraph (b) of subregulation (1) of this regulation does not apply to or in relation to—

- (a) any pre-packed article referred to in regulation eighteen of these regulations that is contained in a package on which the weight or measure of the article is set out in clearly and legibly handwritten letters or figures or letters and figures; or
- (b) an article of any description exempted by the Minister by a notice under subregulation (5) of this regulation from subparagraph (i) of paragraph (b) of subregulation (1) of this regulation, if the weight or measure of the article marked on the package containing the article is marked in accordance with the conditions and restrictions, if any, specified in the notice.

(4) The Minister may, by notice published in the *Government Gazette*, and subject to such conditions and restrictions, if any, as he may determine and as are specified in the notice, exempt a pre-packed article of any description to which section 27E of the Act applies, or any group of such articles contained together in an outer package, from the provisions of subparagraph (i) of paragraph (a) of subregulation (1) of this regulation.

(5) The Minister may, by notice published in the *Government Gazette*, and subject to such conditions and restrictions, if any, as he may determine and as are specified in the notice, exempt a pre-packed article of any description to which section 27E of the Act applies from the provisions of subparagraph (i) of paragraph (b) of subregulation (1) of this regulation.

(6) Where, under subregulation (5) of this regulation, a pre-packed article is exempted from the provisions of subparagraph (i) of paragraph (b) of subregulation (1) of this regulation, the notice shall include a condition that the letters or figures or letters and figures setting out the weight or measure of the article marked on the package containing the article shall be clearly and legibly handwritten.

(7) Notwithstanding the provisions of subparagraph (iii) of paragraph (b) of subregulation (1) of this regulation—

- (a) packages containing drugs or chemicals packed for laboratory use, and any other article that is the subject of an exemption granted by the Minister under subregulation (9) of this regulation, may be marked with a statement of the quantity contained in the packages expressed in terms of the metric system only; and
- (b) where there is marked on a package a statement of the weight or measure of an article contained in the package expressed in terms of Commonwealth legal units of measurement related to the yard, the pound, or the gallon or, as the case may be, in terms of the metric system (in this paragraph referred to as "the original statement") the package may, in addition, be marked with a statement of the weight or measure of the article expressed—
 - (i) in terms of any other Commonwealth legal unit of measurement;
 - (ii) in a language other than English; or
 - (iii) in terms of a unit of weight or measurement of any other system of weights or measures,if that additional statement sets out the equivalent of the weight or measure specified in the original statement.

(8) Paragraph (c) of subregulation (1) of this regulation does not apply with respect to an abbreviation of a word used in expressing a unit of weight or measurement of an article, if the height of the smallest of the letters contained in that abbreviation is at least equal to the minimum size of print prescribed by these regulations with respect to the statement on the package of the weight or measure of the article contained in the package.

(9) The Minister may, by notice published in the *Government Gazette*, and subject to such conditions and restrictions, if any, as he may determine and as are specified in the notice, exempt a pre-packed article of any description to which section 27E of the Act applies from the provisions of subparagraph (iii) of paragraph (b) of subregulation (1) of this regulation.

(10) Where, under sub-regulation (9) of this regulation, a pre-packed article is exempted from the provisions of subparagraph (iii) of paragraph (b) of subregulation (1) of this regulation, the notice shall include a condition that the package containing the article shall be marked with a statement of the quantity contained in the package expressed in terms of the metric system either alone or in addition to a statement of the quantity contained in the package expressed in Commonwealth legal units of measurement related to the yard, the pound, or the gallon.

Manner, etc., of marking statement of weight or measure.

8. The statement of weight or measure of an article to which section 27E of the Act applies that is marked on the package containing the article shall, in all cases excepting where the statement is in terms of length, area, or volume, contain, in close proximity to that statement, the word "NET" in clear capital letters.

Units of measurement in terms of which statement of weight may be marked.

9. (1) Where an article to which section 27E of the Act applies is packed for sale by weight and is not of a kind that may, pursuant to these regulations, be marked in terms of a unit of measurement of the metric system, the troy ounce, the pennyweight, the apothecaries ounce, the drachm, or the scruple, the statement of weight marked on the package containing the article shall be expressed in terms of the hundredweight, cental, pound, ounce, dram, or grain.

