

THE STATUTES OF THE REPUBLIC OF SINGAPORE

WEIGHTS AND MEASURES ACT
(CHAPTER 349)

Act
51 of 1975
Amended by
1 of 1980

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Weights and Measures Act

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An Act relating to the use of uniform weights and measures throughout Singapore.

[1st January 1976]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the **Weights and Measures Act**.

Inter-pretation.

2.—(1) In this Act, unless the context otherwise requires —

“check-weighed”, in relation to any vehicle, means weighed with its load by means of the nearest

- suitable and available weighing equipment, and weighed again after it has been unloaded by means of the same or other suitable weighing equipment;
- “constructional use”, in relation to any goods, means the use of those goods in constructional work in the course of the carrying on of a business;
- “container” includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to, or winding the goods round, some other article, and in particular includes a wrapper or confining band;
- “contravention”, in relation to any requirement, includes a failure to comply with that requirement, and cognate expressions shall be construed accordingly;
- “Controller” means the Controller of Weights and Measures appointed under section 29 and includes any officer duly authorised by the Controller to act on his behalf;
- “drug” has the same meaning as in the Sale of Drugs Act; Cap. 282
- “food” has the same meaning as in the Sale of Food Act; Cap. 283.
- “gross weight”, in relation to any goods, means the aggregate weight of the goods and any container in or on which they are made up;
- “indication of quantity”, in relation to any container in or on which goods are made up, means a statement in writing to the effect that those goods are of, or of not less than, a specified quantity by net weight, gross weight or other measurement or by number, as the case may require;
- “industrial use”, in relation to any goods, means the use of those goods in the manufacture of, or for incorporation in, goods of a different description in the course of the carrying on of a business;
- “inspector” means an inspector of weights and measures appointed under section 29;
- “international definition”, in relation to any unit of measurement, means the definition of that unit

Cap. 70.

- recognised by the General Conferences of Weights and Measures from time to time convened by the International Bureau of Weights and Measures;
- “intoxicating liquor” has the same meaning as in the Customs Act;
- “mark” includes label;
- “occupier”, in relation to any stall, vehicle, ship or aircraft or in relation to the use of any place for any purpose, means the person for the time being in charge of the stall, vehicle, ship or aircraft or, as the case may be, the person for the time being using that place for that purpose;
- “premises”, except in section 28 (3), includes any place and any stall, vehicle, ship or aircraft;
- “pre-packed” means made up in advance ready for retail sale in or on a container; and on any premises where articles of any description are so made up, or are kept or stored for sale after being so made up, any article of that description found made up in or on a container shall be deemed to be pre-packed unless the contrary is proved; and it shall not be sufficient proof of the contrary to show that the container has not been marked in accordance with the requirements of this Act or any subsidiary legislation made thereunder with respect to the pre-packing of such articles;
- “sale by retail” means a sale to a person buying for his own use or consumption;
- “ship” includes any boat and any other description of vessel used in navigation;
- “stamp” means a mark for use as evidence of the passing of weighing or measuring equipment as fit for use for trade, whether applied by impressing, casting, engraving, etching, branding, or otherwise, and cognate expressions shall be construed accordingly;
- “weighing or measuring equipment” means equipment for measuring in terms of length, area, volume, capacity, weight or number, whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement.

(2) Except where the context otherwise requires, any reference in this Act to any person, other than a reference to an inspector, shall be construed as a reference to that person or some other person acting on his behalf in the matter in question.

PART II

UNITS AND STANDARDS OF MEASUREMENT

3.—(1) The yard or the metre shall be the unit of measurement of length and the pound or the kilogram shall be the unit of measurement of mass by reference to which any measurement involving a measurement of length or mass shall be made in Singapore; and —

(a) the yard shall be 0.9144 metre exactly; and

(b) the pound shall be 0.453 592 37 kilogram exactly.

(2) The First Schedule shall have effect for defining, for the purposes of measurements falling to be made in Singapore, the units of measurements set out in that Schedule; and for the purposes of any measurement of weight falling to be so made, the weight of anything may be expressed, by reference to the units of measurements set out in Part V of that Schedule, in the same terms as its mass.

(3) The Minister may by order* amend subsection (1) —

(a) by deleting the yard as the unit of measurement of length; and

(b) by deleting the pound as the unit of measurement of mass,

by reference to which any measurement involving a measurement of length or mass shall be made in Singapore.

4.—(1) The Minister shall cause to be maintained standards of the yard, pound, metre and kilogram which shall be the standards (referred to in this Act as the Singapore standards) by reference to which, in Singapore, all other standards of those units and of any other unit of measurement derived wholly or partly from any of those units shall be maintained.

*No order has been made as at 31st December 1986.

(2) The Minister shall from time to time as may appear to him expedient cause —

(a) the value of each of the Singapore standards to be determined or redetermined; and

(b) any authorised copy of any of those standards to be compared with, and its value determined or redetermined by reference to, that standard,

in such manner as the Minister may direct.

(3) The secondary standards shall consist of standards of all the measures set out in Parts I and II and all the weights set out in Part III of the Second Schedule other than capacity measures of more than one gallon or 10 litres; and any such standard shall be constructed, and, while it remains in use, from time to time at intervals not exceeding 5 years have its value or values redetermined, by reference to such one or more of the Singapore standards or any authorised copies thereof as may appear to the Minister to be appropriate.

(4) The tertiary standards shall consist of such standards of such of the measures or weights set out in the Second Schedule as may from time to time appear to the Minister to be necessary or expedient; and any such standard shall be constructed, and, while it remains so in use, from time to time at intervals not exceeding two years have its value or values redetermined, by reference to such one or more of the secondary standards as may appear to the Minister to be appropriate.

(5) The standards referred to in subsections (3) and (4) shall be provided or replaced by the Minister from time to time as may appear to him necessary or expedient and shall be in such form and of such material, and be kept under the control of the Minister at such place or places, as the Minister may think fit; and a secondary or tertiary standard of any linear or capacity measure may —

(a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and

(b) either be marked in whole or in part with subdivisions representing any smaller unit of measurement or multiples or fractions of such a unit or have no such markings,

as the Minister thinks fit.

(6) The Minister may from time to time by order amend the Second Schedule by adding to or removing from Part I or II of that Schedule any linear or capacity measure or from Part III of that Schedule any weight.

(7) The Controller shall provide for use by the inspectors and maintain or from time to time replace such standards of the measures and weights set out in the Second Schedule, and such testing and stamping equipment as the Controller may from time to time approve or require as being proper and sufficient for the efficient discharge of their duties.

PART III

WEIGHING AND MEASURING FOR TRADE

5.—(1) For the purposes of this Act, “use for trade” means, subject to subsection (2), use in Singapore in connection with, or with a view to, a transaction for — Meaning of “use for trade”.

- (a) the transferring or rendering of money or money’s worth in consideration of money or money’s worth; or
- (b) the making of a payment in respect of any toll or duty,

where —

- (i) the transaction is by reference to quantity or is a transaction for the purposes of which there is made or implied a statement of the quantity of goods to which the transaction relates; and
- (ii) the use is for the purpose of the determination or statement of that quantity.

