

Compare between:

[14 Feb 2009, 00-d0-03] and [05 Jun 2009, 01-a0-01]

Western Australia

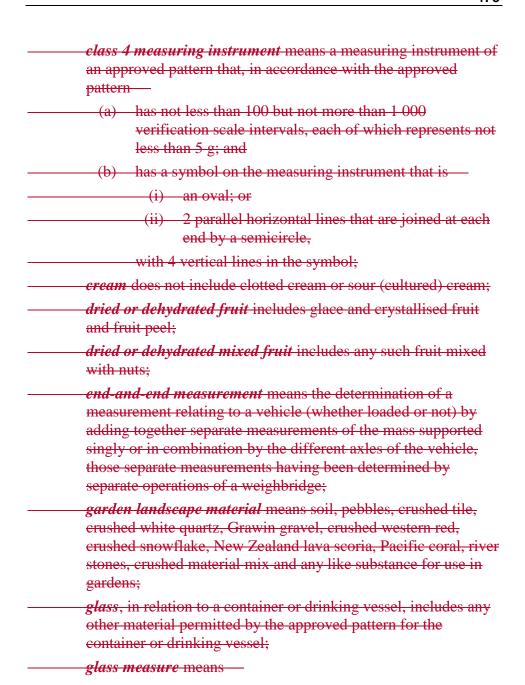
Trade Measurement Act 2006
Trade Measurement Administration Act 2006

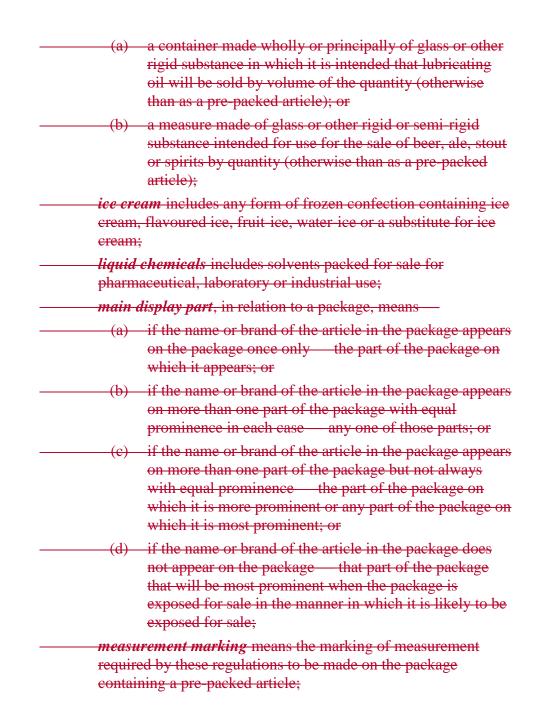
Trade Measurement Regulations 2007

Part 1 — Preliminary

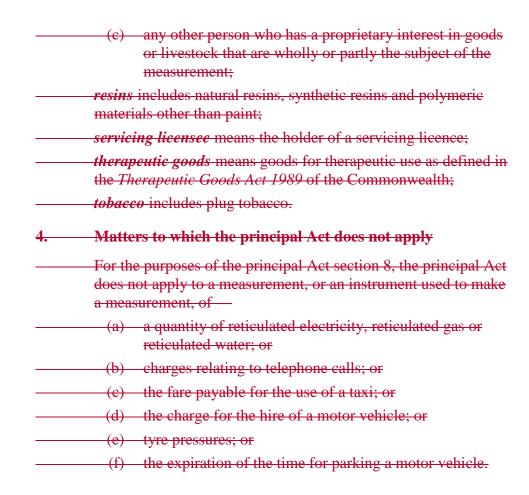
1.	— Citation
	These regulations are the <i>Trade Measurement Regulations</i> 2007.
2.	Commencement
	These regulations come into operation on the first day on which the whole of
	(a) the Trade Measurement Act 2006; and
	(b) the Trade Measurement Administration Act 2006,
	have come into operation.
3.	Terms used in these regulations
	In these regulations, unless the contrary intention appears
	approved means approved by the Commissioner;
	approved printing device means a printing device that conforms to an approved pattern;
	authorised person, in relation to a measurement at a public weighbridge, means—
	(a) in the case where a vehicle is being measured, the driver or owner of the vehicle; and
	(b) in the case where livestock is being measured, the drover or owner of the livestock; and
	(c) in any case, a person who the operator of the weighbridge is satisfied is, or would have been, authorised to request the measurement;
	certificate of approval has the meaning given to that term in the National Measurement Regulations regulation 3;
	characters includes letters, figures and symbols;
	cheese and cheese products do not include articles for sale as processed cheese or cheese spreads;

page 2 Version Error! Unknown document property name. As at Error! Unknown document property name.



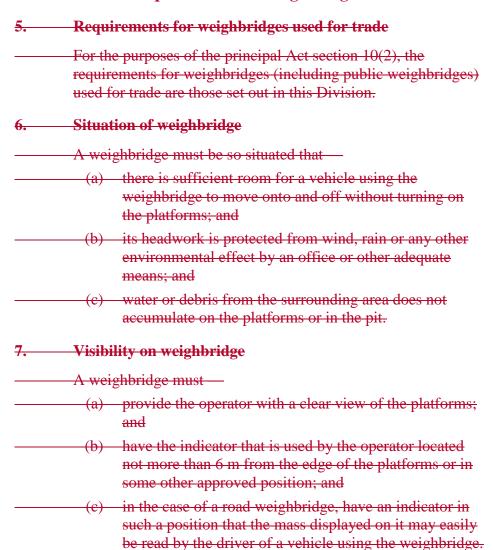


<i>measurement ticket</i> , in relation to a measurement made using a
public weighbridge, means a ticket for that measurement
referred to in regulation 20(1);
National Measurement Regulations means regulations made under the National Measurement Act;
operator, in relation to a weighbridge, means the person who personally determines a measurement by use of the weighbridge;
(a) uses, or proposes to use, the measuring instrument for trade; or
(b) proposes to make it available for use for trade;
paint includes enamel but does not include a two pack paint, artists' paint or powder coatings;
poultry means any kind of bird used for human consumption, whether it is cooked or uncooked or consists of poultry pieces;
poultry piece means leg, wing, breast or other part detached from a poultry carcase and any division of a poultry carcase;
public measurement, in relation to a weighbridge, means the use of the weighbridge by or on behalf of the public or for which a charge is made;
public weighbridge licence means a public weighbridge licence in force under the principal Act Part 6;
public weighbridge licensee means the holder of a public weighbridge licence;
relevant person, in relation to a measurement at a public weighbridge, means
(a) the person who requested the measurement; or
(b) any other authorised person in relation to the measurement; or



Part 2 — Weighbridges

Division 1 Requirements for weighbridges used for trade

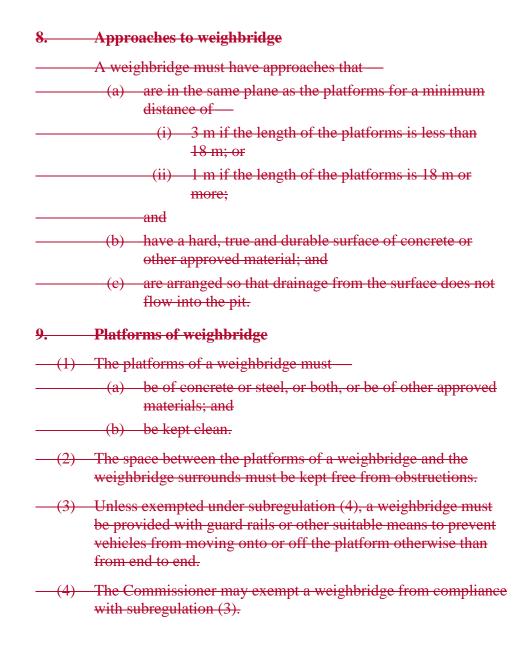


As at Error! Unknown document property name. Version Error! Unknown document property name.

Part 2 Weighbridges

Division 1 Requirements for weighbridges used for trade

r. 8



10.	— Pit of weighbridge			
	If a w	If a weighbridge has a pit		
	(a)	the entrance to the pit must be covered and be at least 1 m deep and 900 mm wide; and		
	(b)	the neck of the pit must be at least 900 mm wide; and		
	(e)	there must be a clearance of at least 150 mm on each side of any lever in the neck of the pit; and		
	(d)	there must be free access to every part of the under work and—		
		(i) if free access is available from above to every part of the under work, there must be a clearance of at least 150 mm below all parts of the under-work; or		
		(ii) in any other case, there must be a clearance of at least 400 mm below the lowest lever;		
		and		
	(e)	the pit must be free draining or be provided with automatic mechanical drainage and be kept free from any accumulation of water, mud and debris.		
11.	Weig	hbridge without pit		
	If a w	eighbridge does not have a pit—		
	(a)	there must be a clearance of at least 150 mm under the lowest live part of the platforms; and		
	(b)	the floor between load cell supports must be of concrete at least 75 mm thick and must be effectively drained and kept free from any accumulation of water, mud and debris; and		
	(c)	there must be in the same plane as, or lower than, the floor a clear space of at least 1 m from the external edges of the frame of the weighbridge; and		

As at Error! Unknown document property name. Version Error! Unknown document property name. page 9

Extract from www.slp.wa.gov.au, see that website for further information

Weighbridges

Part 2

accumulation of water, mud and debris.

effect: and

protection from wind, rain or any other environmental

(d) the ground under the platform must be treated to prevent the growth of foliage and must be kept free from any

Public weighbridges

15. Public weighbridge

A public weighbridge must be of a type, and have platforms of a size, that make it suitable for use as a public weighbridge.

Division 2 Public weighbridges

Subdivision 1 — General

- Vehicle licensing measurement exemption from licensing etc.
- (1) The use of a weighbridge to measure the tare mass of a vehicle to enable it to be licensed for use on a road as defined in the Road Traffic Act 1974 is not to be considered to be a use as a public weighbridge for the purposes of the principal Act section 54(3) if the operator of the weighbridge gives to the person for whom the measurement was made a clear written statement that the measurement was taken to enable the vehicle to be so licensed.
- Subdivision 2 does not apply to the licensee of a weighbridge in the circumstances referred to in subregulation (1).
- (3) Subdivision 3 does not apply to the operator of a weighbridge in the circumstances referred to in subregulation (1).

17. Register of public weighbridge licences

- For the purposes of the principal Act section 59, the prescribed particulars to be kept in a register by the Commissioner in respect of each public weighbridge licence are as follows
 - (a) the number of the licence and the date it was granted;
- (b) the name of the licensee;
- (c) the address at which notices may be served personally on the licensee;

As at Error! Unknown document property name. Version Error! Unknown page 11 document property name.

Weighbridges

Part 2

Division 2 r. 18	Public weighbridges
(c) if a body corporate is the holder, or one of the holders, of the licence, the name of all the persons concerned in the management of that body corporate;
(€	any name registered under the <i>Business Names Act 1962</i> that the licensee uses in carrying on activities under the licence;
(1	weighbridge mentioned in the licence
	(i) the full name and residential address of the person; and
	(ii) the date the person commenced employment as an operator of the weighbridge; and
	(iii) if the person stops being employed to operate the

- (g) particulars of any conditions imposed in relation to the licence under the principal Act section 60;
- (h) for the weighbridge mentioned in the licence

employed;

(i) particulars of the weighbridge's location; and

weighbridge the last day the person was so

- (ii) a registered number allocated to the weighbridge by the Commissioner; and
- (iii) when the most recent weighbridge suitability statement was provided.
- 18. Applications to amend public weighbridge licence to be in approved form

An application under the principal Act section 71(1), 73(2) or 74(2) to amend a public weighbridge licence must be in the approved form.

page 12 Version Error! Unknown document property name. As at Error! Unknown document property name.

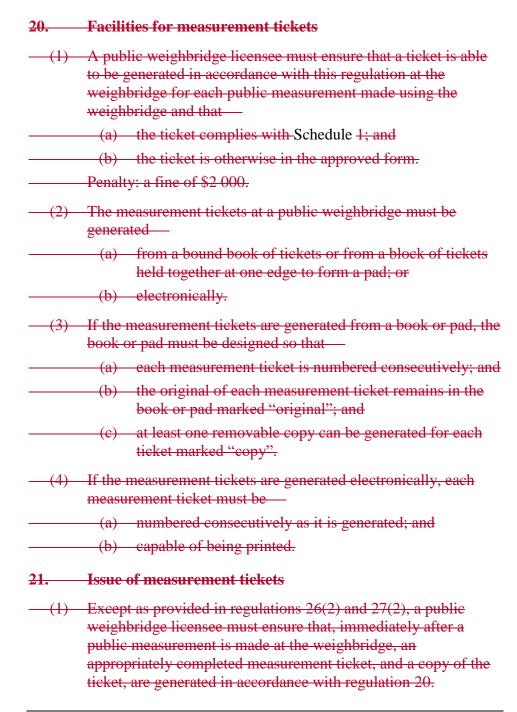
19.	Licence and sign to be displayed at public weighbridge
(1)	A public weighbridge licensee must, in accordance with subregulation (2), display at the weighbridge
	(a) the licence for the weighbridge; or
	(b) a copy of the licence for the weighbridge.
	Penalty: a fine of \$2 000.
(2)	The licence must
	(a) have written on it a weighbridge suitability statement that is in force; and
	(b) must be displayed
	(i) prominently; and
	(ii) so that it can easily be seen by anyone using the weighbridge;
	and
	(c) have adequate protection from wind, rain or any other environmental effect.
(3)	A public weighbridge licensee must, in accordance with subregulation (4), display at the weighbridge a sign that clearly indicates, in words and figures at least 100 mm high and on a background of contrasting colour—
	(a) that the weighbridge is a public weighbridge; and
	(b) the registered number referred to in regulation 17(h)(ii).
	Penalty: a fine of \$2 000.
(4)	The sign must be displayed—
	(a) prominently; and
	(b) so that it can easily be seen by anyone using the
	weighbridge.

As at Error! Unknown document property name. Version Error! Unknown property name. page 13
Extract from www.slp.wa.gov.au, see that website for further information document property name.

Part 2 Weighbridges

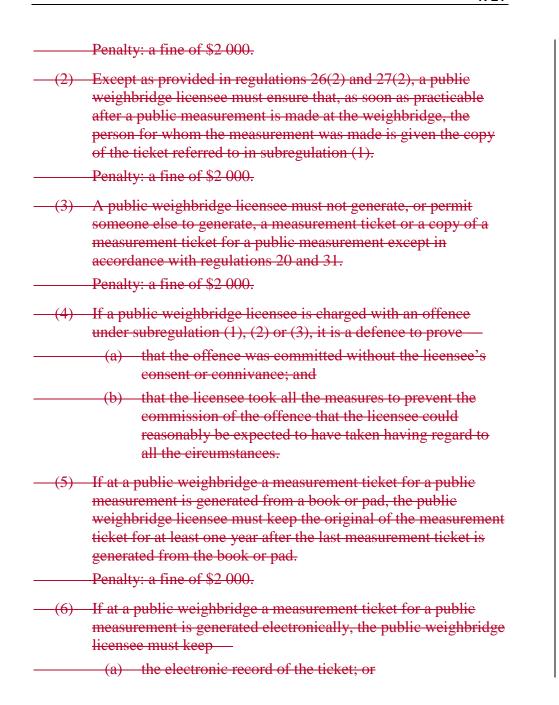
Division 2 Public weighbridges

r. 20



page 14 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

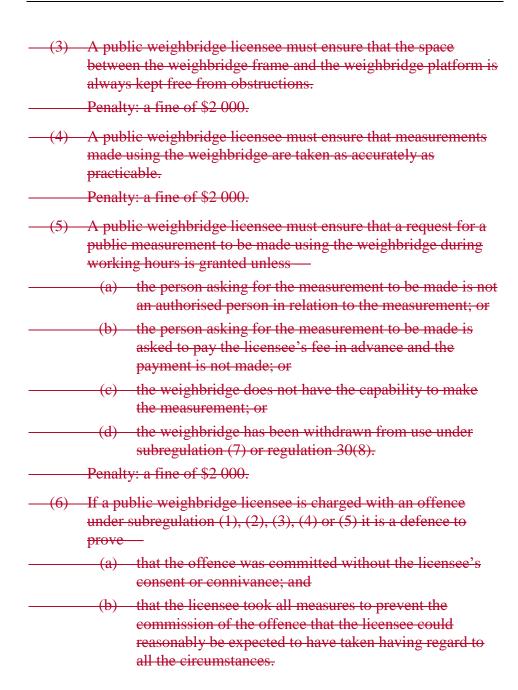


Part 2 Weighbridges
Division 2 Public weighbridges
r. 22

(b) a printed ticket marked "original", for at least one year after the ticket was generated. Penalty: a fine of \$2 000. (7) Except as provided in regulation 25(5), a public weighbridge licensee must not alter, remove or delete, or permit someone else to alter, remove or delete (a) any original of a measurement ticket or unissued copies in a book or pad kept under subregulation (5); or (b) any electronic record or printed measurement ticket kept under subregulation (6). Penalty: a fine of \$2 000. (8) A public weighbridge licensee must make (a) a measurement ticket kept under subregulation (5); or (b) an electronic record or printed ticket kept under subregulation (6), available during working hours for inspection by an inspector or relevant person. Penalty: a fine of \$2 000. 22. Operation of a public weighbridge (1) A public weighbridge licensee must ensure that the weighbridge gives a measurement of zero when there is no load on the platform. Penalty: a fine of \$2 000. A public weighbridge licensee must ensure that the weighbridge platform is kept clean.