(2) In the marking on a package pursuant to subregulation (1) of this regulation of the weight of an article contained in the package—

- (a) except as provided in paragraphs (c), (d), (e) and (f) of this subregulation, no fractions other than $\frac{1}{4}$, $\frac{1}{2}$ and $\frac{3}{4}$ shall be used where the weight of the article is expressed in terms of the hundredweight, pound, ounce, or dram;
- (b) pounds may be expressed as decimal sub-multiples of a cental;
- (c) in any case where the weight or measure of a pre-packed article marked on the package containing the article is expressed in terms of the metric system and its weight or measure is, in addition, marked on the package in terms of units related to the pound, decimals of an ounce may be expressed in terms of hundredths of an ounce for quantities not greater than four ounces and tenths of an ounce for quantities greater than four ounces but less than one pound;
- (d) fractions of the pound, or of the ounce, where permitted by these regulations to be used, may be expressed as decimal sub-multiples of the pound or of the ounce;
- (e) in the case of any article referred to in subregulation (1) of regulation eighteen of these regulations, ounces or parts thereof may be expressed as decimal sub-multiples of the pound, the smallest permissible sub-multiple thereof being 0.01 of a pound; and
- (f) where the weight of an article is expressed in terms of the ounce and the article weighs less than two ounces, the fractions $\frac{1}{8}$, $\frac{3}{8}$, $\frac{5}{8}$ and $\frac{7}{8}$ may be used.

Units of measurement in terms of which statement of volume may be marked.

10. (1) Where an article to which section 27E of the Act applies is packed for sale by volume and is not of a kind that may, pursuant to these regulations, be marked in terms of a unit of measurement of the metric system, or the cubic foot, the statement of volume marked on the package containing the article shall be expressed in terms of the gallon, quart, pint, fluid ounce, fluid drachm, or minim.

(2) In the marking on a package, pursuant to subregulation (1) of this regulation, of the volume of an article contained in the package—

- (a) in any case where the volume is expressed in terms of the gallon, no fractions other than $\frac{1}{8}$, $\frac{1}{4}$, $\frac{1}{2}$, and $\frac{3}{4}$ shall be used;
- (b) in any case where the volume is expressed in terms of the pint or the fluid ounce, no fractions other than $\frac{1}{8}$, $\frac{1}{4}$, $\frac{1}{2}$, $\frac{3}{4}$ and $\frac{5}{8}$ shall be used; and
- (c) the fraction $\frac{1}{8}$ shall not be used with a whole number to express the denomination of the volume of the article.

11. (1) Subject to this regulation, the statement of weight or measure marked on a package containing an article to which section 27E of the Act applies shall be expressed in terms of the largest unit of weight or measurement of the article.

Statement of weight to be in terms of the largest unit of weight or measurement.

(2) Notwithstanding the provisions of subregulation (1) of this regulation—

- (a) nothing in that subregulation requires a statement of weight or measure to be expressed in terms of a unit greater than the pound or the yard;
- (b) in any case where it is customary to express the length or width of an article in terms of feet or inches, the length or width of the article may be so expressed;
- (c) in the case of articles of a quantity less than one gallon, the quantity may be expressed in terms of pints and fluid ounces;
- (d) in the case of articles of a quantity less than one quart, the quantity may be expressed in terms of fluid ounces, and additional statements in fluid ounces may be made for any measure; and
- (e) in any case where, under these regulations, the quantity of an article may be expressed in terms of a unit of measurement of the metric system, the quantity may be expressed in terms of the kilogramme, gramme, milligramme, kilolitre, litre, millilitre, kilometre, metre, or millimetre, but nothing in this paragraph requires a statement of weight or measure so expressed to be expressed in terms of a unit greater than the kilogramme or the litre.

12. (1) The statement of weight or measure marked on a package containing an article to which section 27E of the Act applies shall, according to the maximum dimension of the package, be in a size of print not smaller than the size set out in the following table in relation to that dimension:—

Sizes of print.