(2) Subsection (1) shall not apply where —

- (a) the determination or statement is a determination or statement of the quantity of goods required for despatch to a destination outside Singapore;
- (b) the transaction is not a sale by retail; and
- (c) no transfer or rendering of money or money’s worth is involved other than the passing of the title to the goods and the consideration therefor.

(3) Any weighing or measuring equipment which is made available in Singapore for use by the public, whether on payment or otherwise, shall be treated for the purposes of this Part as weighing or measuring equipment in use for

trade, whether or not it would apart from this subsection be so treated.

Units of measurements and weights lawful for use for trade.

6.—(1) Subject to section 40, no person shall use for trade any unit of measurement of length, area, volume, capacity, mass or weight which is not included in the First Schedule.

(2) No person shall use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls; and no person shall use the ounce troy for trade except for the purposes of transactions in, or in articles made from, gold, silver or other precious metals, including transactions in gold or silver thread, lace or fringe.

(3) No person shall use the ounce apothecaries, drachm, scruple, fluid drachm or minim for trade otherwise than for the purposes of transactions in drugs.

(4) Any person who contravenes subsection (1), (2) or (3) shall be guilty of an offence, and any measure or weight used, or in any person's possession for use, in contravention of any of those subsections shall be liable to be forfeited.

(5) The Minister may by regulations prescribe what may be treated for the purposes of use for trade as the equivalent of, or of any multiple or fraction of, any unit of measurement or weight included in the First Schedule in terms of any other such unit.

(6) Subsection (1) shall not apply to the prescribing of, or the dispensing of a prescription for, drugs, and nothing in any regulations made under subsection (5) shall apply to any transaction in drugs; but the Minister for Health may by regulations, which shall have effect notwithstanding anything in, or in any subsidiary legislation made under, any other enactment —

(a) prescribe what may be treated for the purposes of dealings with drugs as the equivalent of, or of any multiple or fraction of, any unit of measurement which is included in the First Schedule in terms of any other such unit;

(b) require that any person carrying out any such dealing with drugs, as is specified in the regulations for the purposes of which the quantity of

the drugs is expressed in terms of any such unit which is so specified, shall carry out that dealing in terms of such equivalent quantity prescribed under paragraph (a) as is so specified.

(7) The Minister may from time to time by order amend the First Schedule by adding to or removing from Parts I to V of that Schedule any unit of measurement of length, of area, of volume, of capacity, or of mass or weight, as the case may be.

7.—(1) This section shall apply to the use for trade of weighing or measuring equipment of such classes or descriptions as may be prescribed.

Weighing or measuring equipment for use for trade.

(2) No person shall use any article for trade as equipment to which this section applies, or have any article in his possession for such use, unless that article, or equipment to which this section applies in which that article is incorporated or to the operation of which the use of that article is incidental, has been passed by an inspector as fit for such use and, except as otherwise expressly provided under this Act, bears a stamp indicating that it has been so passed which remains undefaced otherwise than by reason of fair wear and tear.

(3) Any person who contravenes subsection (2) shall be guilty of an offence and any article in respect of which the offence was committed shall be liable to be forfeited.

(4) Any person requiring any equipment to which this section applies to be passed as fit for use for trade shall submit the equipment to an inspector in such manner as the Controller may direct and, subject to the provisions of this Act and any regulations made under section 10 and to the payment by that person of the prescribed fee, the inspector shall —

- (a) test the equipment by means of such working standards and testing equipment as he considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose;
- (b) if the equipment submitted falls within the prescribed limits of error, give to the person

submitting it a certificate in writing to the effect that it is passed as aforesaid; and

- (c) except as otherwise expressly provided for under this Act, cause it to be stamped with the prescribed stamp,

and each inspector shall keep a record of every such test carried out by him:

Provided that, except as otherwise expressly provided under this Act, no weight or measure shall be stamped as mentioned in paragraph (c) unless it has been marked in the prescribed manner with its purported value.

(5) Where any equipment submitted to an inspector under subsection (4) is of a pattern in respect of which a certificate of approval granted under section 8 is for the time being in force, or of such a pattern modified only in a manner for the time being authorised by the Controller under that section, the inspector shall not refuse to pass or stamp the equipment on the ground that it is not suitable for use for trade:

Provided that if the inspector is of the opinion that the equipment is intended for use for trade for a particular purpose for which it is not suitable, he may refuse to pass or stamp it until the matter has been referred to the Controller, and the Controller's decision shall be final.

(6) The requirements of subsections (2) and (4) with respect to stamping and marking shall not apply to any weight or measure which is too small to be stamped or marked in accordance with those requirements.

(7) In the case of any equipment which is required by regulations made under section 10 to be passed and stamped under this section only after it has been installed at the place where it is to be used for trade, if after the equipment has been so passed and stamped it is dismantled and re-installed, whether in the same or some other place, it shall not be used for trade after being so reinstalled until it has been retested by an inspector; and if any person knowingly uses that equipment in contravention of this subsection, or knowingly causes or permits any other person so to use it, or knowing that the equipment is required by virtue of this subsection to be retested disposes of it to some other person without informing him of that requirement, he shall be

guilty of an offence and the equipment shall be liable to be forfeited.

8.—(1) Where any pattern of weighing or measuring equipment is submitted to the Controller for the purpose by any person in such manner as may be prescribed, the Controller shall, on payment of the prescribed fee, examine in such manner as he thinks fit the suitability for use for trade of equipment of that pattern, having regard in particular to the principle, materials and methods used or proposed to be used in its construction, and if the Controller is satisfied that such equipment is suitable for use for trade, then, subject to section 9 (2), he shall issue a certificate of approval of that pattern and cause particulars thereof to be published and may from time to time thereafter authorise such minor modifications thereof as he thinks fit and cause particulars of those modifications to be published:

Approved patterns of equipment for use for trade.

Provided that the requirements of this subsection as to the publication of the particulars of any pattern or modification shall not apply where the certificate of approval is issued subject to such a condition as is mentioned in subsection (2).

(2) A certificate of approval under subsection (1) may be granted subject to a condition that, except with the consent of the Controller, equipment of the pattern in question shall be used for trade only for a specified period or only for a specified purpose; and if any person, knowing that such a condition has been imposed with respect to any equipment, uses, or causes or permits any other person to use, that equipment in contravention of that condition, or disposes of that equipment to any other person in a state in which it could be used for trade without informing that other person of that condition, he shall be guilty of an offence and the equipment shall be liable to be forfeited.

(3) The Controller, after consultation with such persons appearing to him to be interested as he thinks fit, may at any time revoke any certificate or authorisation granted under this section, and shall cause notice of any such revocation to be published; and where the Controller so revokes any certificate or authorisation, then if any person, knowing that the certificate or authorisation has been revoked, and save as may be permitted by any fresh certificate or authorisation granted in respect thereof, uses for trade, or has in his possession for such use, or causes or permits any other

person so to use, any equipment of the pattern or incorporating the modification in question, or disposes of any such equipment to any other person in a state in which it could be so used without informing that other person of the revocation he shall be guilty of an offence and the equipment shall be liable to be forfeited.