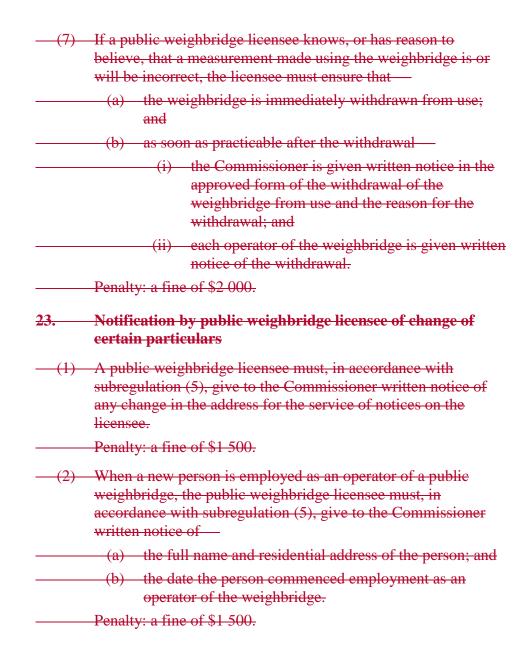
page 16 Version Error! Unknown document property name. As at Error! Unknown document property name.

Penalty: a fine of \$2 000.



Part 2 Weighbridges
Division 2 Public weighbridges

r. 23



(3)	A public weighbridge licensee must, in accordance with subregulation (5), give to the Commissioner written notice of
	(a) a change in the residential address of each person employed as an operator of the weighbridge; and
	(b) if the person stops being employed to operate the weighbridge—the last day the person was so employed.
	Penalty: a fine of \$1 500.
(4)	If a body corporate is the holder, or one of the holders, of a public weighbridge licence and a person concerned in the management of the body corporate ceases to be so concerned, the public weighbridge licensee must, in accordance with subregulation (5), give to the Commissioner written notice of the last day the person was involved in the management of the body corporate.
-	Penalty: a fine of \$1 500.
(5)	The licensee must give the notice
	(a) in the approved form; and
	(b) within 14 days after the relevant event happens.
24.	Additional copies of measurement tickets
(1)	This regulation applies when
	(a) a relevant person requests a public weighbridge licensee or an operator of the weighbridge to give to the person a copy of a measurement ticket
	(i) kept under regulation 21(5) or (6) or that is otherwise still available; and
	(ii) that is in addition to the copy referred to in regulation 25(1);
	ad

As at Error! Unknown document property name. Version Error! Unknown document property name. page 19
Extract from www.slp.wa.gov.au, see that website for further information

Part 2 Division 2 Weighbridges

Public weighbridges

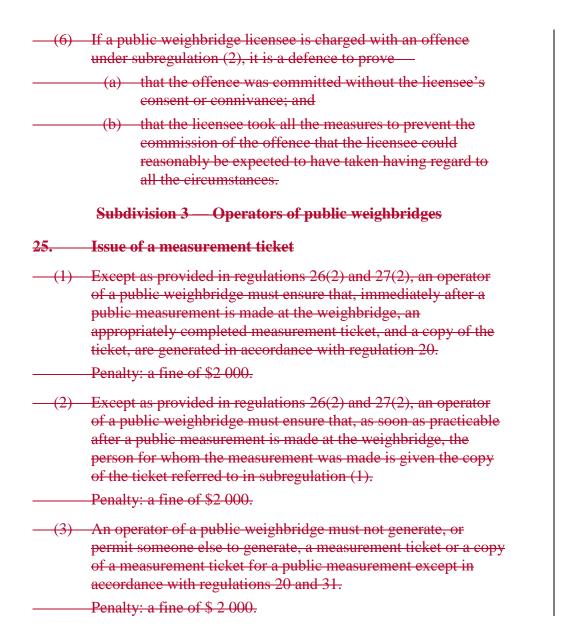
. 24	
	(b) the relevant person pays the licensee or an operator of the weighbridge any fee set by the licensee for providing the copy of the measurement ticket.
(2)	The licensee must ensure that the relevant person is given the copy of the measurement ticket in accordance with this regulation.
	Penalty: a fine of \$2 000.
(3)	If the measurement ticket was issued from a book or pad, the copy of the measurement ticket
	(a) may be a removable copy remaining in the book or pad; or
	(b) may be a photocopy of the original of the measurement ticket in the book or pad if that photocopy is marked "copy"; or
	(c) may be made using an unissued measurement ticket from a book or pad if both the ticket and any removable copy of it
	(i) bear the number of the ticket for the measurement; and
	(ii) are marked "copy".
(4)	If the measurement ticket was generated electronically, the copy of the measurement ticket may be
	(a) a printed version of the electronic record kept under regulation 21(6)(a); or

(b) a photocopy of the printed version of the electronic record kept under regulation 21(6)(b),

if it is marked "copy".

(5) Except as provided in subregulation (3)(c), the copy of the measurement ticket must not be created by issuing a new measurement ticket.

page 20 Version Error! Unknown document property name. As at Error! Unknown document property name.



Weighbridges

Public weighbridges

Part 2

Division 2

r. 26	
(4)	Except as provided in subregulation (5), an operator of a public weighbridge must not alter, remove or delete, or permit someone else to alter, remove or delete
	(a) any original of a measurement ticket or unissued copies in a book or pad kept under regulation 21(5); or
	(b) any electronic record or printed measurement ticket kept under regulation 21(6).
	Penalty: a fine of \$2 000.
(5)	An operator who makes an error in completing a measurement ticket in a book or pad must immediately mark as cancelled, and retain in the book or pad, the original of the measurement ticket and any copy of the ticket forming part of the book or pad.
	Penalty: a fine of \$2 000.
26.	Measurement unloaded then loaded
(1)	This regulation applies when an authorised person requests the operator of a public weighbridge to take a public measurement of the tare mass of a vehicle so that the gross mass can be measured on a separate occasion within the following 24 hours.
(2)	When the authorised person requests the operator to measure the tare mass of the vehicle, the operator must
	(a) measure the tare mass of the vehicle; and
	(b) note the tare mass on a measurement ticket without completing the ticket or giving a copy to the authorised person.
	Penalty: a fine of \$2 000.
(3)	If the vehicle is returned to the weighbridge within 24 hours after the measurement of the tare mass of the vehicle, and an

page 22 Version Error! Unknown document property name. As at Error! Unknown document property name.

authorised person requests the operator to measure the gross

Extract from www.slp.wa.gov.au, see that website for further information

(a) measure the gross mass of the vehicle; and

(b) complete the measurement ticket; and

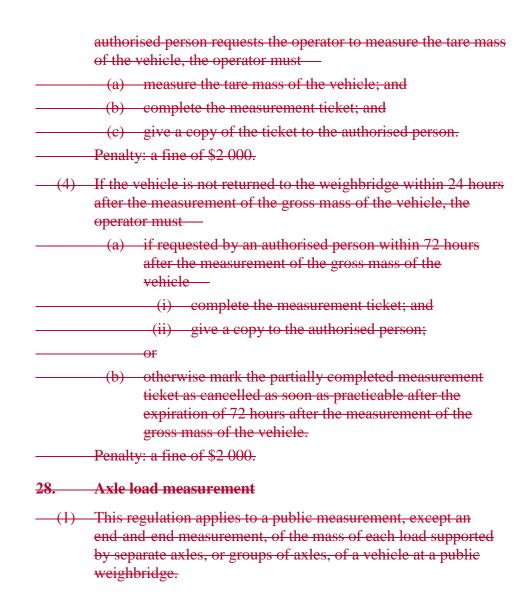
mass of the vehicle, the operator must-

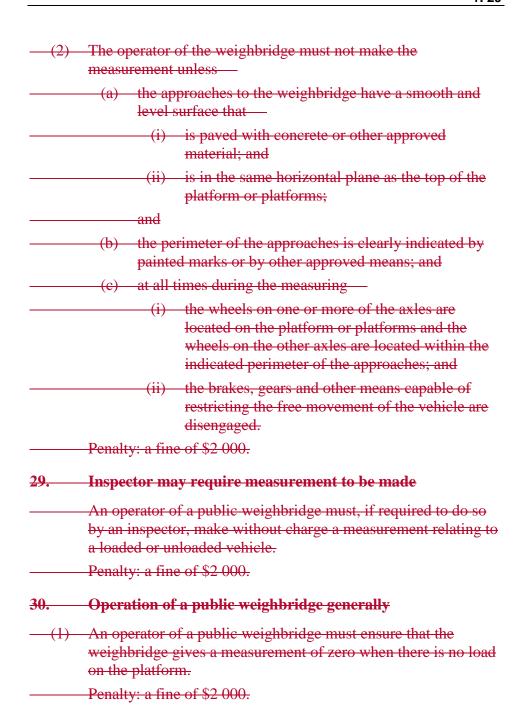
	(c) give a copy of the ticket to the authorised person.
	Penalty: a fine of \$2 000.
—(4)	If the vehicle is not returned to the weighbridge within 24 hours after the measurement of the tare mass of the vehicle, the operator must
	(a) if requested by an authorised person within 72 hours after the measurement of the tare mass of the vehicle
	(i) complete the measurement ticket for the tare mass of the vehicle; and
	(ii) give a copy to the authorised person;
	
	(b) otherwise mark the partially completed measurement ticket as cancelled as soon as practicable after the expiration of 72 hours after the measurement of the tare mass of the vehicle.
	Penalty: a fine of \$2 000.
27.	Measurement — loaded then unloaded
(1)	This regulation applies when an authorised person requests the operator of a public weighbridge to take a public measurement of the gross mass of a vehicle so that the tare mass can be measured on a separate occasion within the following 24 hours.
(2)	When the authorised person requests the operator to measure the gross mass of the vehicle, the operator must
	(a) measure the gross mass of the vehicle; and
	(b) note the gross mass on a measurement ticket without completing the ticket or giving a copy to the authorised person.
	Penalty: a fine of \$2 000.
(3)	If the vehicle is returned to the weighbridge within 24 hours after the measurement of the gross mass of the vehicle, and an

As at Error! Unknown document property name. Version Error! Unknown property name. page 23
Extract from www.slp.wa.gov.au, see that website for further information document property name.

Part 2 Weighbridges
Division 2 Public weighbridges

r. 28





As at Error! Unknown document property name. Version Error! Unknown document property name.

Weighbridges

Part 2

Division 2 Public weighbridges r. 30 (2) An operator of a public weighbridge must ensure that the weighbridge platform is kept clean. Penalty: a fine of \$2 000. (3) An operator of a public weighbridge must ensure that the space between the weighbridge frame and the weighbridge platform is always kept free from obstructions. Penalty: a fine of \$2 000. (4) An operator of a public weighbridge must ensure that measurements made using the weighbridge are taken as accurately as practicable. Penalty: a fine of \$2 000. An operator of a public weighbridge must ensure that a request for a measurement to be made using the weighbridge during working hours is granted unless (a) the person asking for the measurement to be made is not an authorised person in relation to the measurement; or (b) the person asking for the measurement to be made is asked to pay the licensee's fee in advance and the payment is not made; or (c) the weighbridge does not have the capability to make the measurement; or (d) the weighbridge has been withdrawn from use under subregulation (8) or regulation 22(7). Penalty: a fine of \$2 000. (6) If an operator of a public weighbridge is charged with an offence under subregulation (5) it is a defence to prove that the operator took all the measures to prevent the commission of the

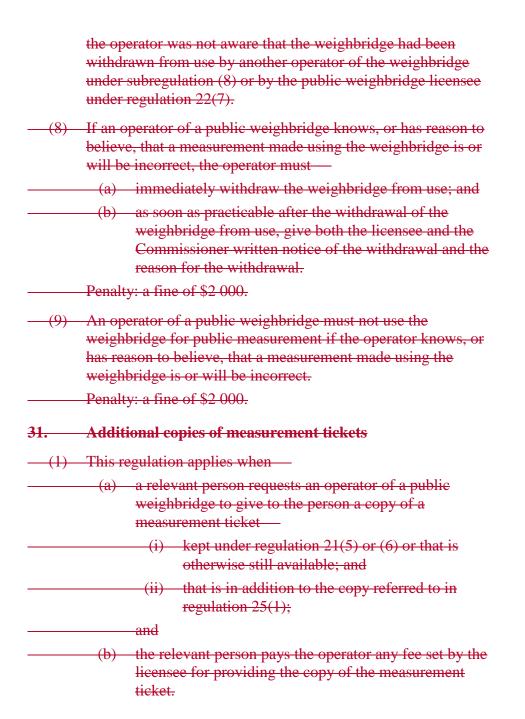
page 26 Version Error! Unknown document property name. As at Error!

(7) If an operator of a public weighbridge is charged with an

taken having regard to all the circumstances.

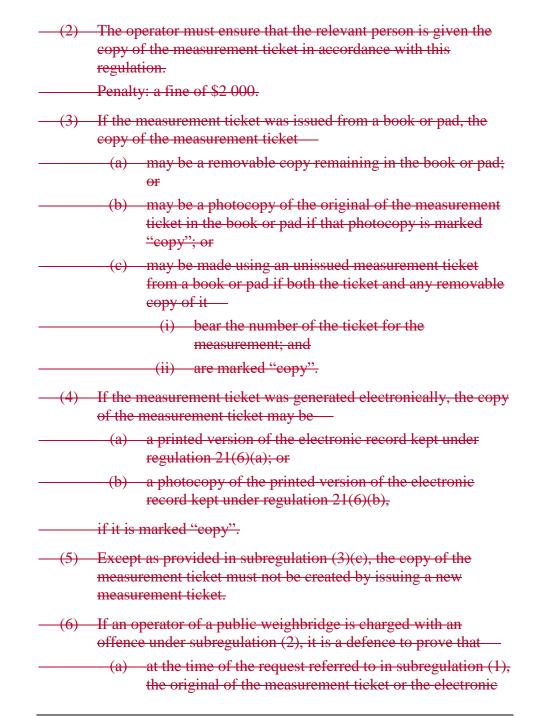
offence that the operator could reasonably be expected to have

offence under subregulation (5)(d) it is a defence to prove that

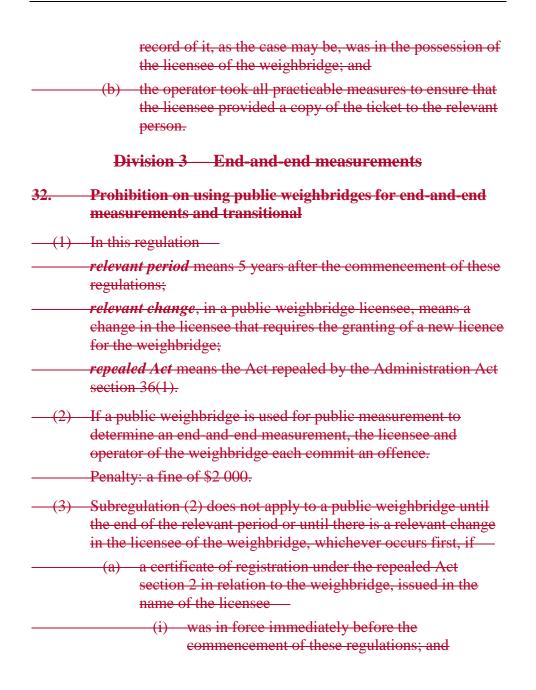


As at Error! Unknown document property name. Version Error! Unknown document property name. page 27

-		_
r. 31		
Division 2	Public weighbridges	
Part 2	Weighbridges	



page 28 Version Error! Unknown document property name. As at Error! Unknown document property name.