Maximum dimension of Package (other than a bottle)	Minimum height of Print
3" or under	0.08" (2.03 mm)
Over 3" but not over 6"	0.10" (2.54 mm)
Over 6" but not over 10"	0.13" (3.30 mm)
Over 10"	0.19" (4.83 mm)
Maximum dimension of Bottle	Minimum height of Print
4½" or under	0.08" (2.03 mm)
Over 4½" but not over 9"	0.10" (2.54 mm)
Over 9" but not over 14"	0.13" (3.30 mm)
Over 14"	0.19" (4.83 mm)

(2) The minimum height of print specified in this regulation applies in respect of all letters, and all figures other than fractions.

(3) The minimum height of print of the individual figures comprising a fraction shall be not less than one-half of the minimum height specified in this regulation for the height of print to be used in respect of a package of the appropriate maximum dimension.

(4) The letters and figures signifying a weight and printed by a ticket-printing weighing machine shall be not less than 0.12" (3.00 mm) in height, irrespective of the size of the package.

(5) For the purposes of this regulation, the maximum dimension of a package is—

- (a) in the case of a rectangular package, the height, length, or breadth, whichever is the greatest; or
- (b) in the case of a cylindrical, oval, or conical package, the height or the maximum diameter, whichever is the greater.

(6) This regulation does not apply to or in relation to a bottle containing alcoholic liquor, aerated water, fruit drink, or cordial, if—

- (a) the bottle was manufactured before a day one year after the commencement of this regulation;
- (b) the bottle is marked with embossed or ceramic markings;
- (c) the bottle was packed before a day ten years after the commencement of this regulation; and
- (d) the bottle and its contents might lawfully have been sold in the State immediately before the commencement of this regulation.

Manner, etc.,
of stating
weight or
measure in
the case of
certain
articles.

13. (1) Subject to this regulation, the statement of weight or measure marked on a package containing an article to which section 27E of the Act applies shall—

- (a) if the article is an article that is commonly sold by lineal or superficial measure, be expressed in terms of such measure;
- (b) if the article is a liquid article, be expressed in terms of liquid measure (volume); or
- (c) if the article (not being an article referred to in paragraph (a) of this subregulation) is a solid article, a semi-solid article, or an article that is partly solid and partly liquid, be expressed in terms of weight.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, the statement of weight or measure marked on a package containing an article referred to in the first column of the following table shall be expressed in the terms set out in the second column of that table opposite to the description of the article:—

FIRST COLUMN	SECOND COLUMN
Nature or Article	Marking to be in terms of
Acids in liquid form	Weight or volume
Aerosol products	Weight
Compressed or liquefied gases	Weight, or equivalent volume (cubic feet) at stated temperature and pressure
Condensed milk and evaporated milk	Weight or volume
Cream and cream substitutes	Volume
Drugs in liquid form	Weight or volume
Honey, malt extract, golden syrup and treacle	Weight
Heavy residual fuel oil, industrial diesel fuel and furnace oil	Weight or volume
Ice cream and other frozen confections	Volume
Linseed oil and other vegetable oils	Volume up to and including $\frac{1}{2}$ gal.; weight or volume over $\frac{1}{2}$ gal.
Liquefied petroleum gas	Weight
Liquid chemicals	Weight or volume
Paint (other than paste paint) varnish and varnish stains	Volume
Paste paint	Weight
Resins	Weight or volume
Skin cream, in jars	Weight or volume
Tomato sauce	Volume
Yoghurt	Weight

(3) In the case of—

- (a) condensed milk and evaporated milk;
- (b) linseed oil and other vegetable oils in quantities of more than one half of a gallon;
- (c) liquid chemicals; and
- (d) resins,

the package containing the article may be marked with a statement of the quantity of the article expressed in terms of weight and an additional statement of that quantity expressed in terms of volume but may not be marked with a statement of the quantity expressed partly in terms of weight and partly in terms of volume.

(4) For the purposes of the Act and these regulations the net weight of an aerosol product is the result determined by ascertaining the difference between the combined weight of the package and its contents, and the combined weight of the package and any residue of its contents after the product has been discharged from the package by customary operating procedure at ambient temperature.

14. (1) Subject to this regulation, the statement of weight or measure marked on a package containing an article to which section 27E of the Act applies shall not be expressed—

- (a) in terms of two denominations of weight or measure between which the weight or measure of the article falls; or
- (b) in terms of a minimum, or approximate, or average weight or measure.

Prohibition of use of certain terms in expressing weight or measure of articles.