(4) Any equipment of a pattern in respect of which a certificate of approval has been granted under this section may, and in such cases as may be prescribed shall, be marked in the prescribed manner so as to identify it with the pattern in question.

General specifications of equipment for use for trade.

9.—(1) The Minister may by regulations prescribe general specifications for the construction of equipment to which section 7 applies and, subject to subsection (4), while any such specification is for the time being so prescribed no equipment which does not conform therewith shall be passed or stamped by an inspector under section 7 unless it is of a pattern in respect of which a certificate of approval under section 8 is in force or of a pattern modified only in a manner for the time being authorised by the Controller under section 8.

(2) If the Controller is satisfied that any pattern submitted to him under section 8 (1) conforms to any general specification for the time being prescribed under this section, he may, instead of issuing a certificate of approval under that subsection, cause to be published a declaration to that effect together with particulars of that pattern.

(3) Where any specification prescribed by regulations made under this section is varied or revoked by further regulations made thereunder, then if any person uses for trade, or has in his possession for such use, or causes or permits any other person so to use, any equipment which conformed with that specification but which to his knowledge no longer conforms to any specification to prescribed, or disposes of any such equipment to any other person in a state in which it could be so used without informing that other person that it no longer so conforms, he shall be guilty of an offence and the equipment shall be liable to be forfeited.

(4) Where, in the case of any particular equipment, the Controller is of the opinion that there are special

circumstances which make it impracticable or unnecessary for that equipment to comply with any particular requirement of any specification prescribed under this section, the Controller may exempt that equipment from that requirement subject to compliance with such conditions, if any, as he thinks fit; and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this subsection, he shall be guilty of an offence and the equipment shall be liable to be forfeited.

(5) If any difference arises between an inspector and any other person as to the interpretation of any specification prescribed under this section, or as to whether or not any equipment conforms to such a specification, that difference may with the consent of that person, and shall at the request of that other person, be referred to the Controller, whose decision shall be final.

10.—(1) The Minister may make regulations with respect to —

Regulations relating to weighing or measuring for trade.

- (a) the materials and principles of construction of weighing or measuring equipment for use for trade;
- (b) the inspection, testing, passing as fit for use for trade and stamping of such equipment, including —
 - (i) the prohibition of the stamping of such equipment in such circumstances as may be specified in the regulations;
 - (ii) the circumstances in which an inspector may remove or detain any such equipment for inspection or testing; and
 - (iii) the marking of any such equipment found unfit for use for trade;
- (c) the circumstances in which, conditions under which and manner in which stamps may be obliterated or defaced;
- (d) the retesting of such equipment passed as fit for use for trade;
- (e) the purposes for which particular types of weighing or measuring equipment may be used for trade;
- (f) the manner of erection or use of weighing or measuring equipment used for trade;

- (g) the abbreviations of or symbols for units of measurement which may be used for trade; and
- (h) the manner in which the tare weight of road vehicles, or of road vehicles of any particular class or description, is to be determined,

and, subject to subsection (3), if any person contravenes any regulations made by virtue of paragraph (d), (e), (f), (g) or (h) he shall be guilty of an offence, and any weighing or measuring equipment in respect of which the contravention was committed shall be liable to be forfeited.

(2) If any difference arises between an inspector and any other person as to the interpretation of any regulations made under this section or as to the method of testing any weighing or measuring equipment, that difference may with the consent of that other person, and shall at the request of that other person, be referred to the Controller, whose decision shall be final.

(3) Where in the special circumstances of any particular case it appears to be impracticable or unnecessary that any requirement of any regulations made under this section should be complied with, the Minister may if he thinks fit dispense with the observance of that requirement subject to compliance with such conditions, if any, as he thinks fit to impose, and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this subsection he shall be guilty of an offence and the equipment shall be liable to be forfeited.

Offences in connection with stamping of equipment.

11.—(1) Any person who, in the case of any weighing or measuring equipment used or intended to be used for trade —

- (a) not being an inspector or a person acting under the instructions of an inspector, marks in any manner any plug or seal used or designed for use for the reception of a stamp;
- (b) forges, counterfeits or, except as permitted under this Act, in any way alters or defaces any stamp;
- (c) removes any stamp and inserts it into any other such equipment; or
- (d) makes any alteration in the equipment after it has been stamped such as to make it false or unjust,

shall be guilty of an offence:

Provided that paragraphs (a) and (b) shall not apply to the destruction or obliteration of any stamp, plug or seal in the course of the adjustment or repair of weighing or measuring equipment by, or by the duly authorised agent of, a person who is a manufacturer of, or regularly engaged in the business of repairing, such equipment.

(2) Any person who uses for trade, sells, or exposes or offers for sale any weighing or measuring equipment which to his knowledge —

(a) bears a stamp which is a forgery or counterfeit, or which has been transferred from other equipment, or which has been altered or defaced otherwise than as permitted under this Act; or

(b) is false or unjust as the result of an alteration made in the equipment after it has been stamped,

shall be guilty of an offence.

(3) Any weighing or measuring equipment in respect of which an offence under this section is committed, and any stamp or stamping implement used in the commission of the offence, shall be liable to be forfeited.

12.—(1) The Minister may by order prohibit the use of any weighing or measuring equipment for such purposes as he may specify, notwithstanding that the weighing or measuring equipment has been inspected, tested and passed as fit for use for trade under this Part, if he is satisfied that the use of such weighing or measuring equipment should be discontinued for such purposes as may be specified in the order.

Power to ban use of weighing or measuring equipment.

(2) If any person uses for trade, or has in his possession for trade, any weighing or measuring equipment to which an order made under subsection (1) applies, he shall be guilty of an offence and the equipment shall be liable to be forfeited.

13. The Minister may make regulations to provide for the licensing of the manufacture for sale, or of the business of repairing, any weighing or measuring equipment.

Licensing of manufacturers of weighing or measuring equipment.

Other offences in connection with equipment.

14.—(1) If any person uses for trade, or has in his possession for use for trade, any weighing or measuring equipment which is false or unjust, he shall be guilty of an offence and the equipment shall be liable to be forfeited.

(2) Without prejudice to the liability of any equipment to be forfeited, it shall be a defence for any person charged with an offence under subsection (1) in respect of the use for trade of any equipment to show —

- (a) that he used the equipment only in the course of his employment by some other person; and
- (b) that he neither knew, nor might reasonably have been expected to know, nor had any reason to suspect, the equipment to be false or unjust.

(3) If any fraud is committed in the using of any weighing or measuring equipment for trade, the person committing the fraud and any other person who is a party thereto shall be guilty of an offence and the equipment shall be liable to be forfeited.

Evidence of possession of equipment for use for trade.

15. Where any weighing or measuring equipment is found in the possession of any person carrying on trade or on any premises which are used for trade, that person or, as the case may be, the occupier of those premises shall be deemed for the purposes of this Act, unless the contrary is proved, to have that equipment in his possession for use for trade.

PART IV

REGULATION OF CERTAIN TRANSACTIONS IN GOODS

Transactions in particular goods.
1/80.