Trade Measurement Regulations 2007 Part 2 Weighbridges

End-and-end measurements

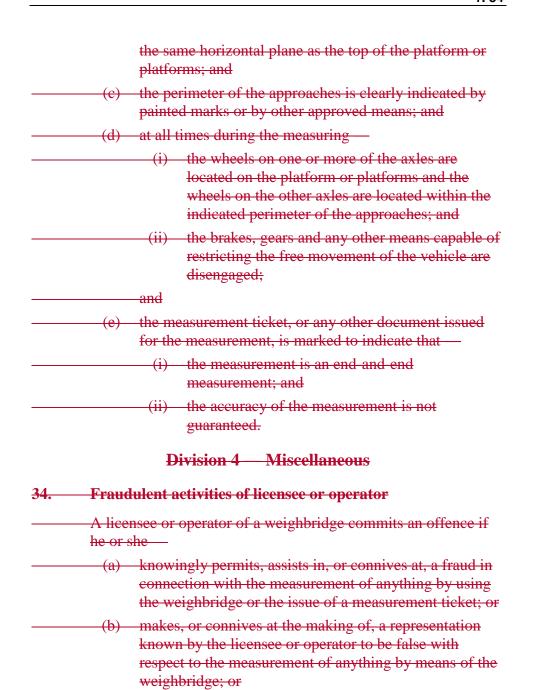
Division 3

r. 33

	(ii) did not include a condition that prohibited the use of the weighbridge for an end and end measurement;
	and
	(b) the end-and-end measurement is made in accordance with regulation 33(2)(a) to (d); and
	(c) the measurement ticket is marked to indicate that
	(i) the measurement is an end-and-end measurement; and
	(ii) the accuracy of the measurement is not guaranteed.
33.	Restrictions in other cases
€	If a public weighbridge is used to determine an end and end measurement that is not a public measurement, the licensee and operator of the weighbridge each commit an offence unless subregulation (2) is complied with.
]	Penalty: a fine of \$2 000.
(2)	This subregulation is complied with if
	(a) the wheelbase of the vehicle concerned is
	(i) longer than the length of the platform of the weighbridge or, if the weighbridge has 2 or more platforms, the total of the lengths of the platforms; and
	(ii) shorter than the sum of the length, or total length, determined in accordance with subparagraph (i) and the length of the shorter, or, if their lengths are the same, of either, of the approaches to the platform or platforms;
	and
	(b) the approaches have a smooth and level surface that is

page 30 Version Error! Unknown document property name. As at Error! Unknown document property name.

paved with concrete or other approved material and is in



As at Error! Unknown document property name. Version Error! Unknown document property name. page 31

Part 2 Division 4	Weighbridges Miscellaneous
r. 34	
(c)) knowing of anything fraudulent in connection with the
(C	measurement of anything by means of the weighbridge
	fails to inform an inspector as soon as practicable.

Part 3 Measuring instruments

Division 1 Use of measuring instruments for trade

35.	Form of notice under the principal Act section 11
	A written notice under the principal Act section 11(1) is to be in the approved form.
36.	Prescribed measuring instruments and uses (principal Act section 12)
	For the purposes of the principal Act section 12
	(a) a measuring instrument is of a prescribed class if it is a class 4 measuring instrument; and
	(b) a measuring instrument is used for a prescribed purpose or in prescribed circumstances if it is used to measure the mass of
	(i) baggage at an airport; or
	(ii) a thing for the purposes of determining freight or haulage charges applicable to it; or
	(iii) garbage; or
	(iv) earth, sand, gravel or other similar material; or
	(v) something that is suspended from a crane; or
	(vi) timber logs.
	Division 2 — Verification, re-verification, certification and re-certification
37.	Measuring instruments to be verified or certified in accordance with this Division
	A measuring instrument cannot be verified, re-verified, certified or re-certified except in accordance with this Division.

As at Error! Unknown document property name. Version Error! Unknown document property name. page 33

Part 3 Measuring instruments

Division 2 Verification, re-verification, certification and re-certification

r. 38

38. Duration of verification and certification

- (1) For the purposes of the principal Act section 21(1), the period for which the verification, re-verification, certification or re-certification of measuring instruments or classes of measuring instruments is to have effect is, in respect of an instrument specified in Schedule 6 Column 1, the period specified in Column 5 of that Schedule opposite that instrument.
- (2) The period specified in Schedule 6 Column 5 has effect from the day the measuring instrument was
 - (a) verified or certified, as the case may be; or
 - (b) last re-verified or re-certified, as the case may be,

whichever is the later.

39. Marking of measuring instrument

- (1) When an inspector's mark or licensee's mark is made on a measuring instrument, the person who makes the mark must also mark, in the approved manner, the date on which the mark is made, unless the instrument is a glass measure.
- (2) When an employee of a servicing licensee certifies or re-certifies a measuring instrument, the employee must in addition to making the licensee's mark on the measuring instrument also make such other mark in conjunction with the licensee's mark as will enable the licensee to identify the employee who made the mark.

40. Certain measuring instruments not to be verified or certified

A measuring instrument cannot be verified, re-verified, certified or re-certified if

(a) it bears a manufacturer's mark or trade mark that could be mistaken for an inspector's mark or a licensee's mark; or

page 34 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

(b) it is of rough, crude or unworkmanlike construction or is constructed of inferior material: or (c) it is not reasonably clean or has wet paint on it; or (d) it is so damaged as to be unsuitable for use for trade. Directions may be given for the purposes of verification or certification An inspector or servicing licensee may give reasonable directions to the owner, or any person in possession, of a measuring instrument for the purposes of facilitating the verification, re-verification, certification or re-certification of a measuring instrument, as the case may be. (2) Those directions may include, but are not limited to (a) directions as to the time and place at which the instrument is to be made available for examination or testing; and a requirement for the instrument to be cleaned; and in the case of a verification or re-verification, directions as to the provision of labour, materials, equipment and transportation necessary for the purpose of the verification or re-verification. Testing of measuring instrument The testing of a measuring instrument for the purpose of verification, re-verification, certification or re-certification must (a) if the measuring instrument is fixed be carried out with the measuring instrument in its fixed position; or (b) if the measuring instrument is movable and has a base be carried out with the measuring instrument on

a level plane or, if this is not practicable, on a plane that

is as nearly level as possible; or

Part 3	Measuring instruments
Division 2	Verification, re-verification, certification and re-certification

r. 43

if the measuring instrument is transportable and the results obtained by its use are affected by gravity be carried out so as to compensate for the conditions applicable in the region in which it is used or to be used.

Testing and marking of measure of length

If a measure of length is to be verified, re-verified, certified or re-certified, it must be examined, tested and marked

- (a) on both sides if it is calibrated on both sides and is not permanently fixed so that only one side is visible; or
- on the visible side if it is permanently fixed so that only one side is visible.

Exemption of certain marked glass measures from re-verification or re-certification

If a glass measure referred to in Division 3 has been marked in accordance with regulation 49, re-verification or re-certification of it is not required.

Exemption from marking, and restriction on use for trade, of certain small masses

- (1) For the purposes of the principal Act section 9, a mass of 0.2 metric carat or less, or of 50 mg or less, is exempt from the principal Act section 10(1).
- (2) A person who uses such a mass for trade commits an offence unless the person is the holder of a certificate, issued by the Commissioner or a servicing licensee, stating that the mass complies with the requirements for verification or certification specified in the principal Act section 22.

Penalty: a fine of \$2 000.

Division 3

Batch testing and marking

16	Diamandina	 	a instrument	for tostino
TV.			<u> </u>	

- (1) If an inspector considers it to be necessary to examine or test a component part of a measuring instrument for the purpose of verifying or re-verifying the instrument and that cannot be done without dismantling the instrument, the inspector may require the owner of the measuring instrument to comply with subregulation (2).
- (2) The owner of a measuring instrument complies with this subregulation if the owner
- (a) dismantles the measuring instrument or causes it to be dismantled; or
- (b) consents to the measuring instrument being dismantled by the inspector and absolves the inspector from liability for any damage caused in the course of its dismantling or reassembly.

Owner liable for costs of verification or re-verification

- (1) When an inspector verifies or re-verifies a measuring instrument, the owner of the instrument is liable for any costs reasonably incurred by the Commissioner in respect of that verification or re-verification.
- (2) The Commissioner may recover the costs from the owner in a court of competent jurisdiction as a debt due to the State.

Division 3—Batch testing and marking

Approval for batch testing of glass measures

- (1) The Commissioner may give a manufacturer or importer of glass measures written approval for the glass measures to be tested and marked under this Division.
- An approval ceases to have effect if it is revoked by the Commissioner in writing or if the manufacturer or importer

As at Error! Unknown document property name. Version Error! Unknown page 37 document property name.

(a) to comply with any requirements of the Commissioner notified in the approval; or (b) to take reasonable precautions to prevent the commission of an offence referred to in regulation 50; or to provide and pay for testing facilities as required by the Commissioner; or to make the testing facilities available, without charge, for use by an inspector or a servicing licensee in order to carry out tests in accordance with regulation 51; or to comply with regulation 52 relating to the keeping and examination of records. 49. Approval authorises making of marks While an approval under regulation 48 is in force, the manufacturer or importer is authorised for the purposes of the principal Act section 30(4) to mark a glass measure with a mark consisting of (a) the mark of (i) the inspector, as specified in the approval; or (ii) if the manufacturer or importer is a servicing licensee licensed for the purposes of batch testing glass measures the manufacturer or importer; or if the manufacturer is not a servicing licensee licensed for the purposes of batch testing glass measures a servicing licensee nominated by the manufacturer or importer; and the characters specified in the approval as those that are to form part of the approved mark, in the size and

Trade Measurement Regulations 2007

Measuring instruments

Batch testing and marking

Part 3

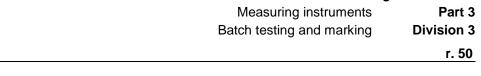
r. 49

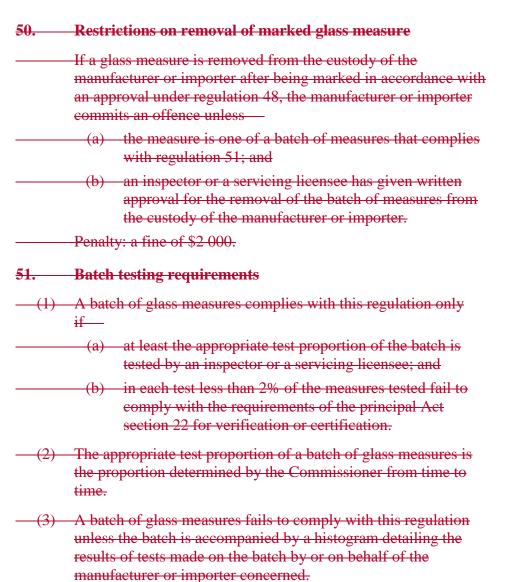
Division 3

page 38 Version Error! Unknown document property name. As at Error! Unknown document property name.

the approval.

manner, and in the position on the measure, required by

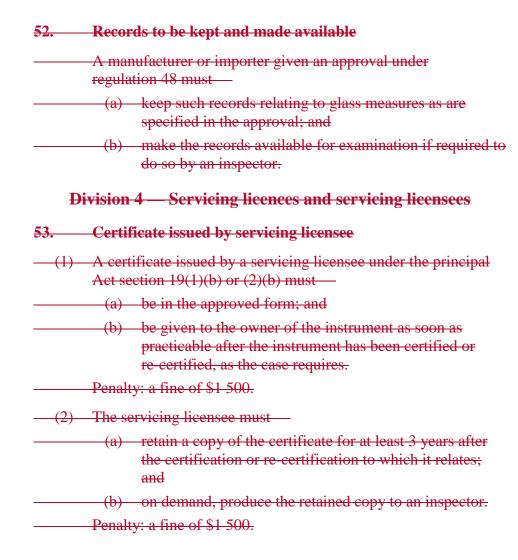




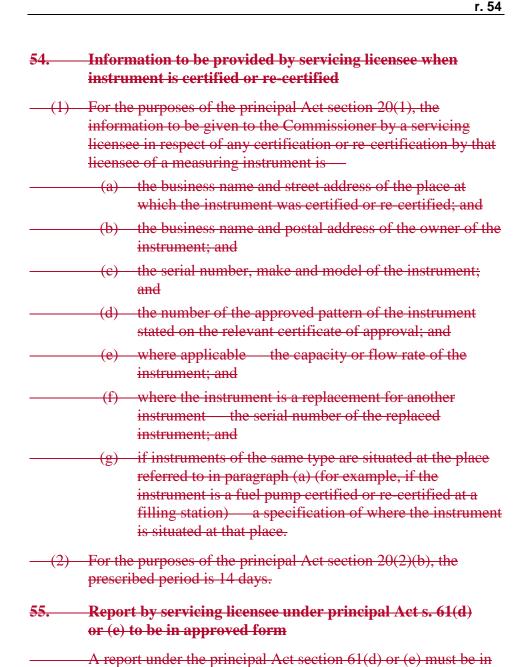
Part 3 Measuring instruments

Division 4 Servicing licences and servicing licensees

r. 52



Division 4

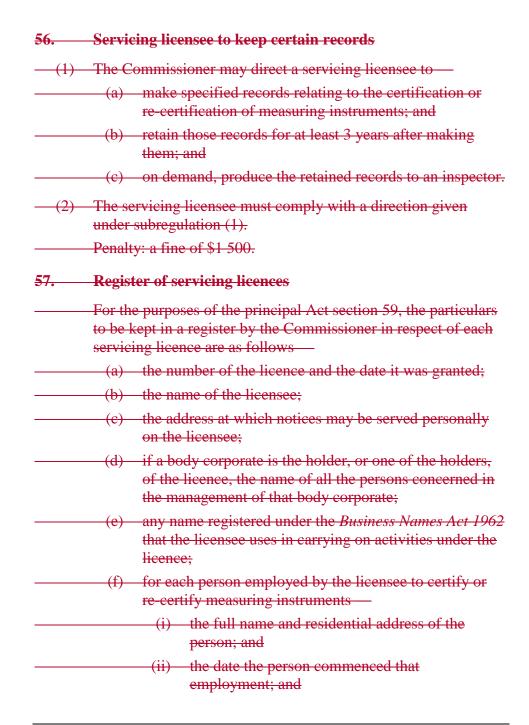


the approved form.

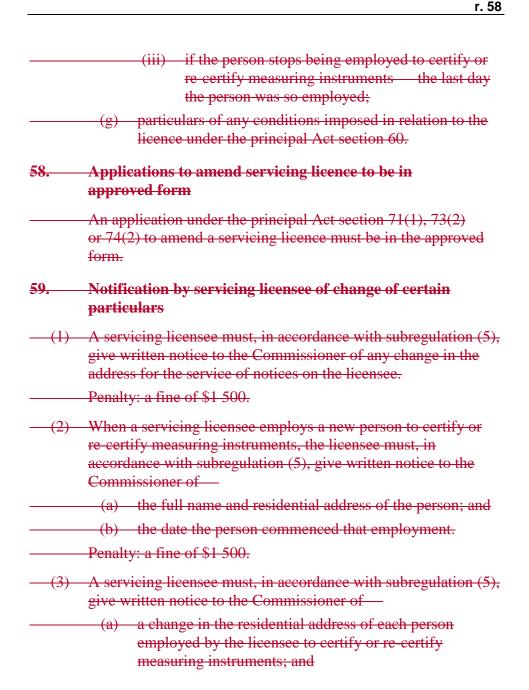
Part 3 Measuring instruments

Division 4 Servicing licences and servicing licensees

r. 56



page 42 Version Error! Unknown document property name. As at Error! Unknown document property name.