(2) Notwithstanding the provisions of subregulation (1) of this regulation—

- (a) a statement of the weight of dressed poultry may be expressed in terms of a minimum weight; and
- (b) a statement of the weight of a number of eggs contained together in a package may be expressed in terms of the minimum weight of each egg contained therein or of two denominations of weight between which the weight of each such egg falls.

15. A statement of the dimensions of tarpaulins, bed sheets, or other sheets of hemmed fabric material marked on any such article or on a package containing any such article shall be expressed in terms of the finished size of the article.

Statement of dimensions of certain articles.

16. Where a statement of the measure of an article marked on the package containing the article may, pursuant to these regulations, be expressed in terms of the length of the article, and the width or the thickness of the article has, or both the width and the thickness of the article have, a direct relationship to the value of the article, that width or thickness or width and thickness shall also be marked on the package.

Thickness or width to be marked on packages in certain cases.

17. In the case of aluminium foil, waxed paper, facial tissues, or toilet paper, the statement of quantity of the article marked on the package containing the article may be expressed in terms of the number of usable sheets of stated dimensions of the article contained in the package.

Special provisions relating to certain articles.

18. (1) Subject to this regulation, a package containing pre-packed meat, natural cheese, dressed poultry, fish (including crustacea), unsliced bacon, unsliced ham, or unsliced smallgoods, shall, before being exposed for sale, be marked with a statement of the price per pound of the article.

Certain articles to be marked with statement of price per pound.

(2) The statement of price per pound of the article referred to in subregulation (1) of this regulation is in addition to any statement of weight of the article required by these regulations to be marked on the package containing the article.

(3) Subregulation (1) of this regulation does not apply to or in relation to—

- (a) any article, if a statement of the price per pound of the article is indicated by a prominent statement in letters of a height of not less than one-half of an inch placed on or immediately adjacent to a tray in or on which there are displayed packages of that article; or
- (b) any of the following articles, namely:—

Frankfurts;
Minced meat;
Sausage meat;
Sausages;
Saveloys;
Sliced cooked meat;
Sliced bacon;
Frozen fish.

Statement of weight in terms of number of bags to the ton in certain cases.

19. A statement of the weight of a package containing cement, lime, or plaster marked on the package may, notwithstanding any other provision of these regulations, be expressed in terms of a number of bags of that article to the ton, and any such statement shall, for the purposes of the Act, be deemed to be a statement of the weight of the article, calculated by dividing one ton by the number of bags so stated.

Provisions applicable where article contained in an inner and outer package.

20. (1) Where a pre-packed article to which section 27E of the Act applies is contained in both an inner and an outer package and is such an article as is commonly sold in the inner package after removal from the outer package, the statement of weight or measure of the article required by these regulations to be marked on the package containing the article shall be marked on both the inner package and the outer package.

(2) Where two or more pre-packed articles to which section 27E of the Act applies are packed together for sale in an outer package, and are ordinarily so sold without removal from the outer package, it is a sufficient compliance with this Part of these regulations if each individual package is marked, in accordance with these regulations, with a statement of the weight or measure of the article contained therein, or a statement of the weight or measure of each such article is marked, in accordance with these regulations, other than with subparagraph (1) of paragraph (a) of subregulation (1) of regulation seven of these regulations, on the outer package.

(3) Where two or more pre-packed articles described in column A of the Schedule, each of which is of a quantity less than the quantity specified in column B of the Schedule opposite to the description of the article set out in column A of the Schedule, are contained together in an outer package, it is a sufficient compliance with this Part of these regulations if the outer package is marked in accordance with these regulations with a statement of the number of individual articles contained therein and the total net weight or measure of the articles.

(4) Nothing in this Part of these regulations shall be read or construed as requiring a statement of the weight or measure of its contents to be marked on an outer package containing two or more pre-packed articles to which section 27E of the Act applies.

Articles that may be marked "Net weight when packed".

21. The articles set out hereunder, when packed in a package other than a hermetically sealed container, are articles to which section 27H of the Act applies—

Whole hams;
Bar soaps;
Soap powders (excluding detergent powders);
Soap flakes;
Glauber Salts;
Washing Soda;
Tobacco.

Permissible weight losses.

