

— PART 1 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Weights and Measures Act 1915

Weights and Measures (Lower Accuracy Instruments) Regulations 2003

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Weights and Measures (Lower Accuracy Instruments) Regulations 2003*.

2. Application

These regulations are to be read with the *Weights and Measures Regulations 1927* but, where the provisions of these regulations are in conflict or inconsistent with the provisions of those regulations, the provisions of these regulations prevail, to the extent of the conflict or inconsistency.

3. Interpretation

- (1) In these regulations —
- “**component**”, in relation to a weighing or measuring instrument, includes a thing (whether or not forming part of the instrument) where —
- (a) the instrument is so designed or constructed as to include that thing, or have that thing associated with it; and
 - (b) the thing is designed or intended to do any or all of the following —
 - (i) carrying out a conversion of the result of a measurement made by the instrument;
 - (ii) calculating a number, tax or price by reference to the result of a measurement made by the instrument;

- (iii) correcting the result of a measurement made by the instrument;
- (iv) providing or repeating information consisting of or relating to any or all of the following —
 - (I) the result of a measurement made by the instrument;
 - (II) a conversion of the result of a measurement made by the instrument;
 - (III) a calculation of a number, tax or price calculated by reference to the result of a measurement made by the instrument;
- (v) controlling the measurement process carried out by the instrument;

“**pattern**”, in relation to a weighing or measuring instrument, includes a sample of the weighing or measuring instrument;

“**weighing or measuring instrument**” means —

- (a) a thing by means of which a measurement of a physical quantity may be made; or
- (b) a component of such a thing;

“**weighing or measuring instrument with an approved pattern**” means a weighing or measuring instrument a pattern of which has been approved under the *National Measurement Act 1960* of the Commonwealth.

- (2) A weighing or measuring instrument with an approved pattern that —
 - (a) is used primarily for ascertaining weight;
 - (b) has not less than 100 but not more than 1 000 verification scale intervals, each of which is not less than 5 g; and
 - (c) is marked with a symbol that is an oval of any shape, or 2 parallel horizontal lines that are joined at each end by a semicircle, with 4 vertical lines in it,

is a “**class 4**” instrument for the purposes of these regulations.

4. Use of class 4 instruments

- (1) A person must not use a class 4 weighing or measuring instrument with an approved pattern for a trade purpose unless that purpose is set out in subregulation (2).
Penalty: \$200.
- (2) A class 4 weighing or measuring instrument with an approved pattern may be used for any or all of the following trade purposes —
 - (a) as airport baggage scales;
 - (b) for the determination of freight or haulage charges based on weight;

- (c) for weighing garbage;
- (d) for weighing earth, sand, gravel or other similar materials;
- (e) as a crane weigher; or
- (f) for weighing timber in log form.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