Part 3 Measuring instruments **Division 5** Restrictions on use of measuring instrument for trade r. 60 (b) if the person stops being employed to certify or re-certify measuring instruments—the last day the person was so employed. Penalty: a fine of \$1 500. If a body corporate is the holder, or one of the holders, of a servicing licence and a person concerned in the management of the body corporate ceases to be so concerned, the licensee must, in accordance with subregulation (5), give written notice to the Commissioner of the last day the person was involved in the management of the body corporate. Penalty: a fine of \$1 500. (5) The licensee must give the notice (a) in the approved form; and (b) within 14 days after the relevant event happens. **Division 5** Restrictions on use of measuring instrument for trade General restrictions on use of measuring instrument for A person who uses for trade a measuring instrument of an approved pattern designed for measuring a liquid commits an offence if the person purports to measure anything other than a liquid to which the approved pattern relates. Penalty: a fine of \$2 000.

A person who uses for trade a measuring instrument held in, or suspended from, the person's hand commits an offence if the person is purporting to measure mass.

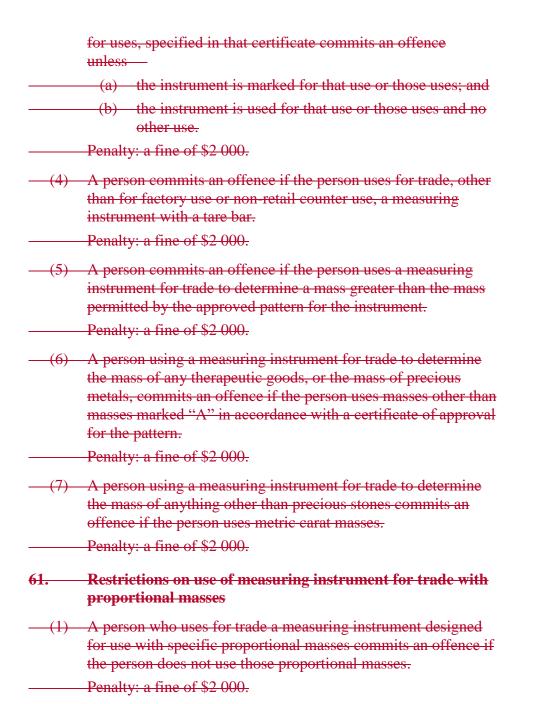
Penalty: a fine of \$2 000.

Trade Measurement Regulations 2007

(3) A person who uses for trade a measuring instrument that is, under the relevant certificate of approval, approved for a use, or

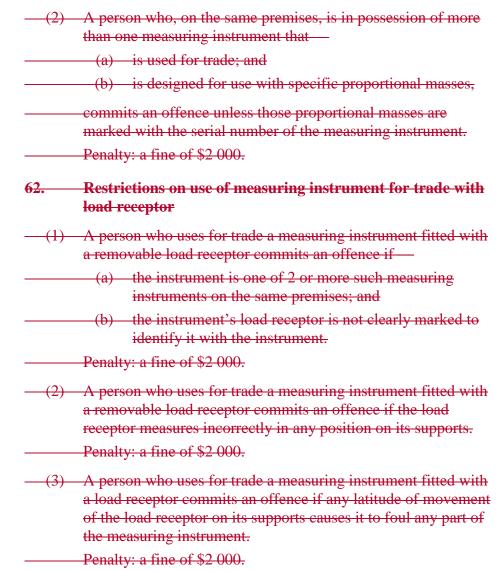
page 44 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information



As at Error! Unknown document property name. Version Error! Unknown document property name.

Trade Measurement Regulations 2007 Part 3 Measuring instruments Division 5 Restrictions on use of measuring instrument for trade r. 62



page 46 Version Error! Unknown document property name. As at Error! Unknown document property name.

Division 6

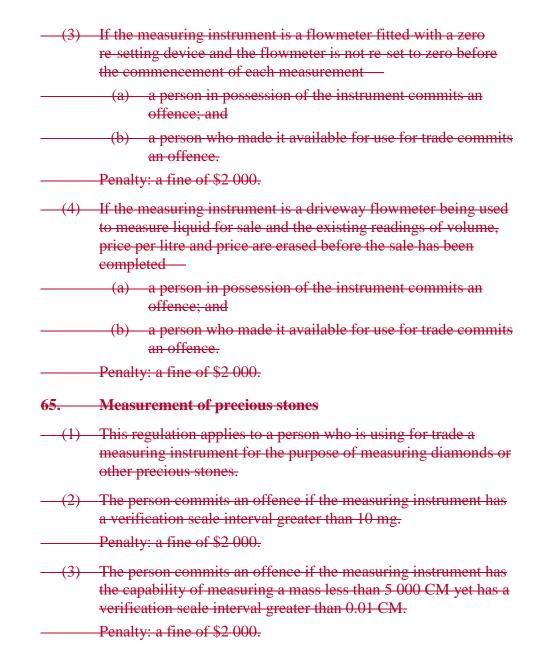
As at Error! Unknown document property name. Version Error! Unknown document property name.

Penalty: a fine of \$2 000.

Part 3 Measuring instruments

Division 6 Miscellaneous

r. 65



page 48 Version Error! Unknown document property name. As at Error! Unknown document property name.

(4) A person commits an offence if the measuring instrument has the capability of measuring a mass of 5 000 CM or more yet has a verification scale interval greater than 0.05 CM.

Penalty: a fine of \$2 000.

66. Measurement of precious metals

A person who uses for trade a measuring instrument for the purpose of measuring gold, silver or other precious metals commits an offence if the instrument has the capability of measuring a mass specified in Column 1 of the Table to this regulation, yet has a verification scale interval greater than the corresponding mass specified in Column 2.

Penalty: a fine of \$2 000.

Table

Column 1	Column 2
Less than 1 kg	——————————————————————————————————————
1 kg or more but less than 10 kg	
10 kg or more	1 g

67. Commissioner to be notified when person obliterates mark on instrument

- (1) Except as provided in subregulation (3), a person must, in accordance with subregulation (2), give written notice to the Commissioner of an action taken by that person under the principal Act section 28(1)(a) to obliterate any inspector's mark or licensee's mark that a measuring instrument bears.
 - Penalty: a fine of \$1 500.
- (2) The person must give the notice
 - (a) in the approved form; and
- (b) within 14 days after the person has taken the action to which the notice relates.

As at Error! Unknown document property name. Version Error! Unknown document property name.

Part 3 Measuring instruments

Division 6 Miscellaneous

r. 67

(3) This regulation does not apply if the measuring instrument is certified or re-certified within 7 days after the action referred to in subregulation (1) is taken.

Part 4

Division 1

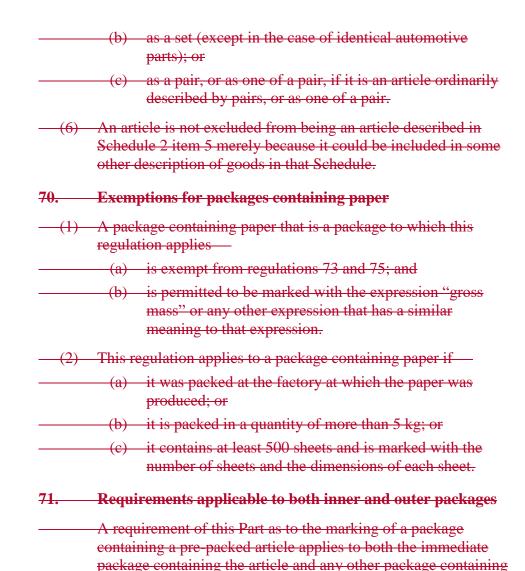
Division 1 Preliminary

68. Requirements as to packaging of pre-packed articles For the purposes of the principal Act section 39, the requirements as to the packaging of pre-packed articles are those prescribed in this Part. **Exemptions from marking requirements (name, address,** measurement) (1) In this regulation— Schedule 2 package means a package containing an article specified in Schedule 2. (2) Except as provided in subregulations (3) and (4), a Schedule 2 package is exempt from the operation of Divisions 2 and 3 in the circumstances specified in Schedule 2 in relation to the article or, if no circumstances are specified, in all circumstances. (3) A Schedule 2 package is not exempt from the operation of Divisions 2 and 3 merely because it contains 2 or more packages each of which would be exempt under subregulation (2) as separate packages. (4) A Schedule 2 package (a) is not exempt from the operation of Division 2 if it has a name and address marked on it; and (b) is not exempt from the operation of Division 3 if it has a measurement marked on it. It is not to be assumed that an article described in Schedule 2 item 1 or 4 has been packed for sale by measurement merely because it has been packed for sale (a) as a single item; or

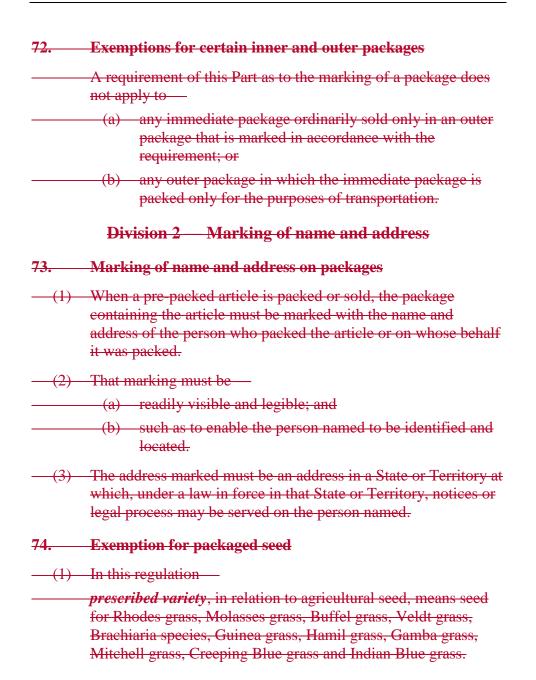
As at Error! Unknown document property name. Version Error! Unknown document property name.

Trade Measurement Regulations 2007 Part 4 Pre-packed articles Division 1 Preliminary

r. 70



that package (whether or not with other packages) unless the provision that imposes the requirement otherwise provides.



Division 3 Marking of measurement r. 75 (2) Regulation 73 does not apply to public-bred agricultural seed that is of a prescribed variety and is packed in a quantity of 10 kg or more; or (b) public-bred agricultural seed that is not of a prescribed variety and is packed in a quantity of 25 kg or more; or (c) non-proprietary varieties of horticultural seed packed in a quantity of 25 kg or more. **Division 3** Marking of measurement Subdivision 1 — General requirements for measurement marking Requirement to mark measurement (1) When a pre-packed article is packed or sold, the package containing the article must be marked with a statement of the measurement of the article. The statement must be such as will be clear, conspicuous and easily read when the article is exposed for sale in the manner in which it is likely to be exposed for sale. General position of measurement marking (1) The measurement marking on a package must be made (a) on the main display part of the package; and (b) if another part of the package is, or other parts of the package are, likely to be displayed instead of the main display part when the article is exposed for sale—on that other part or one of those other parts.

Trade Measurement Regulations 2007

Pre-packed articles

Part 4

page 54 Version Error! Unknown document property name. As at Error! Unknown document property name.

(ba) a standard wine package, as defined in regulation 77A,

if the measurement marking on the package complies

(2) Subregulation (1) does not apply in the case of

with that regulation; or

(a) automotive parts; or

Extract from www.slp.wa.gov.au, see that website for further information

(b) any other package if the Commissioner, by notice published in the Gazette, exempts the package from the operation of this regulation and any conditions or restrictions specified in the notice are complied with. [Regulation 76 amended in Gazette 23 Dec 2008 p. 5468.] 77A. Position of measurement marking on standard wine package (1) In this regulation standard wine package means a package containing (a) 50 mL, 100 mL, 187 mL, 200 mL, 250 mL, 375 mL, 500 mL, 750 mL, 1 L or 1.5 L of wine; or (b) 2 or more whole litres of wine: wine means a beverage— (a) produced by the complete or partial alcoholic fermentation of fresh grapes, grape must or other products derived from fresh grapes; and (b) containing not less than 7% and not more than 24% of alcohol by volume. For the purposes of regulation 76(2)(ba), the measurement marking on a standard wine package must be made on the surface of the package, other than the base or the top, in a way that enables all of the following information about the wine to be seen in a single field of vision— (a) the statement of the measurement; (b) the country of origin; (c) the product name or product description; (d) the actual alcohol content by volume in percentage terms. (3) For the purposes of subregulation (2), information on a standard

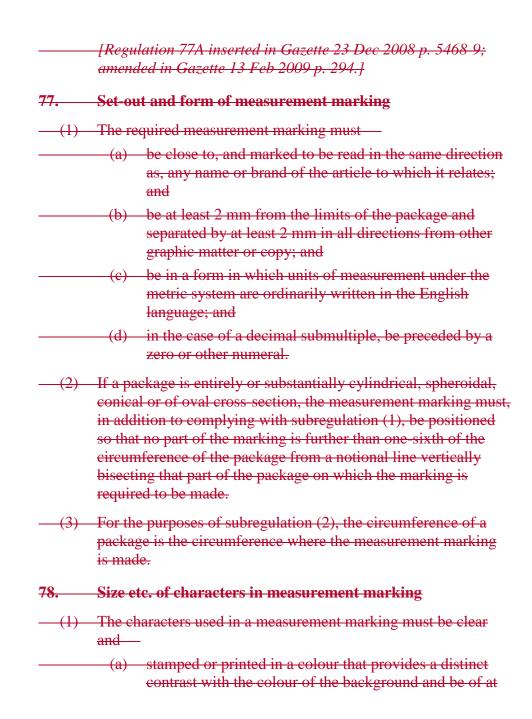
As at Error! Unknown document property name. Version Error! Unknown page 55 document property name.

wine package can be seen in a single field of vision if a person can see the information without having to turn the package.

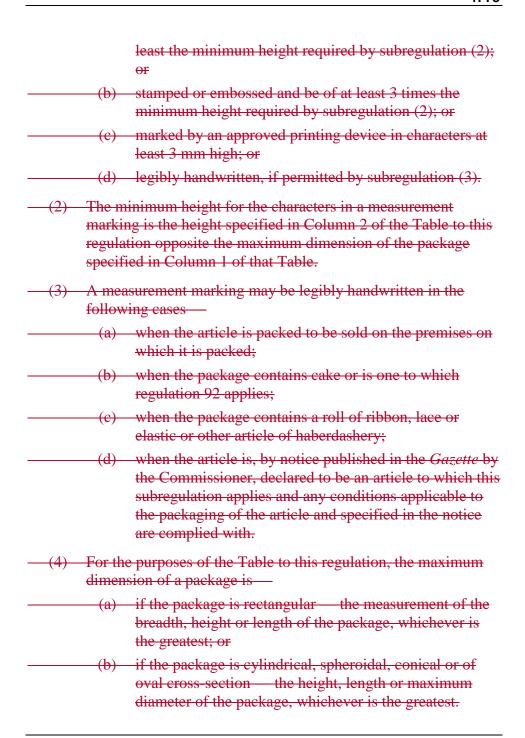
Part 4 Pre-packed articles

Division 3 Marking of measurement

r. 77



page 56 Version Error! Unknown document property name. As at Error! Unknown document property name.



As at Error! Unknown document property name. Version Error! Unknown document property name.

Part 4
Division 3

Pre-packed articles

Marking of measurement

r. 79

Table

Column 1 Maximum dimension of package	Column 2 Minimum character height
120 mm or under	2.0 mm
Over 120 mm but not over 230 mm	2.5 mm
Over 230 mm but not over 360 mm	3.3 mm
Over 360 mm	4.8 mm

79. Unit etc. of measurement to be used

- (1) In this regulation
 - ordinarily sold, in relation to an article sold by number or lineal or superficial measurement, means the majority of the merchants selling the article in Australia ordinarily sell it by number or lineal or superficial measurement.
- (2) Except for an article specifically provided for by subregulation (3), the measurement marking of an article must be expressed as follows—
- (a) if the article is ordinarily sold by number by reference to number;
- (b) if the article is ordinarily sold by linear or superficial measurement by reference to that kind of measurement;
- (c) if the article is a liquid by reference to volume;
- (d) if the article is solid (including in the form of powder or flakes), semi-solid or partly solid and partly liquid, and is not included in paragraph (a)—by reference to mass.
- (3) The measurement marking of an article of a kind described in Schedule 3 Column 1 must be expressed by reference to the kind of measurement specified in Column 2 of that Schedule opposite the description of the article.

page 58 Version Error! Unknown document property name. As at Error! Unknown document property name.