16.—(1) The Minister may, after consultation with the Minister charged with the responsibility for trade and industry, by order make provision with respect to any goods specified in the order for all or any of the following purposes, that is to say, to ensure that, except in such cases or in such circumstances as may be so specified, the goods in question:

- (a) are sold only by quantity expressed in such manner as may be so specified;
- (b) are pre-packed, or are otherwise made up in or on a container for sale or for delivery after sale, only if the container is marked with such information as to the quantity of the goods as may be so specified;

- (c) are sold, or are pre-packed, or are otherwise made up in or on a container for sale or for delivery after sale, or are made for sale, only in such quantities as may be so specified;
 - (d) are not sold without the quantity sold expressed as aforesaid being made known to the buyer at or before such time as may be so specified;
 - (e) are sold by means of, or are offered or exposed for sale in, a vending machine only if there is displayed on or in the machine —
 - (i) such information as to the quantity of the goods in question comprised in each item for sale by means of that machine as may be so specified; and
 - (ii) a statement of the name and address of the seller;
 - (f) are carried for reward only in pursuance of an agreement made by reference to the quantity of the goods in question expressed as aforesaid;
 - (g) in such circumstances as may be so specified, have associated therewith in such manner as may be so specified a document containing a statement of the quantity of the goods in question expressed in such manner and a statement of such other particulars, if any, as may be specified;
 - (h) when carried on a road vehicle along a road are accompanied by a document containing such particulars determined in such manner as may be so specified as to the weight of the vehicle and its load apart from the goods in question;
 - (i) are not to be sold or pre-packed for sale by any weight or measure which is not a unit of the metric system; or
 - (j) are not to be sold, advertised or displayed for sale at a price other than a price expressed by reference to a prescribed metric quantity.
- (2) An order under subsection (1) may —
- (a) make provision for any of the purposes mentioned in subsection (1) in such manner, whether by means of amending, or of applying with or

without modifications, or of excluding the application in whole or in part of, any provision of this Act or of any previous order made under subsection (1) or otherwise;

- (b) make such, if any, different provisions for retail and other sales respectively and for such provisions to be in force in such places or districts in Singapore as are so specified; and
- (c) contain such consequential, incidental or supplementary provision, whether by such means as aforesaid or otherwise,

as may appear to the Minister to be expedient, and may in particular make provision in respect of contraventions of the order for which no penalty is provided by this Act for the imposition of penalties not exceeding those provided by section 35 for an offence under this Act.

(3) The Minister may, after consultation with the Minister in charge of trade and industry, make regulations —

- (a) as to the manner in which any container required by any order made under subsection (1) to be marked with information as to the quantity of the goods made up therein is to be so marked;
- (b) as to the manner in which any information required by any such provision as aforesaid to be displayed on or in a vending machine is to be so displayed;
- (c) as to the conditions which must be satisfied in marking with information as to the quantity of goods made up therein the container in or on which any goods are made up for sale (whether by way of pre-packing or otherwise) where those goods are goods on a sale of which (whether any sale or a sale of any particular description) the quantity of the goods sold is required by any such provision as aforesaid to be made known to the buyer at or before a particular time;
- (d) as to the units of measurement to be used in marking any such container or machine as aforesaid with any information as to quantity;

- (e) for securing, in the case of pre-packed goods, that the container is so marked as to enable the packer to be identified;
- (f) as to the method by which and conditions under which quantity is to be determined in connection with any information with respect thereto required by this section; and
- (g) permitting in the case of such goods and in such circumstances as may be specified in the regulations the weight of such articles used in making up the goods for sale as may be so specified to be included in the net weight of the goods for the purpose of this Act,

and any person who contravenes any regulations made under this subsection otherwise than by virtue of paragraph (f) or (g) shall be guilty of an offence.

(4) The Minister may, after consultation with the Minister charged with the responsibility for trade and industry, by order grant and from time to time vary or revoke, with respect to goods or sales of such descriptions as may be specified in the order or exemption, either generally or in such circumstances as may be so specified, from all or any requirements imposed by this section; and, until otherwise provided by such an order, the following shall be exempted from all such requirements:

- (a) goods made up in or on a container for sale only for use by the Singapore Armed Forces or by a visiting force within the meaning of any of the provisions of Part II of the Visiting Forces Act and not sold or offered, exposed or in any person's possession for sale for any other use; Cap. 344.
- (b) any sale of goods in the case of which the buyer gives notice in writing to the seller before the sale is completed that the goods are being bought —
 - (i) for despatch to a destination outside Singapore; or
 - (ii) for use as stores within the meaning of the Customs Act in a ship or aircraft on a voyage or flight to an eventual destination outside Singapore; Cap. 70.

- (c) any goods sold for, or offered, exposed or in any person's possession for sale only for, use or consumption at the premises of the seller; and
- (d) any assortment of articles of food pre-packed together for consumption together as a meal and ready for such consumption without being cooked, heated or otherwise prepared.

Offences in transactions in particular goods.

17.—(1) Subject to the provisions of this Part, in the case of any goods which, when not pre-packed, are required by this Act to be sold only by quantity expressed in a particular manner or only in a particular quantity, any person who —

- (a) whether on his own behalf or on behalf of another person, offers or exposes for sale, sells or agrees to sell; or
- (b) causes or suffers any other person to offer or expose for sale, sell or agree to sell on his behalf,

those goods otherwise than by quantity expressed in that manner or, as the case may be, otherwise than in that quantity, shall be guilty of an offence.

(2) Subject to the provisions of this Part, in the case of any goods required by this Act to be pre-packed, or to be otherwise made up in or on a container for sale or for delivery after sale, or to be made for sale, only in particular quantities, or to be pre-packed, or to be otherwise made up as aforesaid, only if the container is marked with particular information, any person who —

- (a) whether on his own behalf or on behalf of another person, has in his possession for sale, sells or agrees to sell;
- (b) except in the course of carriage of the goods for reward, has in his possession for delivery after sale; or
- (c) causes or suffers any other person to have in his possession for sale or for delivery after sale, sell or agree to sell on behalf of the first-mentioned person,

any such goods pre-packed, otherwise made up as aforesaid or made otherwise than in that quantity or otherwise than in or on a container so marked, as the case may be, whether

the sale is, or is to be, by retail or otherwise, shall be guilty of an offence.

(3) Subject to the provisions of this Part, in the case of any sale where the quantity of the goods sold expressed in a particular manner is required by this Act to be made known to the buyer at or before a particular time and that quantity is not so made known, the person by whom, and any other person on whose behalf, the goods were sold shall be guilty of an offence.

(4) Subject to the provisions of this Part, where any goods required by this Act to be sold by means of, or to be offered or exposed for sale in, a vending machine only if certain requirements are complied with are so sold, offered or exposed without those requirements being complied with, the seller or person causing the goods to be so offered or exposed shall be guilty of an offence.

18.—(1) Subject to the provisions of this Part, in the case of goods which are not required by this Act to be sold in particular quantities, any person who sells or offers to sell such goods shall, if so required by a purchaser, sell or offer to sell the same in quantities expressed in metric units.