22. The articles set out in the first column of the following table are declared to be articles to which subsection (6) of section 27H of the Act applies; the number of parts per centum set out in the

second column of that table opposite the description of each such article in the first column of that table are the number of parts per centum of the weight stated on the package containing that article prescribed for the purposes of that subsection in relation to that article; and the number of parts per centum set out in the third column of that table opposite the description of each such article in the first column of that table are the number of parts per centum of the weight stated on the package containing the article prescribed as the permissible average deficiency for the purposes of that subsection in relation to that article:—

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
Nature of Article	Parts per centum	Permissible Average Deficiency
Whole hams	7%	2%
Bar Soaps	21%	16%
Soap powders (excluding detergent powders)	15%	10%
Soap flakes	10%	5%
Glauber Salts	7%	2%
Washing Soda	7%	2%
Tobacco	10%	5%

23. Any expression (not being a prohibited expression) that is marked on a package containing a pre-packed article is a restricted expression for the purposes of section 27J of the Act if it consists of or includes any of the following words, namely:—

Restricted expressions.

King;
Giant;
Jumbo;
Queen;
Longfellow;
Family;
Hi-boy;
Huge;
Gigantic;
Colossal;
Economy;
Bigger;
Extra;
Large;
Long.

24. Nothing in this Part of these regulations applies to or in relation to—

Exemptions.

- (a) any pre-packed article that is not packed for sale by weight or measure and is not ordinarily so sold;
- (b) any package containing a number of articles that are not ordinarily sold by weight, if the number of articles in the package is marked on the package in accordance with these regulations, or if the package contains less than nine articles and is made wholly or partly of a transparent material so that, if the package is exposed for sale, the number of articles contained therein is readily apparent to a purchaser;
- (c) wheat, maize, oats, chaff, potatoes, and other agricultural produce of a like nature, if sold by weight in sacks of more than sixty pounds gross weight;
- (d) confectionery, nuts, popcorn, potato crisps and savouries—
 - (i) in a package of less than three ounces gross weight; or
 - (ii) packed on premises for sale on those premises, if the package is displayed for sale on those premises in a receptacle bearing a prominent statement, in letters not less than one-half of an inch in height, of the weight and of the price of the contents of the package; and if
 - (A) the gross weight of the package does not exceed eight ounces; or
 - (B) the sale price of the package does not exceed twenty cents; or

- (iii) packed in or together with another article, if the substantial value of the combined articles is represented by that other article; or
- (iv) confectionery in novelty shapes;
- (e) fresh fruit or vegetables if packed in packages of dimensions prescribed by the laws of this State relating to the sale of fresh fruit and vegetables;
- (f) jelly crystals, blancmange powders, custard powders, junket tablets, junket powders, and other food substances (excepting powdered milk and condensed milk, whether flavoured or not) that are contained in a package on which is set out a direction that the entire contents of the package, or of a stated number of smaller packages contained therein, are to be diluted to a stated weight or measure;
- (g) honey in the comb (in original frames);
- (h) liquid colouring materials contained in a package on which is set out a direction that the entire contents of the package are to be mixed with a stated volume of paint of a type specified in the instructions and if the measure of the contents of the package is not more than ten parts per centum of that stated volume;
- (i) medicinal mixtures compounded to the order of the purchaser, or of a medical, dental, or veterinary practitioner;
- (j) ice cream and other frozen confections contained in packages of less than ten fluid ounces;
- (k) flour, bran, pollard, wheatmeal, and other milled grain products of a like nature, if sold by weight in sacks of more than sixty pounds gross weight;
- (l) paint and paint colours contained in packages of less than three ounces or three fluid ounces;
- (m) toilet and medicinal preparations in cake or tablet form packed for sale for use for washing;
- (n) any article other than drugs, pepper and other spices, tobacco, or yarns, contained in a package of less than one ounce or one fluid ounce;
- (o) pastries and pies, irrespective of weight, if packed singly in a transparent package without printing, decoration or advertising matter of any description, and not packed for sale by weight, and if ordinarily not so sold;
- (p) cakes, sponges and puddings, if packed singly in packages of less than four ounces gross weight;
- (q) matches;
- (r) tobacco, if in packages containing less than one-half of an ounce;
- (s) toilet preparations in compacts, and refills of those preparations;
- (t) garden compost, tan bark, farm-yard manure, peatmoss, or leaf mould;
- (u) single application hair dyes or hair bleaches;
- (v) yarns, if contained in packages of less than one-half of an ounce net weight;
- (w) alcoholic liquors in quantities of less than two fluid ounces or more than two gallons;
- (x) wines labelled before the commencement of these regulations;
- (y) any pre-packed article that is for the time being the subject of a permit issued by the Minister pursuant to section 27F of the Act, if the article is sold in accordance with the conditions and restrictions, if any, specified in the permit;
- (z) vaccines of a quantity less than 25 millilitres, and single doses of substances used for injections and contained in vials or ampoules; and
- (aa) therapeutic goods in relation to which a certificate under section eight of the Therapeutic Goods Act 1966 of the Commonwealth has been issued and is in force.