Division 3

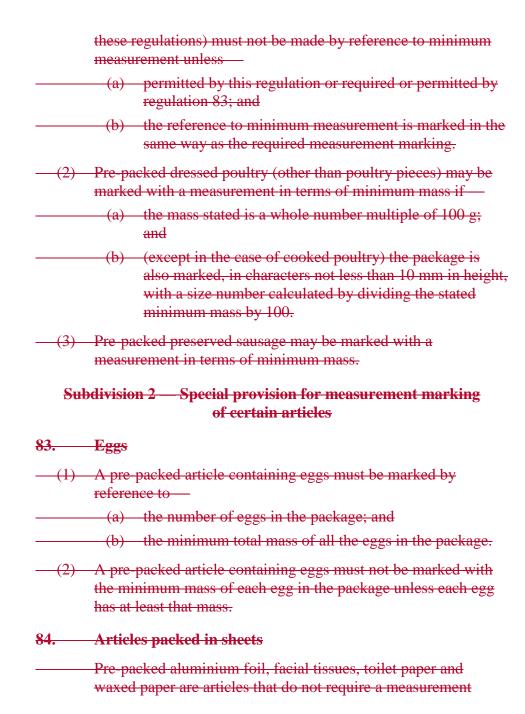
Marking of measurement

(4)	Except as provided in regulation 81(b), a measurement marking (other than in terms of number) must be expressed in terms of a permissible unit of measurement as specified in Schedule 4.
80.	Fractions, significant figures
(1)	If a measurement marking includes a fraction of a unit of measurement, it must be expressed as a decimal submultiple of the unit.
(2)	Except as provided in regulation 81(a), whether a measurement marking is a whole multiple or a submultiple, or a combination of both, it must express a degree of accuracy to not more than—
	(a) in the case of a measurement marking referred to in Schedule 4 clause 3(d) — 5 significant figures;
	(b) in any other case 3 significant figures.
81.	Special provision — marking by approved printing device
	special provision marining by approved printing device
	If a measurement marking is made by an approved printing device—
	If a measurement marking is made by an approved printing
	If a measurement marking is made by an approved printing device (a) the measurement marking may express a degree of accuracy to more than the number of significant figures referred to in regulation 80(2) if the relevant certificate of approval specifies that the device may be used to
82.	If a measurement marking is made by an approved printing device— (a) the measurement marking may express a degree of accuracy to more than the number of significant figures referred to in regulation 80(2) if the relevant certificate of approval specifies that the device may be used to measure that specified degree of accuracy; and (b) a measurement marking made by use of the device must be expressed in terms of a permissible unit of measurement in accordance with the relevant certificate

Part 4 Pre-packed articles

Division 3 Marking of measurement

r. 83



page 60 Version Error! Unknown document property name. As at Error! Unknown document property name.

marking on the package if the number of usable sheets of specified dimensions is marked on the package as if the number and dimensions marked were a measurement marking.

Number of pre-packed articles comprising 1 tonne

If 45 or fewer packages of an article that is ordinarily sold by mass have a total mass of 1 tonne, the measurement marking of the mass of the article may be made on each package by referring to the number of packages to the tonne in such a manner as to imply that the mass of each package is 1 tonne divided by that number.

86. Bed sheets, tarpaulins etc.

- (1) The measurement marking relating to—
 - (a) bed sheets (not designed as fitted or semi-fitted bed sheets) or other sheets of hemmed fabric material; or
- (b) tarpaulins,
- must be expressed in terms of the finished size of the article.
- (2) The measurement marking relating to—
- (a) a mattress protector; or
- (b) a bed sheet designed as a fitted or semi-fitted bed sheet,

must be expressed in terms of the suitability of its finished size to fit a mattress of specified dimensions expressed as length × width x depth.

87. Pairs of window curtains

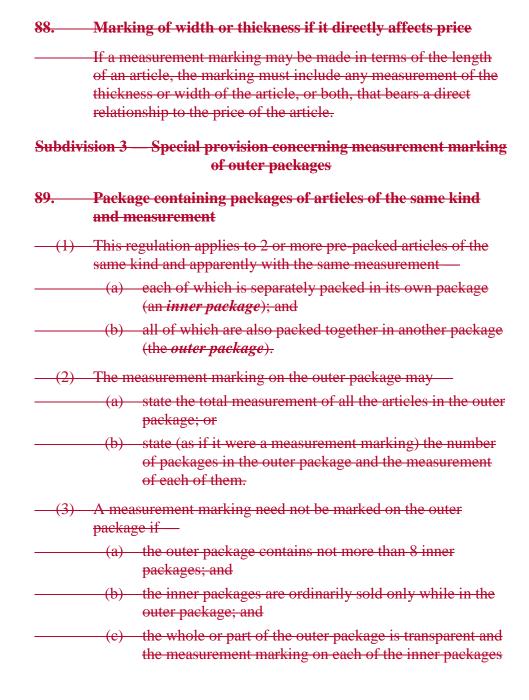
The measurement marking relating to window curtains designed to cross over when hung in pairs must be expressed in terms of the finished size of the maximum width, and the maximum drop, of each curtain.

As at Error! Unknown document property name. Version Error! Unknown page 61 document property name.

Part 4 Pre-packed articles

Division 3 Marking of measurement

r. 88



page 62 Version Error! Unknown document property name. As at Error! Unknown document property name.

Marking of measurement

is clearly visible through the packaging of the outer package.

Inner and outer packages of single article (1) This regulation applies to a pre-packed article consisting of an article contained in a package (the inner package) that is contained in another package (the outer package). A measurement marking need not be marked on the outer package if (a) the inner package is ordinarily sold only while in the outer package; and (b) the whole or part of the outer package is transparent and the measurement marking on the inner package is clearly visible through the packaging of the outer package. Package containing articles of different kinds or different measurements This regulation applies to a pre-packed article consisting of a package (the *outer package*) containing at least 2 articles of which at least one is a pre-packed article, but does not apply in a case to which regulation 89 applies. (2) None of the articles in the outer package is required to be marked with a measurement marking if (a) all the articles in the outer package are ordinarily sold only while in the outer package; and —the outer package is marked in the same way as a measurement marking with a description of each article in the outer package and a statement of its measurement. (3) The provisions of regulation 76 as to the position of a

Version Error! Unknown As at Error! Unknown document property name. page 63 document property name.

measurement marking do not apply to a marking referred to in subregulation (2)(b) if the packaging of the outer package is

Part 4 Pre-packed articles

Division 3 Marking of measurement

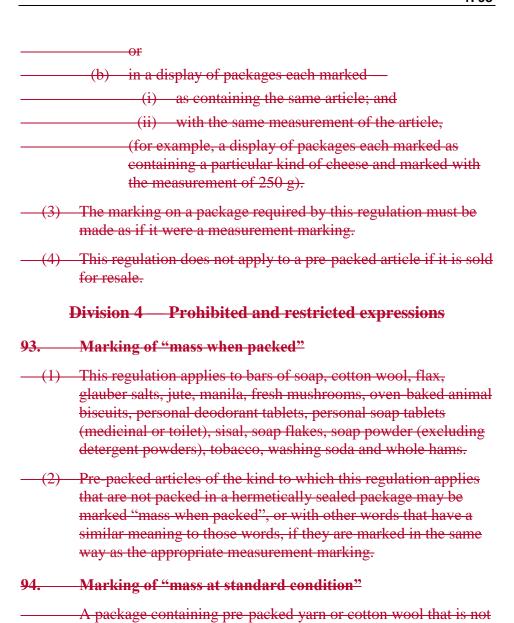
r. 92

transparent and all the articles it contains are clearly visible through it.

Subdivision 4 — Other markings concerning measurement

92.	Unit price marking retail sales of certain foods by mass
(1)	This regulation applies to pre-packed
	(a) fruit, other than whole fruit, priced according to mass; and
-	(b) dried or dehydrated fruit; and
-	(c) dried or dehydrated mixed fruit; and
	(d) vegetables, other than whole vegetables, priced according to mass; and
	(e) mushrooms; and
	(f) cheese and cheese products; and
	(g) dressed poultry not marked in terms of minimum mass in accordance with regulation 82; and
	(h) fish (including crustaceans); and
	(i) meat; and
	(j) smallgoods (including bacon, corned beef and ham).
(2)	When a pre-packed article to which this regulation applies is sold, the package containing the article must, in addition to being marked with the measurement of the article, be marked with its total price and price per kilogram unless, for the sale, the package is exposed
	(a) in or on a receptacle on or immediately adjacent to
	which the total price and price per kilogram of the article is displayed—
	(i) in characters at least 10 mm high; and
	(ii) where the price can be readily seen and easily

page 64 Version Error! Unknown document property name. As at Error! Unknown document property name.



As at Error! Unknown document property name. Version Error! Unknown document property name.

similar meaning to those words if

a hermetically sealed package may be marked with the words "mass at standard condition" or with other words that have a

r. 95 (a) the words are marked in the same way as the appropriate measurement marking; and (b) (if the yarn or cotton wool is composed of a mixture of fibres) the package is also marked in the same way as the appropriate measurement marking with a correct statement of the proportion by mass of each of the kinds of fibre of which the yarn or cotton wool is composed. Restrictions on use of "gross mass" (1) For the purposes of the principal Act section 41(1)(b), the expression "gross mass" and any other expression that has a similar meaning to that expression are restricted expressions. A package may be marked with such an expression only if permitted by regulation 70 or if (a) the package is used only for the purpose of transporting an article; and the expression is immediately followed by the words "for transport purposes only" and a statement of the appropriate quantity; and immediately below or following the expression the net mass is marked and designated as such or stated as a net amount in words that correspond to those used to express the gross amount. **Prohibited expressions** For the purposes of the principal Act section 41(1)(b), a prohibited expression is (a) any expression (other than a marking required or permitted by the principal Act or these regulations) that

Trade Measurement Regulations 2007

Pre-packed articles

Prohibited and restricted expressions

Part 4

Division 4

page 66 Version Error! Unknown document property name. As at Error! Unknown document property name.

directly or indirectly relates to or qualifies a measurement marked on the package; or

a statement that directly or indirectly relates or refers to the measurement of the article or any ingredient or

component of the article, or of any source from which the article is derived, if the statement cannot be tested for truth by testing the article.

Division 5 Short measure

97.	Extent of deficiency necessary to constitute short measure
(1)	In this Division—
	permissible actual deficiency means the deficiency in actual measurement permitted for the purposes of the principal Act section 44(1)(a);
	permissible average deficiency means the deficiency in the average of the actual measurements of a number of like articles permitted for the purposes of the principal Act section 44(1)(b).
(2)	This Division makes provision for the deficiency in the actual and average measurements of pre-packed articles permitted under the principal Act section 44 before the actual measurement of a pre-packed article is to be regarded as being less than the measurement marked on the package.
98.	Articles marked "mass when packed" etc.
	If the package containing a pre-packed article is, in accordance with regulation 93, marked "mass when packed", or with other words that have a similar meaning to those words
	(a) the permissible actual deficiency, if measured on the day the article is packed, is a deficiency of 5%; and
	(b) the permissible average deficiency, if measured on the day the article is packed, is nil; and
	(c) the permissible actual deficiency, if measured after the day the article is packed, is the deficiency specified in Column 2 of the Table to this regulation opposite the description of the article in Column 1 of that Table; and

As at Error! Unknown document property name. Version Error! Unknown document property name.

r. 99

(d) the permissible average deficiency, if measured after the day the article is packed, is the deficiency specified in Column 3 of the Table to this regulation opposite the description of the article in Column 1 of that Table.

Table — Permissible deficiencies after day of packing

Column 1 Description of article	Column 2 Permissible actual deficiency %	Column 3 Permissible average deficiency %
Bar soaps	21	16
Cotton wool	7	2
Flax	8	3
Glauber salts	7	2
Jute	9	4
Manila	8	3
Mushrooms (fresh)	18	13
Oven baked animal biscuits	9	4
Personal deodorant tablets	12	7
Personal soap tablets (medicinal or toilet)	11	6
Sisal	8	3
Soap flakes	10	5
Soap powder (excluding		
detergent powders)	15	10
Tobacco	10	5
Washing soda	7	2
Whole hams	7	2

99. Articles marked "mass at standard condition"

(1) If the package containing a pre-packed article of a particular class is, in accordance with regulation 94, marked "mass at standard condition" or with other words that have a similar meaning

page 68 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

Division 5

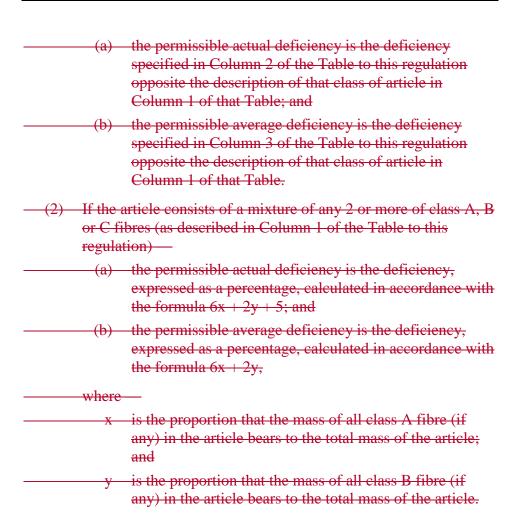


Table		
Column 1 Class of article	Column 2 Permissible actual deficiency %	Column 3 Permissible average deficiency %
Class A fibre (wool or other animal fibre, viscose or cuprammonium rayon, or a mixture of any 2 or		
more of them)	11	6

As at Error! Unknown document property name. Version Error! Unknown document property name.

Part 4
Division 6

Pre-packed articles Miscellaneous

r. 100

Column 1 Class of article	Column 2 Permissible actual deficiency %	Column 3 Permissible average deficiency %
Class B fibre (silk, cotton or cellulose acetate or a mixture of		
any 2 or more of them)	7	2
Class C fibre (a fibre, or a mixture of fibres, that is not a Class A or		
Class B fibre)	5	Θ

100. Other pre-packed articles

If the package containing a pre-packed article is not one to which regulation 98 or 99 applies

- (a) the permissible actual deficiency is 5%; and
- (b) the permissible average deficiency is nil.

101. Method of determining average measurement

- (1) For the purposes of this Division, the average of the actual measurements of a number of like articles is to be determined by calculating the average of the measurements of the contents of at least 12 packages or, if less than 12 are available, of such number (not less than 6) as are available.
- (2) If more than 12 packages are available, the actual number to be tested is to be as determined by an inspector.
- (3) Each of the packages measured must be of the same kind and have the same measurement marking and must be selected by an inspector without having been measured by an inspector.

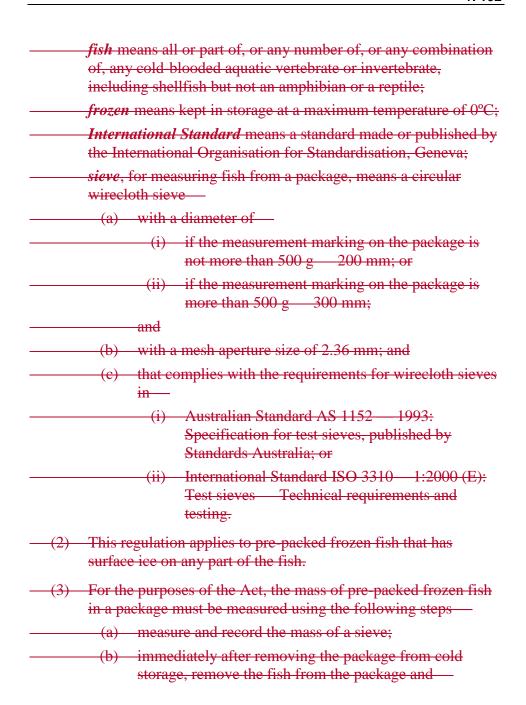
Division 6 Miscellaneous

102. Measuring mass of frozen fish

— (1) In this regulation —

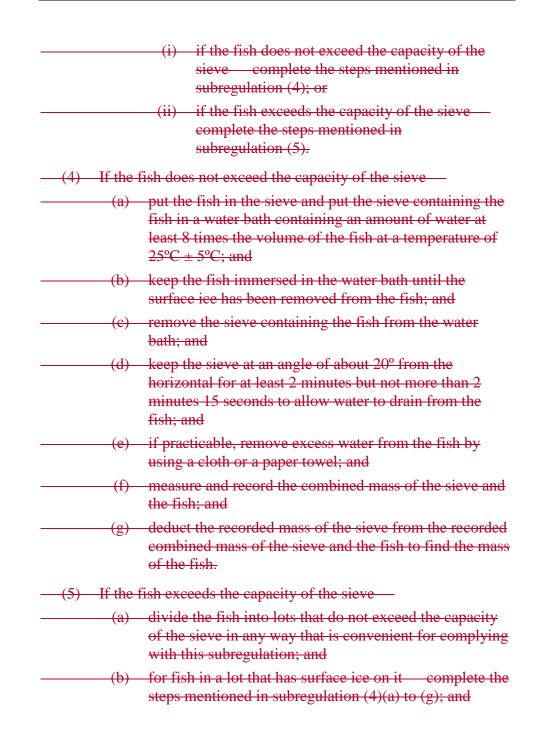
page 70 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information



Trade Measurement Regulations 2007 Part 4 Pre-packed articles Division 6 Miscellaneous

r. 102



page 72 Version Error! Unknown document property name. As at Error! Unknown document property name.