Sale of goods in metric units.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) Subsection (1) shall not apply to the sale of pre-packed goods or goods made up in or on a container for sale.

19.—(1) Subject to the provisions of this Part, any person who, in selling or purporting to sell any goods by weight or other measurement or by number, delivers or causes to be delivered to the buyer a lesser quantity than that purported to be sold or than corresponds with the price charged, shall be guilty of an offence.

Short weight, etc.

(2) Subject to the provisions of this Part, any person who, on or in connection with the sale or purchase of any goods, or in exposing or offering any goods for sale, or in purporting to make known to the buyer thereof the quantity of any goods sold, or in offering to purchase any goods, makes any misrepresentation either by word of mouth or otherwise as to the quantity of the goods, or does any other act calculated to mislead a person buying or selling the

goods as to the quantity thereof, shall be guilty of an offence.

(3) If, in the case of any goods pre-packed in or on a container marked with a statement in writing with respect to the quantity of the goods, the quantity of the goods is at any time found to be less than that stated, then, subject to the provisions of this Part and in particular section 21 (2), any person who has those goods in his possession for sale, and (if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been sold by retail and delivered to, or to a person nominated in that behalf by the buyer) any person by whom or on whose behalf those goods have been sold or agreed to be sold at any time while they were pre-packed in or on the container in question, shall be guilty of an offence.

(4) If —

- (a) in the case of a sale of or agreement to sell any goods which, not being pre-packed, are made up for sale or for delivery after sale in or on a container marked with a statement in writing with respect to the quantity of the goods; or
- (b) in the case of any goods which, in connection with a sale or agreement for the sale thereof, have associated therewith a document containing such a statement,

the quantity of the goods is at any time found to be less than that stated, then, if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been delivered to, or to a person nominated in that behalf by, the buyer, and subject to the provisions of this Part and in particular to section 20 (2) and (3), the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence.

(5) Subsections (3) and (4) shall have effect notwithstanding that the quantity stated is expressed to be the quantity of the goods at a specified time falling before the time in question, or is expressed with some other qualification of whatever description, except where —

- (a) that quantity is so expressed in pursuance of an express requirement of this Act or any subsidiary legislation made thereunder;

- (b) the goods, although falling within subsection (3) or subsection (4) (a) are not required by this Act to be pre-packed as mentioned in subsection (3) or, as the case may be, to be made up for sale or for delivery after sale in or on a container only if the container is marked as mentioned in subsection (4) (a); or
- (c) the goods, although falling within subsection (4) (b), are not required by this Act to have associated therewith such a document as is mentioned in that paragraph.

(6) In any case to which, by virtue of subsection (5) (a), (b) or (c), subsection (3) or (4) does not apply, if it is found at any time that the quantity of the goods in question is less than that stated and it is shown that the deficiency is greater than can be reasonably justified on the ground justifying the qualification in question, then, subject to the provisions of this Part —

- (a) in the case of goods such as are mentioned in subsection (3), if it is further shown as mentioned in that subsection, then —
 - (i) where the container in question was marked in Singapore, the person by whom, and any other person on whose behalf, the container was marked; or
 - (ii) where the container in question was marked outside Singapore, the person by whom, and any other person on whose behalf, the goods were first sold in Singapore,

shall be guilty of an offence;

- (b) in the case of goods such as are mentioned in subsection (4), the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence if, but only if, he would, but for subsection (5) (a), (b) or (c), have been guilty of an offence under subsection (4).

(7) Without prejudice to subsections (4), (5) and (6), if in the case of any goods required by this Act to have associated therewith a document containing particular statements, that document is found to contain any such statement which is

materially incorrect, any person who, knowing or having reasonable cause to suspect that statement to be materially incorrect, inserted it or caused it to be inserted in the document, or used the document for the purposes of this Act or any subsidiary legislation made thereunder while that statement was contained therein, shall be guilty of an offence.

(8) For the purposes of this section, any statement, whether oral or in writing, as to the weight of any goods shall be deemed, unless otherwise expressed, to be a statement as to the net weight of the goods.

(9) Nothing in this section shall apply —

(a) in relation to any such goods or sales as are mentioned in section 16 (4) (a) or (b); and

(b) in relation to the sales of goods with a view to their industrial or constructional use, except —

(i) where the sale in question is or would be one which is required by this Act to be made only by quantity expressed in a particular manner or in the case of which the quantity of the goods sold is required by any provision of this Act to be made known to the buyer at or before a particular time;

(ii) where the goods are pre-packed or otherwise made up in or on a container for sale or for delivery after sale and are goods such as are required by this Act to be pre-packed, or to be otherwise so made up, as the case may be, only if the container is marked with an indication of quantity or only in particular quantities; or

(iii) where the goods are goods such as are required by this Act to be made for sale only in particular quantities.

Pleading of
warranty
as defence.

20.—(1) Subject to this section, in any proceedings for an offence under this Part or any subsidiary legislation made thereunder, being an offence relating to the quantity or pre-packing of any goods, it shall be a defence for the person charged to prove —

- (a) that he bought the goods from some other person —
- (i) as being of the quantity which the person charged purported to sell or represented, or which was marked on any container or stated in any document to which the proceedings relate; or
 - (ii) as conforming with the statement marked on any container to which the proceedings relate, or with the requirements of this Act and any subsidiary legislation made thereunder with respect to the pre-packing of goods,
- as the case may require;
- (b) that he so bought the goods with a written warranty from that other person that they were of that quantity or, as the case may be, did so conform;
- (c) that at the time of the commission of the offence he had no reason to believe the statement contained in the warranty to be inaccurate, that he did in fact believe in its accuracy and, if the warranty was given by a person who at the time he gave it was resident outside Singapore, that the person charged had taken reasonable steps to check the accuracy of that statement; and
- (d) in the case of proceedings relating to the quantity of any goods, that he took all reasonable steps to ensure that, while in his possession the quantity of the goods remained unchanged and, in the case of such or any other proceedings, that apart from any change in their quantity the goods were at the time of the commission of the offence in the same state as when he bought them.

(2) A warranty shall be a defence in such proceedings only if, not later than 7 days before the date of the hearing, the person charged has sent to the prosecutor a copy of the warranty with a notice stating that he intends to rely on it and specifying the name and address of the person from whom the warranty was received, and has also sent a like notice to that person.

(3) Where the person charged is a servant of a person who, if he had been charged, would have been entitled to plead a warranty as a defence under this section, subsection (1) shall have effect as if any reference (however expressed) in paragraphs (a) to (d) of that subsection to the person charged, other than the first such reference in paragraph (c) of that subsection, were a reference to his employer.

(4) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence.

(5) If the person charged in any such proceedings wilfully attributes to any goods a warranty given in relation to any other goods, he shall be guilty of an offence.

(6) A person who, in respect of any goods sold by him in respect of which a warranty might be pleaded under this section, gives to the buyer a false warranty in writing shall be guilty of an offence unless he proves that when he gave the warranty he took all reasonable steps to ensure that the statements contained therein were, and would continue at all relevant times to be, accurate.