THE SCHEDULE

Item No.	Column A	Column B	Column C	Column D
1	Butter, cooking fats, dripping, lard, margarine, vegetable shortening	1 oz.	56 lb.	4 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
2	Sugar	1 oz.	70 lb.	8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
3	Confectionery and nuts	8 oz.	5 lb.	8 oz., 10 oz., 12 oz., 1 lb., 1½ lb., 2 lb., 2½ lb. and multiples of 1 lb.
4	Tea	1 oz.	10 lb.	1 oz., 2 oz., 4 oz., 8 oz., 1 lb. and multiples of 1 lb.
5	Frankfurts, minced meat, sausage meat, sausages, saveloys and sliced cooked meat and sliced bacon	<i>nil</i>	10 lb.	2 oz., 4 oz., 6 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
6	Cereal breakfast foods	3 oz.	14 lb.	4 oz., 6 oz., 8 oz., 10 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
7	Bread crumbs Canned cream Custard powder Desiccated coconut Dessert rice Macaroni, spaghetti and vermicelli Oatmeal, semolina, barley, rolled oats and other similar foods Soup noodles Starch and starch substitutes	3 oz.	14 lb.	4 oz., 6 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
8	Powdered milk and flavoured powdered milk	3 oz.	10 lb.	4 oz., 6 oz., 8 oz., 12 oz., 14 oz., 1 lb., 1½ lb., 2 lb., 2½ lb. and multiples of 1 lb.
9	Cocoa, coffee, coffee powders, coffee substitutes, ground coffee and mixtures of coffee and chicory	1 oz.	10 lb.	1 oz., 2 oz., 4 oz., 6 oz., 8 oz., 10 oz., 12 oz., 14 oz., 1 lb. and multiples of 1 lb.
10	Dried or dehydrated fruit Dried or dehydrated mixed fruit	3 oz.	10 lb.	4 oz., 6 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
11	Arrowroot Flour Ground rice Rice (other than dessert rice) Sago Tapioca Wheatmeal	3 oz.	60 lb.	8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
12	Ground pepper	¼ oz.	2 lb.	¼ oz., ½ oz., 1 oz., 1½ oz., 2 oz., 4 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and 2 lb.
13	Fresh beans and peas Frozen vegetables	<i>nil</i>	50 lb.	4 oz., 6 oz., 8 oz., 10 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
14	Frozen fish	3 oz.	25 lb.	4 oz., 6 oz., 8 oz., 10 oz., 12 oz., 14 oz., 1 lb., 1½ lb. and multiples of 1 lb.