Pre-packed articles Miscellaneous

Part 4 Division 6

r. 103

	(c) for fish in a lot that does not have surface ice on it directly measure and record the mass of the fish; and
	(d) add together the mass of fish recorded under paragraphs (b) and (c) to find the mass of the fish.
(6)	The mass of the fish is
	(a) if the fish does not exceed the capacity of the sieve the mass of the fish as worked out under subregulation (4)(g); or
	(b) if the fish exceeds the capacity of the sieve—the mass of the fish as worked out under subregulation (5)(d).
	[Regulation 102 inserted in Gazette 13 Feb 2009 p. 295-7.]
103.	Application for permit to sell certain articles
103. — (1)	
(1)	A person may apply for a permit to be issued under the principal
(1)	A person may apply for a permit to be issued under the principal Act section 49 in accordance with subregulation (2).
(1)	A person may apply for a permit to be issued under the principal Act section 49 in accordance with subregulation (2). The application must
(1)	A person may apply for a permit to be issued under the principal Act section 49 in accordance with subregulation (2). The application must (a) be in the approved form; and (b) specify the grounds in the principal Act section 50 that

Part 5

Miscellaneous

Division 1

Articles sold by reference to measurement

r. 104

Part 5 — Miscellaneous

Division 1 Articles sold by reference to measurement

104. Beer, spirits to be sold by volume (1) Beer, stout, ale, brandy (including cognac and armagnac), gin, rum, vodka and whisky (or whiskey) are prescribed articles for the purposes of the principal Act section 37. (2) For the purposes of the principal Act section 37(2), a sale of a quantity of such an article is required to be at a price determined by reference to the volume of the quantity. Offer etc. for sale by reference to measurement (1) This regulation does not apply to (a) pre-packed articles; or (b) wine, spirits, beer, porter, stout, ale, cider, perry, mead or any other spirituous or fermented liquor; or (c) diamonds or other precious stones. (2) A person who advertises, offers or exposes an article for sale at a price determined by reference to measurement (being mass, volume, linear measurement or superficial measurement) commits an offence unless the measurement is (a) in the case of mass (i) 1 kg; or (ii) 1 kg, with reference to another integral number of kilograms; or (iii) an integral number of tonnes; or (iv) if the article is a precious metal 1 g or 1 troy ounce;

page 74 Version Error! Unknown document property name. As at Error! Unknown document property name.

or

(b) in the case of v	zolume						
(i) 1 L; or							
(ii) 1 L, with reference to another integral number of							
litres; or							
(iii) an inte	(iii) an integral number of cubic metres;						
or							
(c) in the case of l	inear measurement						
(i) 1 cm; (or						
(ii) 1 m; or	:						
(iii) 1 m, w metres	ith reference to another integral number of						
							
(d) in the case of s	superficial measurement —						
(i) 1 cm ² ;	OF						
$\frac{\text{(ii)} 1 \text{ m}^2; \text{ o}}{\text{(iii)}}$	(ii) 1 m ² ; or						
(iii) 1 m ² , with reference to another integral number							
of squa	re metres,						
or is a measurement a	uthorised by subregulation (3).						
Penalty: a fine of \$2 0	00.						
measurement of an art	ekness, diameter or other linear icle specified in the Table to this advertised, offered or exposed for sale by etre or metre.						
	Table						
Carpets	Plywood						
Ceramic tiles	Resin laminates						
Chain	Rope						
Cord	Rubber material						
Cordage Electric cohle	Rubber mouldings						
Electric cable	Sheet glass						

As at Error! Unknown document property name. Version Error! Unknown document property name. page 75

Extract from www.slp.wa.gov.au, see that website for further information

Part 5 Miscellaneous

Division 2 Sale of fuel by reference to measurement by volume

r. 106

Electrical flex Textiles

Fabrics Textile products (other than ready made

clothing)

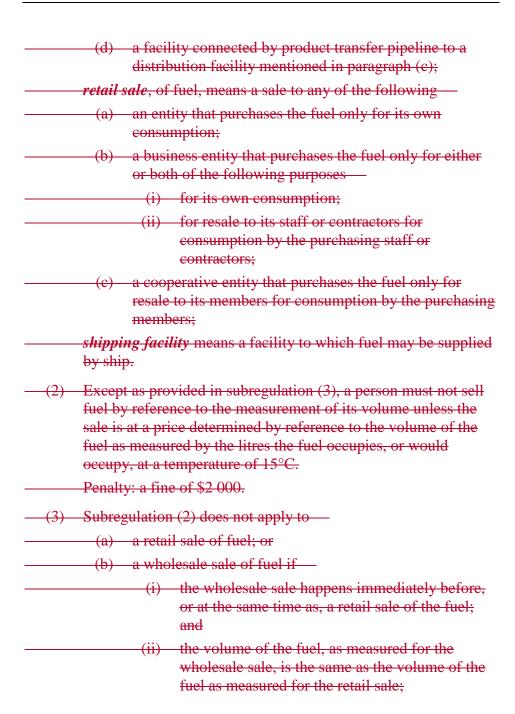
Floor coverings Timber
Hardboard Veneers
Particle board Wire netting

Plastic mouldings

Division 2 — Sale of fuel by reference to measurement by volume

100.	volume				
(1)	In this Division				
	business entity means an entity that operates a business, other than a fuel business;				
	cooperative entity includes an entity that is a buying group for its members;				
	diesel fuel means any fuel commonly known as diesel, diesel oil, distillate, automotive diesel fuel, automotive diesel oil or automotive distillate;				
	fixed storage facility means a facility, other than a primary storage facility, at which fuel is unloaded and from which fuel is reloaded for further distribution or further sale and distribution;				
	<i>fuel</i> means petrol, or diesel fuel, that a person would reasonably consider is ultimately intended for automotive consumption;				
	primary storage facility means				
	(a) an oil refinery; or				
	(b) a shipping facility; or				
	(c) a distribution facility connected by product transfer pipeline to an oil refinery or to a shipping facility; or				

page 76 Version Error! Unknown document property name. As at Error! Unknown document property name.

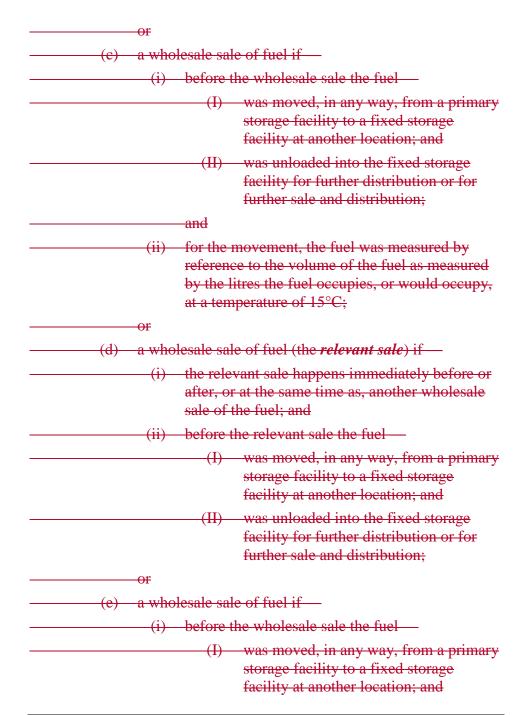


As at Error! Unknown document property name. Version Error! Unknown document property name.

Part 5 Miscellaneous

Division 2 Sale of fuel by reference to measurement by volume

r. 106



page 78 Version Error! Unknown document property name. As at Error! Unknown document property name.

Miscellaneous Part 5
Sale of fuel by reference to measurement by volume

(II) was unloaded into the fixed storage facility for further distribution or for further sale and distribution;

and

(ii) after the fuel was at the primary storage facility but before the wholesale sale, the fuel was not

the subject of another sale.

Part 6 Administration

Division 1 Prescribed fees and charges

r. 107

Part 6 — Administration

Division 1 Prescribed fees and charges

107.	Definition of "commencement day"
	In this Division
	commencement day means the day on which these regulations come into operation.
108.	Application, licence and other fees
	Except as provided in regulations 109 and 110, the fees specified in Schedule 5 are payable to the Commissioner for the purposes of the principal Act and the Administration Act.
109.	Period for which servicing licence fee is payable
(1)	The servicing licence fee specified in Schedule 5 item 3 is payable for each annual period starting on
	(a) the commencement day; and
	(b) every anniversary of the commencement day.
(2)	If an application for a servicing licence is made after the start of an annual period referred to in subregulation (1), the licence fee—
	(a) is payable for the period starting on the day that the licence is granted and expiring at the end of the annual period; and
	(b) is the amount specified in Schedule 5 item 3, as adjusted by the Commissioner to be proportionate to the time remaining in the period.
110.	Period for which public weighbridge licence fee is payable
(1)	Except as provided in this regulation, the public weighbridge licence fee specified in Schedule 5 item 4 is payable for the annual period starting on

page 80 Version Error! Unknown document property name. As at Error! Unknown document property name.

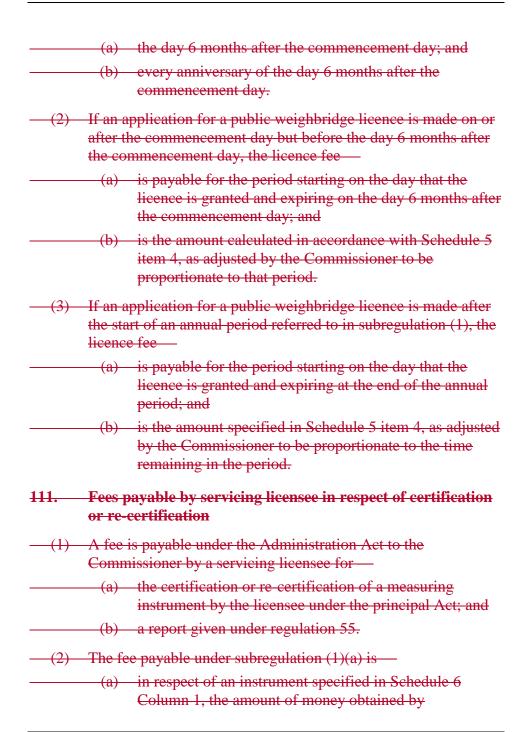
Administration

Part 6

Prescribed fees and charges

Division 1

r. 111

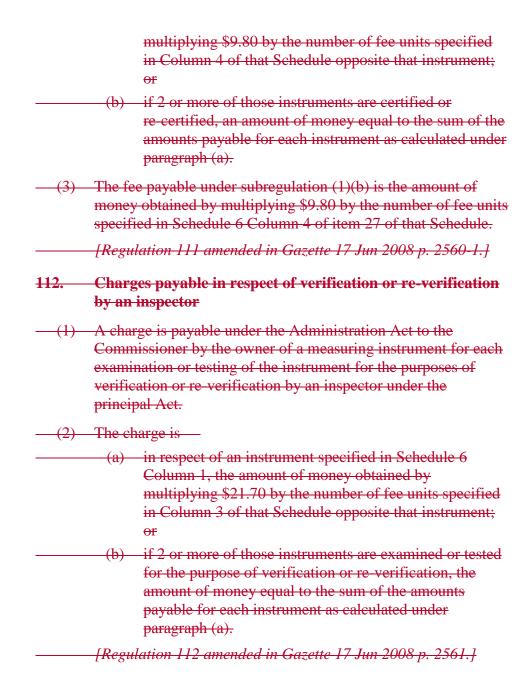


As at Error! Unknown document property name. Version Error! Unknown document property name.

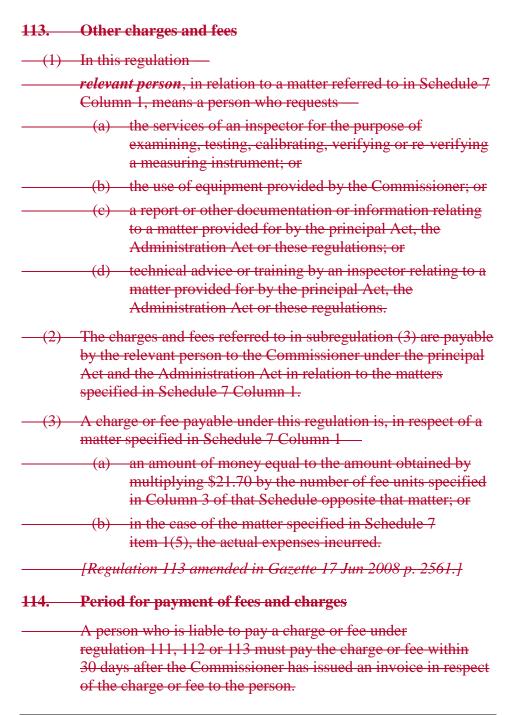
Division 1

Prescribed fees and charges

r. 112



page 82 Version Error! Unknown document property name. As at Error! Unknown document property name.



As at Error! Unknown document property name. Version Error! Unknown document property name. page 83

Part 6 Administration
Division 2 Infringement notices

r. 115

115. Penalty for late payment of fees or charges

For the purposes of the Administration Act section 15(o), if a fee or charge (or part of a fee or charge) payable under regulation 111, 112 or 113 is outstanding for 28 days after the fee or charge is payable under regulation 114, a penalty of 10% of the outstanding amount is imposed.

Division 2 Infringement notices

116. Prescribed offences and modified penalties

- (1) The offences specified in Schedule 8 Column 1 are prescribed under the Administration Act section 20 as offences for which an infringement notice may be given under section 22 of that Act.
- (2) The modified penalty to be specified in an infringement notice issued for an offence is—
- (a) in the case of a body corporate—the modified penalty set out for that offence in Schedule 8 Column 2; and
- (b) in the case of an individual the modified penalty set out for that offence in Schedule 8 Column 3.

117. Forms

- (1) Schedule 9 Form 1 is prescribed for the purposes of the Administration Act section 23.
- (2) Schedule 9 Form 2 is prescribed for the purposes of the Administration Act section 25.

Part 7 Transitional and savings provisions

118.	Terms used in this Part
	— In this Part —
	alcoholic liquor has the meaning given to that term in the principal Act section 103(1);
	designated day has the meaning given to that term in the principal Act section 103(1);
	repealed Act means the Act repealed by the Administration Act section 36(1);
	former regulations means the Weights and Measures Regulations 1927.
119.	- Application
	This Part does not apply to alcoholic liquor that is packed as a pre-packed article.
120.	Delayed application of certain provisions
	Despite any other provision of these regulations—
	(a) Part 3 Divisions 2, 3, 5 and 6 apply to the use of a measuring instrument for the measurement of alcoholic liquor for trade; and
	(b) Part 5 Division 1 applies to the sale of alcoholic liquor by reference to measurement,
	on and from, but not before, the designated day.
121.	Temporary continuation of certain provisions of former regulations
(1)	Despite the repeal of the former regulations, until the designated day—
	(a) Part IV; and
	(b) Part V; and

Version Error! Unknown As at Error! Unknown document property name. property name. page 85
Extract from www.slp.wa.gov.au, see that website for further information document property name.

been repealed.



- (c) Part XI regulation 11,
 as in force immediately before that repeal continue to apply to the measurement of alcoholic liquor for the purposes of sale, as defined in the repealed Act, as if the former regulations had not
- (2) Subject to subregulation (3), a reference to "these regulations" in Parts 1 to 6, includes the provisions continued in force by subregulation (1).
- (3) Despite subregulation (2), the provisions continued in force by subregulation (1) are to be construed in accordance with regulation 3 of the former regulations and the relevant sections of the repealed Act.