(7) For the purposes of this section, any statement with respect to any goods which is contained in any document required by this Act to be associated with the goods or in any invoice, and, in the case of goods made up in or on a container for sale or for delivery after sale, any statement with respect to those goods with which that container is marked, shall be deemed to be a written warranty of the accuracy of that statement.

Additional
defences
and safe-
guards for
traders.

21.—(1) In any proceedings for an offence in respect of any goods under this Part or any subsidiary legislation made thereunder, it shall be a defence for the person charged to prove —

- (a) that the commission of the offence was due to a mistake, or to an accident or some other cause beyond his control; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence in respect of those goods by himself or any person under his control.

(2) In any proceedings for an offence under this Part or any subsidiary legislation made thereunder by reason of the quantity —

- (a) of any goods made up for sale or for delivery after sale (whether by way of pre-packing or otherwise) or in or on a container marked with an indication of quantity;
- (b) of any goods which, in connection with a sale or agreement for the sale thereof, have associated therewith a document purporting to state the quantity of the goods; or
- (c) of any goods required by this Act to be pre-packed, or to be otherwise made up in or on a container for sale or for delivery after sale, or to be made for sale, only in particular quantities,

being less than that marked on the container or stated in the document in question or than the relevant particular quantity, as the case may be, it shall be a defence for the person charged to prove that the deficiency arose —

- (i) in a case falling within paragraph (a), after the making up of the goods and the marking of the container;
- (ii) in a case falling within paragraph (b), after the preparation of the goods for delivery in pursuance of the sale or agreement and after the completion of the document;
- (iii) in the case falling within paragraph (c), after the making up or making, as the case may be, of the goods for sale,

and was attributable wholly to factors for which reasonable allowance was made in stating the quantity of the goods in the marking or document or in making up or making the goods for sale, as the case may be.

(3) In the case of a sale by retail of food, not being food pre-packed in a container which is, or is required by this Act to be, marked with an indication of quantity, in any proceedings for an offence under this Part or any subsidiary legislation made thereunder by reason of the quantity delivered to the buyer being less than that purported to be sold, it shall be a defence for the person charged to prove that the deficiency was due wholly to unavoidable

evaporation or drainage since the sale and that due care and precaution were taken to minimise any such evaporation or drainage.

(4) Without prejudice to any defence under subsection (2) or (3), in any proceedings for such an offence in respect of any goods as is mentioned in subsection (2) it shall not be a defence under subsection (1) (a) for the person charged to prove that the commission of the offence was due to some cause beyond his control if that cause was one which should reasonably have been foreseen and for which allowance could reasonably have been made in stating the quantity of the goods or in making up or making the goods, as the case may be.

(5) If in any proceedings for an offence under this Part or any subsidiary legislation made thereunder, being an offence in respect of any deficiency in the quantity of any goods sold, it is shown that between the sale and the discovery of the deficiency the goods were with the consent of the buyer subjected to treatment which could result in a reduction in the quantity of those goods for delivery to, or to any person nominated in that behalf by, the buyer, the person charged shall not be found guilty of that offence unless it is shown that the deficiency cannot be accounted for by the subjecting of the goods to that treatment.

(6) In any proceedings for an offence under this Part or any subsidiary legislation made thereunder, being an offence in respect of any excess in the quantity of any goods, it shall be a defence for the person charged to prove that the excess was attributable to the taking of measures reasonably necessary in order to avoid the commission of an offence in respect of a deficiency in those or other goods.

(7) If proceedings for an offence under this Part or any subsidiary legislation made thereunder in respect of any deficiency or excess in the quantity —

- (a) of any goods made up for sale (whether by way of pre-packing or otherwise) in or on a container marked with an indication of quantity;
- (b) of any goods which have been pre-packed or otherwise made up in or on a container for sale or for delivery after sale, or which have been made for sale, and which are required by this

Act to be pre-packed, or to be otherwise so made up, or to be so made, as the case may be, only in particular quantities,

are brought with respect to any article, and it is proved that, at the time and place at which that article was tested, other articles of the same kind, being articles which, or articles containing goods which, had been sold by the person charged or were in that person's possession for sale or for delivery after sale, were available for testing, the person charged shall not be convicted of such an offence with respect to that article unless a reasonable number of those other articles was also tested; and in any proceedings for such an offence the court —

- (i) if the proceedings are with respect to one or more of a number of articles tested on the same occasion, shall have regard to the average quantity in all the articles tested;
- (ii) if the proceedings are with respect to a single article, shall disregard any inconsiderable deficiency or excess; and
- (iii) shall have regard generally to all the circumstances of the case.

22.—(1) A person against whom proceedings are brought for an offence under this Part or any subsidiary legislation made thereunder shall, upon information duly laid by him and on giving to the prosecutor not less than 7 clear days' notice of his intention to avail himself of this subsection be entitled to have brought before the court in those proceedings any other person to whose act or default he alleges that the commission of the offence was due; and if, after the offence has been proved, the original defendant proves that the commission thereof was due to an act or default of that other person —

Offences due to default of third person.

- (a) that other person may be convicted of the offence; and
- (b) if the original defendant further proves that he exercised all due diligence to avoid the commission of the offence by him or any person under his control, the original defendant shall be acquitted of the offence.

(2) Where a defendant seeks to avail himself of subsection (1) —

- (a) the prosecutor, as well as the person whom the defendant charges with the offence, shall have the right to cross-examine the defendant, if he gives evidence, and any witness called by the defendant in support of his pleas, and to call rebutting evidence; and
- (b) the court may make such order as it thinks fit for the payment of costs by any party to the proceedings to any other party thereto.

(3) Where it appears to any authority by or on behalf of whom proceedings of such an offence may be instituted that such an offence has been committed by some person, and that authority is reasonably satisfied that the offence was due to an act or default of some other person and that the first-mentioned person could establish a defence under subsection (1), that authority may take or authorise the taking of proceedings against that other person without first taking or authorising the taking of proceedings against the first-mentioned person; and in any such proceedings that other person may be charged with, and, on proof that the commission of the offence was due to his act or default, be convicted of, the offence with which the first-mentioned person might have been charged.

(4) Where by virtue of subsection (3) a person is charged with an offence with which some other person might have been charged, the reference in section 21 (7) to articles or goods sold by or in the possession of the person charged shall be construed as a reference to articles or goods sold by or in the possession of that other person.

Offences
originating
in countries
outside
Singapore.

23.—(1) Where proceedings are brought against any person for an offence under this Part or any subsidiary legislation made thereunder and it is proved —

- (a) that the commission of the offence was due to an act or default of some other person which took place outside Singapore; and
- (b) that the person charged took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by him or any person under his control,

then, subject to subsection (2), the person charged shall be acquitted of the offence.

(2) The person charged shall not be entitled to be acquitted under this section unless within 7 days from the date of the service of the summons on him he has given notice in writing to the prosecutor of his intention to rely on this section, specifying the name and address of the person to whose act or default he alleges that the commission of the offence was due, and has sent a like notice to that person; and that person shall be entitled to appear at the hearing and to give evidence.