THE SCHEDULE—continued

Item No.	Column A	Column B	Column C	Column D
15	Fresh milk	1½ fl. oz.	10 gal.	¼ pt., ½ pt., 1 pt., 1 qt., ½ gal., 3 qt., 1 gal. and multiples of 1 gal.
16	Fresh cream, cream mixtures and cream substitutes	1½ fl. oz.	1 gal.	¼ pt., ½ pt., 1 pt., 1 qt., ½ gal. and 1 gal.
17	Ice cream	½ pt.	5 gal.	½ pt., 15 fl. oz., 1 pt., 1½ pt., 1 qt., 3 pt. and multiples of 1 qt.
18	Processed cheese	3 oz.	20 lb.	4 oz., 6 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
19	Dried beans, lentils and peas ... Salt	3 oz.	10 lb.	4 oz., 8 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
20	Jam	2 oz.	10 lb.	2 oz., 4 oz., 6 oz., 8 oz., 10 oz., 12 oz., 1 lb., 1½ lb. and multiples of 1 lb.
21	Tobacco	½ oz.	5 lb.	½ oz., 1 oz., 2 oz., 4 oz., 8 oz., 1 lb., 1½ lb. and multiples of 1 lb.
22	Paint and varnish	3 fl. oz.	5 gal.	¼ pt., ½ pt., 1 pt., 1 qt., ½ gal., 1 gal. and multiples of 1 gal.
23	Laundry soap, soap flakes, soap powders, solid detergents, laundry bleaches and household cleansers	3 oz.	10 lb.	8 oz., 12 oz., 1 lb., 1¼ lb., 1½ lb. and multiples of ½ lb.
24	Liquid detergents and laundry bleaches	4 fl. oz.	5 gal.	½ pt., ¾ pt., 1 pt., 26 fl. oz., 1½ pt., 1 qt., ½ gal., 1 gal. and multiples of 1 gal.
25	Kerosene and other petroleum fuels, and lubricating oils	8 fl. oz.	44 gal.	½ pt., 1 pt., 26 fl. oz., 1 qt., ½ gal., 3 qt., 1 gal. and multiples of 1 gal.
26	Greases and petroleum jellies	2 oz.	10 lb.	2 oz., 4 oz., 6 oz., 8 oz., 1 lb. and multiples of 1 lb.
27	Industrial methylated spirits Turpentine and mineral turpentine Vinegar	8 fl. oz.	44 gal.	½ pt., 13 fl. oz., 1 pt., 26 fl. oz., 1 qt., ½ gal., 1 gal. and multiples of 1 gal.
28	Linseed, maize, peanut and other vegetable oils (other than castor oil and olive oil)	<i>nil</i>	5 gal.	½ pt., 13 fl. oz., 1 pt., 26 fl. oz., 1 qt., ½ gal., 1 gal. and multiples of 1 gal.
29	Castor oil, olive oil	8 fl. oz.	2 gal.	½ pt., 13 fl. oz., 1 pt., 26 fl. oz., 1 qt., ½ gal., 1 gal. and 2 gal.
30	Liquid household insecticides	4 fl. oz.	5 gal.	4 fl. oz., 8 fl. oz., 16 fl. oz., 20 fl. oz., 32 fl. oz., 1 qt., ½ gal., 1 gal. and multiples of 1 gal.

WEIGHTS AND MEASURES ACT, 1915-1965.

Department of Labour,
Perth, 5th September, 1968.

HIS Excellency the Lieutenant-Governor in Executive Council, acting pursuant to the provisions of section 52 of the Weights and Measures Act, 1915-1965, has been pleased to make the regulations set forth in the schedule hereunder.

C. A. REEVE,
Secretary for Labour,

Schedule.

Regulations.

1. In these regulations the Weights and Measures Regulations, 1927, published in the *Government Gazette* on the 3rd June, 1927, and amended from time to time thereafter by notices published in the *Government Gazette*, are referred to as the principal regulations. Principal regulations.
2. Regulation 3 of Part I of the principal regulations is amended— Reg. 3 of Part. 1 amended.
 - (a) by deleting the definition "Commissioner"; and
 - (b) by adding after the definition, "sand", the following definition—
"Secretary" means the Secretary for Labour;
3. Regulation 11 of Part XI of the principal regulations is amended by substituting for the words, "ten pounds" in line four, the words, "one hundred dollars". Reg. 11 of Part XI amended.
4. The principal regulations are amended—
 - (a) by substituting for the word, "Commissioner" where appearing in each of the places set out in the Schedule hereunder, the word, "Secretary"—

Schedule.