Schedule 1 — Requirements for measurement tickets

[r. 20(1)(a)]

1. Particulars

A measurement ticket must —

- (a) if the measurement is of the tare mass of a vehicle and nothing else bear a clear statement to that effect; and
- (b) if the measurement is of the gross mass of a vehicle and nothing else bear a clear statement to that effect; and
- (c) if the measurement relates to 2 or more linked but separately licensed vehicles specify the licence figures and letters for each vehicle; and
- (d) if the measurement is of the mass of a load on the vehicle specify the measurement of the mass of the load supported by all the axles of the vehicle.

2. Restriction on additional information

- (1) Except as provided in subclause (2), a measurement ticket must not contain anything other than information required by these regulations or the approved form.
- (2) A measurement ticket may contain
 - (a) the licensee's business name, address and logo; and
 - (b) if the measurement ticket is also a tax invoice under the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth, anything else necessary for the ticket to be a tax invoice; and
 - (c) any other information written in the margin, at the bottom, or on the back of the measurement ticket, if that information is consistent with, and does not qualify the meaning or accuracy of, the information required to be on the ticket by these regulations or the approved form.

As at Error! Unknown document property name. Version Error! Unknown document property name.

Schedule_2 — Exemptions from marking

[r. 69]

1. Textile goods

- (1) Textile, wearing apparel and other similar articles that are not packed for sale by measurement and are not ordinarily so sold.
- (2) Textiles that are
 - (a) packed for sale by mass and are sold in packages each containing more than 4 kg; or
 - (b) packed for sale by length and are sold in packages each containing more than 25 m; or
 - (c) packed for sale by area and are sold in packages each containing more than 25 m².

2. Food goods

- (1) Any agricultural produce grown and packed on the same property by the grower and sold by mass in sacks of more than 25 kg gross mass.
- (2) Confectionery, nuts, popcorn, potato crisps and savouries that are
 - (a) packed on premises for sale on those premises if the package is displayed for sale on those premises in a receptacle that bears a statement that can be readily seen and easily read in characters not less than 10 mm high of the mass and of the price of the contents of the package and if the mass of the contents does not exceed 200 g; or
 - (b) packed in or with another article if the value of the combined articles is substantially represented by that other article.
- (3) Confectionery packed singly in a novelty shape and an Easter egg packed singly.
- (4) Honey in the comb in original frames.
- (5) Hay
- (6) Ice cream packed in a quantity less than 200 mL.
- (7) Kippers.

page 88 Version Error! Unknown document property name. As at Error! Unknown document property name.

Schedule 2

- (9) Cakes, puddings and sponges packed singly in a quantity less than-125 g.
- (10) Alcoholic liquors packed in a quantity more than 10-L.

3. Medicinal and toilet goods

- (1) Therapeutic goods, being goods the sale or supply of which to the public is prohibited by law except on the written prescription of a person recognized by law as competent to prescribe them.
- (2) A toilet preparation in a compact and a refill of the preparation.
- (3) Single application hair dyes or hair bleaches or single application home permanent hair waving kits.
- (4) Vaccine packed in a quantity less than 25 mL or a single dose of any substance packed in a vial or ampoule for sale for use as an injection.

4. Hardware goods

- (1) Articles of hardware that are not packed for sale by measurement and are not ordinarily so sold.
- (2) Tinters or colouring agents for use in paint that are packed in a quantity less than 100 g or 100 mL.
- (3) Colouring material in a package on which is marked directions for mixing it, or a specified quantity of it, with a specified type and volume of paint if the quantity of the material to be mixed does not exceed 10% of the volume of the paint with which it is to be mixed.

5. General goods

- (1) Articles ordinarily sold by number that are packed in a quantity of less than 9 in a package made wholly or partly of transparent material so that when the package is exposed for sale the number of articles contained in the package is readily apparent to a purchaser.
- (2) An article of which the mass exceeds 75 kg or the volume exceeds 150 L.

As at Error! Unknown document property name. Version Error! Unknown document property name.

- (3) An article packed in a quantity less than 15 g or 15 mL other than adhesives, dried vegetables and freeze-dried vegetables, herbs, instant tea, pepper and other spices, therapeutic goods and tobacco.
- (4) Fire extinguisher refills.
- (5) Photographic film and photographic printing paper.
- (6) A bag of clay.
- (7) Fish bait.
- (8) Garden landscape material, including pine-bark feature mix, pine-bark nuggets, pre-planted mushroom spawn, tree-bark, any article that is or contains compost, farmyard manure, garden peat, leaf mould, peat moss, sphagnum moss, tan bark or other like substance.
- (9) Artists' paint packed in a quantity less than 100 g.
- (10) Candles.
- (11) Legume seed inoculants.
- (12) A pre-packed article sold as authorised by the principal Act Part 5 Division 2.

Schedule_3 — Expression of measurement marking

[r. 79(3)]

Column 1 Description of article	Column 2 Kind of measurement permissible		
Acids in liquid form	mass or volume		
Aerosol products	mass		
Compressed or liquefied gases (except liquefied petroleum gas)	mass or equivalent volume (cubic metres or litres) at stated temperature and pressure		
Cream and cream substitutes	volume		
Fencing wire	length		
Flavouring essences	mass or volume, if the quantity is not less than 500 g		
Heavy residual fuel oil, industrial diesel fuel and furnace oil	mass or volume		
Honey, malt extract, golden syrup and treacle	mass		
Ice cream	volume		
Linseed oil and other vegetable oils	volume if the quantity is not more than 5 L; mass or volume if the quantity is more than 5 L.		
Liquefied petroleum gas	mass		
Liquid chemicals	mass or volume		
Paint (other than paste paint), varnish and varnish stains	volume		
Paste paint	mass		
Perfume compounds	mass or volume, if the quantity is not less than 500 g		
Perlite	mass or volume		
Pet litter and similar products	mass or volume		
Resins	mass or volume		

As at Error! Unknown document property name. Version Error! Unknown property name. page 91
Extract from www.slp.wa.gov.au, see that website for further information document property name.

Schedule 3 Expression of measurement marking

Column 1 Description of article		Column 2 Kind of measurement permissible	
Rope	e, cord and line —		
(a)	of a diameter less than 1.5 mm	length and mass per specified length	
(b)	of a diameter of 1.5 mm or more	length and diameter	
Skin cream in jars		mass or volume	
Tomato sauce		volume	
Toothpaste		mass	
Twines, twists and lashings		length and mass per specified length	
Yoghurt		mass	

Version Error! Unknown document property name. As at Error! page 92 Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

Schedule-4 — Permissible units of measurement

[r. 79(4)]

1. Mass

If the measurement marking is to be expressed in terms of mass, the permissible units of measurement are as follows —

- (a) kilogram is permissible in all cases;
- (b) gram is also permissible if the mass is less than 1 000 g;
- (c) milligram is also permissible if the mass is less than 1 000 mg.

2. Volume

If the measurement marking is to be expressed in terms of volume, the permissible units of measurement are as follows —

- (a) litre, decilitre or centilitre is permissible for liquids in all cases;
- (b) cubic metre is permissible for solids in all cases;
- (c) millilitre is also permissible in the case of a liquid if the volume is less than 1 000 mL;
- (d) cubic centimetre is also permissible in the case of a solid if the volume is less than 1 000 cm³.

3. Linear measurement

If the measurement marking is to be expressed in terms of linear measurement, the permissible units of measurement are as follows —

- (a) metre is permissible in all cases;
- (b) centimetre is also permissible if the length is less than 100 cm;
- (c) millimetre is also permissible if the length is less than 1 000 mm;
- (d) millimetre is also permissible in the case of paper lengths not exceeding 10 000 mm, building material in sheet form and coated abrasive belts;

As at Error! Unknown document property name. Version Error! Unknown document property name.

(e) millimetre is also permissible in the case of an article if it was customary before these regulations commenced to express the linear measurement of the article in millimetres.

4. Superficial measurement

If the measurement marking is to be expressed in terms of superficial measurement, any unit of superficial measurement is permissible.

5. Mass per specified length

If the measurement marking is to be expressed in terms of mass per specified length, the permissible units of measurement are grams or kilograms for mass and metres for length.

Schedule 5 — Application and licence fees

		[r. 108]
[1	Heading inserted in Gazette 17 Jun-2008 p. 2561.]	
		\$
1.	Application under regulation 103	43.50
2.	Application under the principal Act section 55	87.00
3.	Periodic licence for servicing licences under the principal Act section 64(1)	206.00
	plus an additional amount of	54.50
	(a) test a batch of measuring instruments for the purposes of certification or re-certification; or	
	(b) certify or re-certify measuring instruments.	
4.	Periodic licence for public weighbridge licences	100.00
5.	under the principal Act section 64(1) Public weighbridge suitability statement	Combined with fee payable under item 4
6.	Application under the principal Act section 71(1) to amend a condition of a kind mentioned in the	
	principal Act section 60(2)	43.50
7.	Application under the principal Act section 73(2)	43.50
8.	Application under the principal Act section 74(2)	43.50
9.	Amended licence	87.00
10.	Duplicate licence	43.50
11.	Inspection of register kept under the principal Act section 25 or 59	16.00
12.	Extract of an individual registration in a register kept under the principal Act section 25 or 59 —	

As at Error! Unknown document property name. Version Error! Unknown document property name.

Schedule 5 Application and licence fees

			\$
	(a)	for the first page	16.00
	(b)	for each subsequent page	3.30
13.		of the register kept under the principal Act	206.00
[S	chedu	ule5 inserted in Gazette 17 Jun2008 p. 2561-2.]	

page 96 Version Error! Unknown document property name. As at Error! Unknown document property name.

Schedule_6 — Verification or certification fees, charges and periods

[r. 38, 111, 112]

1. Terms used in this Schedule

In this Schedule — *certification* includes re-certification; *verification* includes re-verification.

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
	Masses				
1.	Masses not exceeding 20 kg	For each mass	0.2	0.2	2 years
2.	Masses exceeding 20 kg	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			·
		In the case of a certification, for each mass	2	0.2	2 years
	Measures of volu	ume			
3.	Lubricating oil measures, alcoholic liquor measures or beverage				
	measures	For each measure	0.1	0.1	Indefinite
4.	Alcoholic liquor dispensing	For each			
	measures	measure	0.2	0.2	2 years

As at Error! Unknown document property name. Version Error! Unknown document property name.

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
5.	Graduated glass measuring cylinders	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each measure	2	0.2	Indefinite
	Measures of leng	gth			
6.	Measures of length —				
(a)	not exceeding 1 m	For each measure on initial verification or certification	0.2	0.1	Indefinite
(b)	exceeding 1 m but not exceeding 20 m	For each	VI-	0.1	
	C	measure	1	0.2	2 years
(c)	exceeding 20 m	In the case of a verification, each ½ hour or part of each ½ hour taken by each inspector			
		In case of a certification, for each measure	2	1	2 years
7.	For each additional set of graduations		_	-	- <i>y</i>
	on the same measure of length	Same as item 6, as applicable	Same as item 6, as applicable	Same as item 6, as applicable	Same as item 6, as applicable

page 98 Version Error! Unknown document property name. As at Error! Unknown document property name.

Schedule 6

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
	Weighing instru	ments			
8.	Weighbridges and hopper weighing instruments —				
(a)	not exceeding 10 tonne weighing capacity	For each instrument	4	3	1 year
(b)	exceeding 10 tonne weighing capacity	Same as item 8(a) plus for every 10 tonne or part of every 10 tonne	2	1.5	1 year
9.	Automatic weighers, belt conveyor weighers, totalising hopper weighers and weighing in-motion weighbridges	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector In the case of a certification, for each instrument	2	1.3	1 year
10.	Electronic price computing digital indicating weighing instruments with a weighing capacity not exceeding 75 kg (including connected instruments such as ticket printers and peripheral	For each			
	devices)	For each instrument	1.5	1	2 years

As at Error! Unknown document property name. Version Error! Unknown document property name. page 99

Extract from www.slp.wa.gov.au, see that website for further information

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
11.	Wheeled loader weighing instrument	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	3	1 year
12.	Automatic pre-packing weighing instruments	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	3	2 years
13.	Weighing instruments not specified elsewhere with a capacity —				•
(a)	not exceeding 30 kg (including a set of masses necessary to use the instruments, with no more than 20 masses	For each			
(b)	per set)	For each instrument	1	1	2 years
(b)	exceeding 30 kg but not exceeding				
	200 kg	For each instrument	1	1	2 years

page 100 Version Error! Unknown document property name. As at Error! Unknown document property name.

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
(c)	exceeding 200 kg but not exceeding 1 000 kg	For each instrument	2	2	2 years
(d)	exceeding 1 000 kg but not exceeding 3 000 kg	For each instrument	4	3	2 years
(e)	exceeding 3 000 kg	Same as item 8	Same as item 8	Same as item 8	1 year
14.	Other weighing instruments not specified elsewhere	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	2	2 years
	Other measurin	g instruments			
15.	Petroleum and bio-petroleum measuring instruments with a flowrate —				
(a)	not exceeding 100 L/minute	For each instrument	3	1	2 years
(b)	exceeding 100 L/minute but not exceeding	For each			
(-)	1 000 L/minute	instrument	4	2	1 year
(c)	exceeding 1 000 L/minute	For each instrument	8	3	1 year

As at Error! Unknown document property name. Version Error! Unknown document property name. page 101

Extract from www.slp.wa.gov.au, see that website for further information

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
16.	LPG measuring instruments with a flowrate —				
(a)	not exceeding 100 L/minute	For each instrument	3	1	1 year
(b)	exceeding 100 L/minute but not exceeding 1 000 L/minute	For each instrument	4	2	1 year
(c)	exceeding 1 000 L/minute	For each instrument	8	3	1 year
17.	Milk metering instruments with a flowrate —				·
(a)	not exceeding 100 L/minute	For each instrument	3	1	1 year
(b)	exceeding 100 L/minute but not exceeding	For each			
	1 000 L/minute	instrument	4	2	1 year
(c)	exceeding 1 000 L/minute	For each instrument	8	3	1 year
18.	Calibrated tanks other than farm milk tanks	For each 5 000 L or part of each 5 000 L contained in an individual compartment of each tank	4	2	Indefinite

Version Error! Unknown document property name. As at Error! page 102 Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
19.	Calibrated measures and measuring instruments —				
(a)	not exceeding 50 L	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	1	2years
(b)	exceeding 50 L	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	2	2years
20.	Dimensional measuring instruments	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	1	2- years
21.	Calibrated farm milk tanks	For each 250 L or part of each 250 L of each tank	1	1	Indefinite

As at Error! Unknown document property name. Version Error! Unknown document property name. page 103

Extract from www.slp.wa.gov.au, see that website for further information

22. Calibrated volumetric verification, for each V2 hour or part of each V2 hour taken by each inspector In the case of a certification, for each instrument 2 2 2 Indefinite verification, for each instrument 1 1 1 2 years 23. Water dispensing units For each unit 1 1 1 2 years 24. Other In the case of a measuring verification, instruments not specified V2 hour or part elsewhere of each V2 hour taken by each inspector In the case of a certification, for each instrument 2 1 2 years Quality measuring devices 25. Grain quality In the case of a verification, equipment for each V2 hour taken by each inspector In the case of a certification, for each V2 hour or part of each V3 hour or part of each V4 hour or part of each V4 hour or part of each V5 hour or part of each H5 hour taken by each inspector In the case of a certification, for each instrument 2 2 2		Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
certification, for each instrument 2 2 1 Indefinite dispensing units For each unit 1 1 1 2 years 24. Other In the case of a measuring verification, instruments not specified ½ hour or part elsewhere of each ½ hour taken by each inspector In the case of a certification, for each instrument 2 1 2 years Quality measuring devices 25. Grain quality In the case of a analysis verification, equipment for each ½ hour taken by each inspector In the case of a certification, equipment for each ½ hour taken by each inspector In the case of a certification, for each ½ hour taken by each inspector In the case of a certification, for each instrument 2 2 2 2	22.	volumetric	verification, for each ½ hour or part of each ½ hour taken by each			
23. Water dispensing units For each unit 1 1 2 years 24. Other In the case of a measuring instruments not specified ly hour or part elsewhere of each ly hour taken by each inspector In the case of a certification, for each instrument 2 1 2 years Quality measuring devices 25. Grain quality analysis equipment for each ly hour or part of each ly hour taken by each instrument 2 1 2 years In the case of a certification, for each ly hour or part of each ly hour taken by each inspector In the case of a certification, for each ly nour taken by each inspector In the case of a certification, for each instrument 2 2 2			certification, for each	2	2	T 1 C
24. Other In the case of a measuring verification, instruments not specified ½ hour or part elsewhere of each ½ hour taken by each inspector In the case of a certification, for each instrument 2 1 2 years Quality measuring devices 25. Grain quality In the case of a analysis verification, equipment for each ½ hour or part of each ½ hour taken by each inspector In the case of a certification, for each ½ hour taken by each inspector In the case of a certification, for each instrument 2 2 2	23.	dispensing				
certification, for each instrument 2 1 2 years Quality measuring devices 25. Grain quality In the case of a analysis verification, equipment for each ½ hour or part of each ½ hour taken by each inspector In the case of a certification, for each instrument 2 2	24.	Other measuring instruments not specified	In the case of a verification, for each ½ hour or part of each ½ hour taken by each	1	1	2 years
25. Grain quality analysis verification, for each 1/2 hour or part of each 1/2 hour taken by each inspector In the case of a certification, for each instrument 2 2			certification, for each	2	1	2 years
analysis verification, equipment for each ½ hour or part of each ½ hour taken by each inspector In the case of a certification, for each instrument 2 2		Quality measuri	ing devices			
certification, for each instrument 2 2	25.	analysis	verification, for each ½ hour or part of each ½ hour taken by each			
			certification, for each			
1 vear			instrument	2	2	1 year

page 104 Version Error! Unknown document property name. As at Error! Unknown document property name.