24.—(1) Subject to subsection (3), where any person —

(a) makes in any manner any representation as to the quantity of any goods offered or exposed for sale by him;

(b) has in his possession or charge awaiting or in the course of delivery to the buyer any goods which have been sold or agreed to be sold, and the sale is, or purports to be, or is required by this Act to be, by quantity expressed in a particular manner, or is such that the quantity of the goods sold is required by any provision of this Act to be made known to the buyer at or before a particular time; or

(c) has in his possession or charge for sale, or awaiting or in the course of delivery to a buyer after they have been sold or agreed to be sold, any goods pre-packed or otherwise made up in or on a container for sale or for delivery after sale which are required by this Act to be pre-packed, or to be otherwise so made up, as the case may be, only in particular quantities or only if the container is marked with particular information, or any goods pre-packed in or on a container marked with an indication of quantity, or any goods required by this Act to be made for sale only in particular quantities,

Special powers of inspector with respect to certain goods.

the powers of an inspector under section 30 shall include power to require that person either to do in the presence of the inspector, or to permit the inspector to do, all or any of the following things:

(i) weigh or otherwise measure or count the goods;

- (ii) weigh any container in or on which the goods are made up;
- (iii) if necessary for the purposes of either paragraph (i) or (ii), break open any such container or open any vending machine in which the goods are offered or exposed for sale,

and, in the case of any of the goods which are not already sold, power to require that person to sell any of them to the inspector.

(2) Where the container of any pre-packed goods is broken open under subsection (1) and all requirements of, and of any instrument made under, this Act which are applicable to those goods are found to have been complied with then, if the container can be resealed without injury to the contents, the inspector may reseal it with a label certifying that all such requirements have been complied with, or, if he does not so reseal it or it cannot be so resealed without injury to the contents, shall at the request of the person aforesaid buy the goods on behalf of the Controller.

(3) Nothing in subsection (1) (a), (b) or (c) shall apply in relation to the sale of goods with a view to their industrial or constructional use except in such a case as is specified in section 19 (9) (b) (i), (ii) or (iii).

Powers of
inspector
with respect
to certain
documents.

25.—(1) An inspector, subject to the production if so requested of his authority in writing, may require the person in charge of any document required by this Act to be associated with any goods to produce that document for inspection.

(2) If the inspector has reasonable cause to believe that any document produced to him under subsection (1) contains any inaccurate statement, he may either —

- (a) seize and detain the document, giving in exchange therefor a copy thereof with an endorsement signed by him certifying that the original has been seized and giving particulars of any inaccuracy alleged; or
- (b) without prejudice to any proceedings which may be taken by reason of any inaccuracy alleged, make thereon an endorsement signed by him giving particulars of any such inaccuracy,

and, save where the context otherwise requires, any reference in this Act to any such document shall be deemed to include a reference to a copy thereof given in pursuance of paragraph (a).

(3) Where, in the case of any goods being carried on a road vehicle, the whole of the vehicle's load is being carried for, or for delivery after sale to the same person, and any document produced in pursuance of subsection (1) by the person in charge of the vehicle purports, or is required by this Act, to state the quantity of the goods, then, for the purpose of the exercise of his powers under section 24 (1), the inspector may do all or any of the following things:

- (a) require the goods to which the document relates to be unloaded from the vehicle;
- (b) require the vehicle to be taken to the nearest suitable and available weighing or measuring equipment;
- (c) require the person in charge of the vehicle to have it check-weighed:

Provided that the powers conferred by this subsection shall be exercised only to such extent as may appear to the inspector reasonably necessary in order to secure that the provisions of this Act and any subsidiary legislation made thereunder are duly observed.

26. Where any road vehicle is loaded with goods for sale by weight to a single buyer of the whole of the vehicle's load, or for delivery to the buyer after they have been so sold, the buyer or seller of the goods, or any inspector who shows that he is authorised to do so by the buyer or seller of the goods, may require the person in charge of the vehicle to have it check-weighed, and if that person fails without reasonable cause to comply with any such requirement he shall be guilty of an offence.

Check-weighing of certain road vehicles.

27. An inspector shall have power to make such purchases of goods as may appear to him to be expedient for the purpose of determining whether or not the provisions of this Act and any subsidiary legislation made thereunder are being complied with.

Power to make test purchases.

Selling by quantity, making quantity known, and weighing in presence.

28.—(1) Where any goods are required by this Act to be sold by quantity expressed in a particular manner —

- (a) it shall be sufficient compliance with that requirement in the case of any sale of, or agreement to sell, any such goods if the quantity of the goods expressed in the manner in question is made known to the buyer before the purchase price is agreed;
- (b) no person shall be guilty of an offence under section 17 (1) by reason of the exposing or offering for sale of such goods at any time if both the quantity of the goods expressed in the manner in question and the price at which they are exposed or offered for sale are made known at that time to any prospective buyer.

(2) For the purposes of this Act and any subsidiary legislation made thereunder, without prejudice to any other method of making known to a person the quantity of any goods expressed in a particular manner, that quantity shall be deemed to be made known to that person —

- (a) if the goods are weighed or otherwise measured or counted, as the case may require, in the presence of that person;
- (b) if the goods are made up in or on a container marked with a statement in writing of the quantity of the goods expressed in the manner in question and the container is readily available for inspection by that person; or
- (c) upon such a statement in writing being delivered to that person.

(3) Where the Minister by order provides that this subsection is to apply, in the case of such goods in such circumstances as are specified in the order, to any requirement so specified under this Act or any subsidiary legislation made thereunder with respect to the making known to the buyer of the quantity by weight of such goods sold by retail, then, in any case to which the order applies, that requirement shall be deemed to be satisfied if the goods are bought at premises at which weighing equipment of such description as may be prescribed —

- (a) is kept available by the occupier of those premises for use without charge by any prospective buyer

of such goods for the purpose of weighing for himself any such goods offered or exposed for sale by retail on those premises;

- (b) is so kept available in a position on those premises which is suitable and convenient for such use of the equipment; and
- (c) is reserved for use for that purpose at all times while those premises are open for retail transactions,

and a notice of the availability of the equipment for such use is displayed in a position on the premises where it may be readily seen by any such prospective buyer.

(4) For the purposes of this Act and any subsidiary legislation made thereunder, a person shall not be deemed to weigh or otherwise measure or count any goods in the presence of any other person unless he causes any equipment used for the purpose to be so placed, and so conducts the operation of weighing or otherwise measuring or counting the goods, as to permit that other person a clear and unobstructed view of the equipment, if any, and of the operation, and of any indication of quantity given by any such equipment as the result of that operation.

PART V

ADMINISTRATION

29.—(1) The Minister may appoint a Controller of Weights and Measures and such other number of inspectors of weights and measures and other officers as he thinks necessary (under whatever title he may from time to time determine) for the purposes of this Act.

Appoint-
ment of
Controller
and
inspectors.

(2) All officers appointed under this Act shall be deemed to be public servants for the purposes of the Penal Code.

Cap. 224.

(3) The Minister may appoint any organisations or individuals to test, pass and stamp any weighing or measuring equipment as fit for use for trade upon such terms and conditions as the Minister may determine; and any equipment tested, passed and stamped as fit for use for trade by such organisation or individual shall be deemed to have been tested, passed and stamped by an inspector.