PART II—

- (i) Regulation 3—in line two;
- (ii) Regulation 5—in line three of paragraph (a);

PART IV—

- (i) Regulation 1—in the last line;
- (ii) Regulation 2—in line three of paragraph (c);
- (iii) Regulation 4—in line one and again in line two of paragraph (a);
- (iv) Regulation 5—in line one;
- (v) Regulation 28—in line three of paragraph (a) and again in line two of paragraph (g);
- (vi) Regulation 30—in line one of paragraph (a);
- (vii) Regulation 39A—in line five of subregulation (1);
- (viii) Regulation 48—
 - in the last line of paragraph (a);
 - in the last line of paragraph (b);
 - in lines two and three of subparagraph (1) of paragraph (d);
 - in line five of subparagraph (2) of paragraph (d);
 - in line two of subparagraph (2) of paragraph (h);
 - in line one of subparagraph (3) of paragraph (h);
 - in lines one and two of subparagraph (4) of paragraph (k);
- (ix) Regulation 62—in lines two and three of paragraph (d);
- (x) Regulation 64—in lines one and two of subparagraph (1) of paragraph (b);
- (xi) Regulation 67—
 - in line two of paragraph (c);
 - in line one of subparagraph (4) of paragraph (i);
- (xii) Regulation 68—in the last line;
- (xiii) Regulation 70—in the last line;
- (xiv) Regulation 73—
 - in the penultimate line of paragraph (d);
 - in the last line of paragraph (e);
- (xv) Regulation 74—in line three;
- (xvi) Regulation 77—in lines one and two of paragraph (a);
- (xvii) Regulation 78—in line five;
- (xviii) Regulation 80—in the last line;
- (xix) Regulation 91—in line two of paragraph (g);
- (xx) Regulation 96—in line one of paragraph (b);
- (xxi) Regulation 110—in line four of paragraph (b) of subregulation (1);
- (xxii) Regulation 110C—in line two;
- (xxiii) Regulation 110D—in line one of subregulation (2);

- (xxiv) Regulation 111—
in line two and again in line three of paragraph (a);
in line one of paragraph (d);
in line two of paragraph (ii) of the proviso;
- (xxv) Regulation 112—in the penultimate line;
- (xxvi) Regulation 113B—
in the last line of paragraph (3);
in line two and again in the last line of paragraph (9);
- (xxvii) Regulation 113C—in paragraph (5);
- (xxviii) Regulation 113D—in line one;
- (xxix) Regulation 113DD—
in line three of paragraph (f) of subregulation (5);
in line four of subregulation (6);
in line two of paragraph (a) of subregulation (8);
in line four of paragraph (d) of subregulation (8);
- (xxx) Regulation 113E—
in line two, lines three and four and again in the last line of paragraph (1);
in line five of paragraph (7);
in line four of paragraph (9);
- (xxx1) Regulation 113F—in the last line of subparagraph (b) of paragraph (4);
- (xxxii) Regulation 114D—in line three and again in line four of subregulation (2);
- (xxxiii) Regulation 115—
in the last line of subregulation (1);
in line two and again in line three of subregulation (3);
- (xxxiv) Regulation 116—in line two and again in line three of paragraph (4);
- (xxxv) Regulation 122—in line two;
- (xxxvi) Regulation 124—in line two of the second proviso;
- (xxxvii) Regulation 125—in the last line;
- (xxxviii) Regulation 130—on two occasions in line one;
- (xxxix) Regulation 131—in line two of paragraph (c);

PART V—

Regulation 1—in line three of paragraph (h);

PART X—

- (i) Regulation 1—in line two;
- (ii) Regulation 2—in line one;
- (iii) Regulation 3—in line four;
- (iv) Regulation 5—in line one;
- (v) Regulation 6—in lines one and two;
- (vi) Regulation 7—
in subparagraph (1) of paragraph (f);
in line one of paragraph (g);
- (vii) Regulation 9—in both places;
- (viii) Regulation 11—in line two;
- (ix) Regulation 12—in line one;
- (x) Regulation 13—in line two of paragraph (s);

PART XA—

Regulation 2—in line five of paragraph (a) of subregulation (4);

PART XI—

- Regulation 3—
in line six of subregulation (1);
in line three of subregulation (3); and
- (b) by substituting for the words, "Commissioner of Police" where appearing in each of the places set out in the Schedule hereunder, the words, "Secretary for Labour"—
Schedule.

PART X—

- (i) Regulation 8—in line one of the second proviso;
- (ii) Schedule C—in line three and again in line twenty;
- (iii) Schedule D—in line three;
- (iv) Schedule E—in line eight;

PART XI—

- (i) Regulation 4—the last line of subregulation (1);
- (ii) Regulation 5—the last line of subregulation (1);
- (iii) Regulation 7—in lines one and two;

TABLE XV—in line three;

TABLE XVI—in line three.