	Column 1 Instrument	Column 2 Value of fee unit	Column 3 Verification: fee units	Column 4 Certification: fee units	Column 5 Verification/ certification period
26.	Quality measuring instruments not specified elsewhere	In the case of a verification, for each ½ hour or part of each ½ hour taken by each inspector			
		In the case of a certification, for each instrument	2	2	1 year
	All measuring in	nstruments			
27.	Report given under regulation 55	For each instrument		1	

As at Error! Unknown document property name. Version Error! Unknown document property name. page 105

Extract from www.slp.wa.gov.au, see that website for further information

Schedule_7 — Other charges and fees

[r. 113]

		Column 1 Matter	Column 2 Value of fee unit	Column 3 Fee units		
1.	Verification or re-verification of measuring instruments					
(1)	perso	ing time allowed by an inspector to permit another on to carry out necessary repairs, acquire oment etc.	per ½ hour or part of ½ hour	2		
(2)	Any	adjustment made by an inspector to —				
	(a)	masses not exceeding 20 kg	per ½ hour or part of ½ hour	1		
	(b)	masses exceeding 20 kg	per ½ hour or part of ½ hour	2		
	(c)	caliberating calibrating measures	per ½ hour or part of ½-hour	2		
(3)	Dista	ance travelled by an inspector —				
	(a)	not exceeding 100 km	per km (subject to a minimum charge of \$10.00)	0.0355		
	(b)	exceeding 100 km	per km	0.02		
(4)		ouping overtime worked by an inspector at the est of the owner of an instrument	per ½ hour or part of ½ hour	2		
(5)		ouping other expenses incurred, including air fares, cars etc.	actual expenses	actual expenses		
2.	Calibration or testing of instruments (other than for the purpose of verification or re-verification)					
	Inspe					
	(a)	calibrate a measuring instrument to a degree of accuracy greater than the degree of accuracy applied under the principal Act to instruments used for trade	per 15 min or part of 15-min	1.492		
	(b)	calibrate and certify a measuring instrument under the principal Act section 26	per 15 min or part of 15-min	1.492		
3.	Othe	er instruments				
		ector's time and costs relating to the examination esting of a measuring instrument —				
	(a)	in the case of a reference standard of measurement for a servicing licensee for which a certificate is issued under the National Measurement Regulations regulation 13	per ½ hour or part of ½ hour	2		

page 106 Version Error! Unknown document property name. As at Error! Unknown document property name.

		Column 1 Matter	Column 2 Value of fee unit	Column 3 Fee units	
	(b)	in the case of a weight or measure or weighing or measuring instrument that is certified for quality assurance purposes	per 15 min or part of		
	(c)	in the case of verification and testing charges for standards of measurement and measuring	15 min	1.5	
		instruments tested to special accuracy	per 15 min or part of 15 min	1.5	
4.	Equi	pment provided by the Commissioner			
	Equi	pment —			
	(a)	for test masses or a group of test masses up to but not including 1 tonne	per group of test masses per day	2	
	(b)	for 1 tonne test masses	per mass per day	2	
	(c)	for weighing equipment	per day	2	
	(d)	for calibrated measures not exceeding 200 L			
		Ç	per measure per day	2	
5.	Addi	itional labour			
		tional labour necessary for the exercise of an extor's functions under the principal Act	per 15 min or part of 15 min	1	
6.	Wait	ing time after expiration of appointed time			
	Wait appo	ing time incurred by an inspector after the inted time to examine or test a measuring ament has expired	per 15 min or part of 15 min	1	
7.	Time incurred where instrument is not able to be examined or tested at appointed				
	Time to ex exam becan	e incurred by an inspector to keep an appointment amine or test a measuring instrument where the nination or testing is unable to be carried out use the instrument is unavailable or inaccessible or use access to it is unreasonably refused			
			per appointment	4	
8.	Repo	orts and other information			
	infor	taken to prepare report or other documentation or mation provided under the principal Act, the inistration Act or these regulations	per 15 min or part of		
			15 min	1	
9.	Tech	nical advice or training			
	Inspe	ector's time in providing —			
	(a)	technical advice (including the examination of any relevant document); or	per 15 min or part of 15 min	1	
	(b)	training,	per 15 min or part of 15 min	1	
		r the principal Act, the Administration Act or regulations			

As at Error! Unknown document property name. Version Error! Unknown document property name. page 107
Extract from www.slp.wa.gov.au, see that website for further information

Trade Measurement Regulations 2007

Schedule 7 Other charges and fees

	Value of fee unit	Fee units			
Certificate of verification issued by Commissioner: r. 45(2)					
ertificate issued by Commissioner under egulation 45(2)	per certificate	2			
	ertificate issued by Commissioner under gulation 45(2)	ertificate issued by Commissioner under			

page 108 Version Error! Unknown document property name. As at Error! Unknown document property name.

$Schedule \underline{\ \ } 8 - Prescribed \ of fences \ and \ modified \ penalties$

[r. 116]

Column 1 Offence	Column 2 Modified penalty — body corporate (\$)	Column 3 Modified penalty - individual (\$)	
Trade Measurement Act 2006			
s. 10(1) (weighbridge)	1 100	220	
s. 10(1) (other case)	750	150	
s. 10(2)	1 100	220	
s. 12 (weighbridge)	1 100	220	
s. 12 (other case)	750	150	
s. 13	750	150	
s. 14(1)	2 200	440	
s. 16(2)	1 100	220	
s. 20(3)	750	150	
s. 28(2)	2 200	440	
s. 30(1)	2 200	440	
s. 31(a)	2 200	440	
s. 31(b)	2 200	440	
s. 31(c)	2 200	440	
s. 31(d)	2 200	440	
s. 32(3)	750	150	
s. 33(3)(a)	2 200	440	
s. 33(3)(b)	2 200	440	
s. 34	2 200	440	
s. 35(2)	750	150	
s. 35(4)	750	150	
s. 37(2)	750	150	
s. 39(1)	1 100	220	
s. 39(2)	1 100	220	
s. 41(1)(a)	750	150	
s. 41(1)(b)	750	150	
s. 42(1)	2 200	440	
s. 43(1)(a)	2 200	440	

Version Error! Unknown As at Error! Unknown document property name. property name. page 109
Extract from www.slp.wa.gov.au, see that website for further information document property name.

Column 1 Offence	Column 2 Modified penalty — body corporate (\$)	Column 3 Modified penalty — individual (\$)
s. 43(1)(b)	2 200	440
s. 53(1)	2 200	440
s. 53(2)	2 200	440
s. 54(1)	2 200	440
s. 57(2)	550	110
s. 69	550	110
s. 77(a)	2 200	440
s. 77(b)	2 200	440
s. 87(b)	550	110
s. 93(1)(a)	550	110
s. 93(1)(b)	550	110
s. 93(1)(c)	550	110
s. 93(1)(d)	550	110
s. 93(1)(e)	550	110
Trade Measurement Regulations 2007		
r. 19(1)	550	110
r. 19(3)	550	110
r. 20(1)	550	110
r. 21(1)	550	110
r. 21(2)	550	110
r. 21(3)	550	110
r. 21(5)	550	110
r. 21(6)	550	110
r. 21(7)	550	110
r. 21(8)	550	110
r. 22(1)	550	110
r. 22(2)	550	110
r. 22(3)	550	110
r. 22(4)	550	110
r. 22(5)	550	110
r. 22(7)	550	110

Version Error! Unknown document property name. As at Error! page 110 Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

Column 1 Offence	Column 2 Modified penalty — body corporate (\$)	Column 3 Modified penalty — individual (\$)
r. 23(1)	400	80
r. 23(2)	400	80
r. 23(3)	400	80
r. 23(4)	400	80
r. 25(1)	550	110
r. 25(2)	550	110
r. 25(3)	550	110
r. 25(4)	550	110
r. 25(5)	550	110
r. 26(2)	550	110
r. 26(3)	550	110
r. 26(4)	550	110
r. 27(2)	550	110
r. 27(3)	550	110
r. 27(4)	550	110
r. 28(2)	550	110
r. 29	550	110
r. 30(1)	550	110
r. 30(2)	550	110
r. 30(3)	550	110
r. 30(4)	550	110
r. 30(5)	550	110
r. 30(8)	550	110
r. 30(9)	550	110
r. 31(2)	550	110
r. 32(2)	550	110
r. 33(1)	550	110
r. 45(2)	550	110
r. 50	550	110
r. 53(1)	400	80
r. 53(2)	400	80
r. 56(2)	400	80

As at Error! Unknown document property name. Version Error! Unknown document property name. page 111

Extract from www.slp.wa.gov.au, see that website for further information

Column 1 Offence	Column 2 Modified penalty — body corporate (\$)	Column 3 Modified penalty — individual (\$)
r. 59(1)	400	80
r. 59(2)	400	80
r. 59(3)	400	80
r. 59(4)	400	80
r. 60(1)	550	110
r. 60(2)	550	110
r. 60(3)	550	110
r. 60(4)	550	110
r. 60(5)	550	110
r. 60(6)	550	110
r. 60(7)	550	110
r. 61(1)	550	110
r. 61(2)	550	110
r. 62(1)	550	110
r. 62(2)	550	110
r. 62(3)	550	110
r. 62(4)	550	110
r. 63(a)	550	110
r. 63(b)	550	110
r. 64(2)(a)	550	110
r. 64(2)(b)	550	110
r. 64(3)(a)	550	110
r. 64(3)(b)	550	110
r. 64(4)(a)	550	110
r. 64(4)(b)	550	110
r. 65(2)	550	110
r. 65(3)	550	110
r. 65(4)	550	110
r. 66	550	110
r. 67(1)	400	80
r. 105(2)	550	110
r. 106(2)	550	110

Version Error! Unknown document property name. As at Error! page 112 Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

[r. 117]

Schedule_9 — Forms

Form 1 — Infringement notice

Trade Measurement Administration Act 2006 Infringement notice no. **Infringement notice** Alleged Name: Family name offender Given names Company name or **ACN** Address Postcode Alleged Description of offence offence Trade Measurement Act 2006 s. Trade Measurement Regulations 2007 r. /20 Time Date a.m./p.m. Modified penalty \$ **Inspector** Name issuing notice Signature Date Date of notice /20Notice to It is alleged that you have committed the above offence. alleged If you do not want to be prosecuted in court for the offence, pay the offender modified penalty within 28 days after the date of this notice. How to pay

As at Error! Unknown document property name. Version Error! Unknown document property name. page 113

By post: Send this notice (or a copy) with a cheque or

Extract from www.slp.wa.gov.au, see that website for further information

money order (made payable to the Commissioner,				
Trade Measurement) to:				
Department of Consumer and Employment				
Protection ²				
Locked Bag 14 Cloisters Square				
Perth WA 6850				
In person: Present this notice and your payment to the cashier at:				
Department of Consumer and Employment Protection ² 219 St George's Terrace, Perth WA				
If you do not pay the modified penalty within 28 days, you may be prosecuted.				
If you need more time to pay the modified penalty, you can apply for an extension of time by writing to:				
Commissioner, Trade Measurement				
·				
Trading Standards Branch				
Department of Consumer and Employment Protection ²				
Locked Bag 14 Cloisters Square				
Perth WA 6850				
If you want this matter to be dealt with by prosecution in court,				
sign here				
and, within 28 days after it was given, post this notice to the above				
postal address.				

Version Error! Unknown document property name. As at Error! page 114 Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

Forms	Schedule 9

Trade Measurement Regulations 2007

Form 2 — Withdrawal of infringement notice

Trade Measuren	nent Admini	stration Act	t 2006; s. 25	Wit	hdrawal no.
Withdrawa	al of infr	ingeme	nt notice		
Alleged	Name:	Family na	ıme	•	
offender		Given nar	nes		
	or	Company	name		
					
				<i>P</i>	ACN
	Address				
					Postcode
Infringement		ent notice n	0.		
notice	Date of iss	ue	/	/20	
Alleged	Description	n of offence	e		
offence					
	Trade Med	asurement A	ct 2006 s.		
	OR				
	Trade Med	isurement F	Regulations .	2007 r.	
	Date	/	/20	Time	a.m./p.m.
Authorised	Name				
person giving					
this notice					
					_
_	Signature				
Date	Date of wi		/	/20	
Withdrawal of					
infringement	been without			C' 1 1 2	.1
notice	If you have already paid the modified penalty for the				
[* J - 1 - 4 .	alleged offence you are entitled to a refund.				
[*delete	* Your refund is enclosed.				
whichever	or * If you	hove note	tha madifia	l nonolty but o	
is not	II you			l penalty but a	ian
applicable]				im your refund s	ıgıı
	uns no	Juce and po	ost It to:		
		Commiss	ioner Trade	Measurement	
		otice and po	ost it to:	Measurement	-

page 116 Version Error! Unknown document property name. As at Error! Unknown document property name.

Extract from www.slp.wa.gov.au, see that website for further information

Trade Measurement Regulations 2007 Schedule 9 Forms

			_
	—Trading Standards Branch		
	—Department of Consumer and		
	Employment Protection ²		
	—Locked Bag 14 Cloisters Square		
	—Perth WA 6850		
Signature-	/	/20	

As at Error! Unknown document property name. Version Error! Unknown document property name. page 117
Extract from www.slp.wa.gov.au, see that website for further information

Notes

This <u>reprint</u> is a compilation <u>as at 5 June 2009</u> of the *Trade Measurement Regulations 2007* and includes the amendments made by the other written laws referred to in the following table. <u>The table also contains information about any reprint.</u>

Compilation table

Citation	Gazettal	Commencement
Trade Measurement Regulations 2007	29 May 2007 p. 2353-474	1 Jun 2006 2007 (see r. 2 and <i>Gazette</i> 29 May 2007 p. 2485)
Trade Measurement Amendment Regulations 2008	17 Jun-2008 p. 2560-2	r. 1 and 2: 17 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b))
Trade Measurement Amendment Regulations (No. 2) 2008	23 Dec 2008 p. 5467-9	r. 1 and 2: 23 Dec 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 24 Dec 2008 (see r. 2(b))
Trade Measurement Amendment Regulations 2009	13 Feb 2009 p. 294	r. 1 and 2: 13 Feb 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Feb 2009 (see r. 2(b))
Trade Measurement Amendment Regulations (No. 2) 2009	13 Feb 2009 p. 295–7	r. 1 and 2: 13 Feb 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 14 Feb 2009 (see r. 2(b))

Reprint 1: The *Trade Measurement Regulations 2007* as at 5 Jun 2009 (includes amendments listed above)



Under the Public Sector Management Act 1994 the names of departments may be changed. At the time of this reprint the former Department of Consumer and Employment Protection is called the Department of Commerce. As at Error! Unknown document property name. Version Error! Unknown page 119 document property name. Extract from www.slp.wa.gov.au, see that website for further information