General
powers of
inspection
and entry.

30.—(1) Subject to the production if so requested of his authority in writing, an inspector or a police officer may at all reasonable times —

- (a) inspect and test any weighing or measuring equipment which is, or which he has reasonable cause to believe to be, used for trade or in the possession of any person or upon any premises for such use;
- (b) inspect any goods to which any of the provisions of this Act or any subsidiary legislation made thereunder for the time being applies or which he has reasonable cause to believe to be such goods;
- (c) enter any premises at which he has reasonable cause to believe there to be any such equipment or goods, not being premises used only as a private dwelling-house.

(2) A police officer and an inspector subject to the production if so requested of the inspector's authority in writing, may at any time seize and detain —

- (a) any article which he has reasonable cause to believe is liable to be forfeited under this Act; and
- (b) any document displayed with any goods offered or exposed for sale which relates to the price or quantity of the goods and which the inspector has reason to believe may be required as evidence in proceedings under this Act.

(3) An inspector entering any premises by virtue of this section may take with him such other persons and such equipment as may appear to him necessary.

(4) If any inspector or other person who enters any workplace by virtue of this section discloses to any person any information obtained by him in the workplace with regard to any manufacturing process or trade secret, he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence.

Powers of
arrest, etc.

31.—(1) Any police officer or inspector may arrest without warrant any person committing in his view or who he has reasonable cause to believe has committed an offence

under this Act or any subsidiary legislation made thereunder.

(2) A person arrested under this section may be detained at any police station or at the office of the Controller to be dealt with in accordance with the provisions of the Criminal Procedure Code and shall not be detained longer than is necessary for bringing him before a Magistrate's Court. Cap. 68.

(3) An offence under this Act or any subsidiary legislation made thereunder shall be deemed to be a seizable offence for the purposes of the Criminal Procedure Code and an inspector may exercise any of the special powers relating to investigation of seizable offences conferred upon a police officer by that Code.

PART VI

MISCELLANEOUS

32.—(1) Any person who —

- (a) wilfully obstructs an inspector acting in the execution of this Act or any subsidiary legislation made thereunder;
- (b) wilfully fails to comply with any requirement properly made of him by an inspector under section 24 or 25; or
- (c) without reasonable cause fails to give any inspector acting as aforesaid any other assistance or information which the inspector may reasonably require of him for the purposes of the performance by the inspector of his functions under this Act or any subsidiary legislation made thereunder,

Obstruction
of
inspectors.

shall be guilty of an offence.

(2) If any person, in giving to an inspector any such information as is mentioned in subsection (1), gives any information which he knows to be false, he shall be guilty of an offence.

33.—(1) The Controller may compound any offence under this Act and any subsidiary legislation made thereunder by accepting from the person reasonably suspected of having committed such offence a sum not exceeding \$2,000. Composition
of offences.

(2) Any sum of money received by way of composition as aforesaid shall be paid into the Consolidated Fund.

Jurisdiction. **34.** All offences under this Act and any subsidiary legislation made thereunder may be prosecuted and all fines and forfeiture under this Act and the subsidiary legislation may be recovered before a Magistrates' Court or District Court.

Penalties. **35.—**(1) Any person guilty of an offence under section 11 (1), 11 (2), 14 (1), 14 (3), 19 (1), 19 (2) or 32 (1), shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 3 months or to both.

(2) Any person guilty of an offence under any provision of this Act other than those mentioned in subsection (1) shall be liable on conviction to a fine not exceeding \$2,000.

(3) No contract for the sale or carriage for reward of any goods shall be void by reason only of a contravention of any provision of this Act or of any subsidiary legislation made thereunder, with respect to any document which is, or is required by that provision to be, associated with the goods.

Offences by corporations. **36.—**(1) Where an offence under, or under any instrument made under, this Act or any enactment falling to be repealed thereby which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) In subsection (1), "director", in relation to any body corporate established under any written law, being a body corporate whose affairs are managed by the members thereof, means a member of that body corporate.

Regulations. **37.** The Minister may make regulations generally for the carrying out of the provisions of this Act.

Orders. **38.** Any order made by the Minister under this Act shall be made by subsidiary legislation and be published in the

Gazette and such order may make different provisions for different circumstances.

39.—(1) The President may, by order published in the *Gazette*, provide for the application to the Government of such of the provisions of this Act or of any subsidiary legislation made thereunder as may be specified in the order, with such exceptions, adaptations and modifications as may be so specified.

Application
to the
Government.

(2) Without prejudice to the generality of subsection (1), an order made under this Act may make special provisions for the enforcement of any provisions applied by the order and in particular as to the person liable to be proceeded against for any offence under any such provision.

(3) An order made under this section may be varied or revoked by subsequent orders so made.

40.—(1) Save as the Minister may by order otherwise provide, and except in the case of a retail transaction or a transaction with respect to which provision to the contrary effect is for the time being made by Part IV, nothing in this Act shall make unlawful the use in any transaction, by agreement between the parties thereto, of any unit of the local customary weights and measures which are set out in the Third Schedule and have the values defined therein.

Savings.

(2) The Minister may from time to time by order amend the Third Schedule by removing any unit of measurement of length, of area, of volume, of capacity, or of mass or weight, as the case may be.

41. Notwithstanding the repeal of the Weights and Measures Act, any weighing or measuring equipment tested, passed and stamped under that Act shall be deemed to have been tested, passed and stamped under a corresponding provision of this Act.

Transitional
provision.
1970 Ed.
Cap. 263.

FIRST SCHEDULE

Sections 3 and 6.

DEFINITIONS OF UNITS OF MEASUREMENT

PART I

Measurement of Length

Imperial Units

1. Mile	=	1760 yards.
Furlong	=	220 yards.
Chain	=	22 yards.
Yard	=	0.9144 metre.
Foot	=	$\frac{1}{3}$ yard.
Inch	=	$\frac{1}{36}$ yard.

Metric Units

2. Kilometre	=	1000 metres.
Metre	=	shall have the meaning from time to time assigned by order of the Minister, being the meaning appearing to the Minister to reproduce in English the international definition of the metre in force at the date of the making of the order.
Decimetre	=	$\frac{1}{10}$ metre.
Centimetre	=	$\frac{1}{100}$ metre.
Millimetre	=	$\frac{1}{1000}$ metre.

PART II

Measurement of Area

Imperial Units

1. Square mile	=	640 acres.
Acre	=	4840 square yards.
Rood	=	1210 square yards.
Square yard	=	a superficial area equal to that of a square each side of which measures one yard.
Square foot	=	$\frac{1}{9}$ square yard.
Square inch	=	$\frac{1}{144}$ square yard.

Metric Units

2. Hectare	=	100 ares.
Dekare	=	10 ares.
Are	=	100 square metres.
Square metre	=	a superficial area equal to that of a square each side of which measures one metre.
Square decimetre	=	$\frac{1}{100}$ square metre.
Square centimetre	=	$\frac{1}{100}$ square decimetre.
Square millimetre	=	$\frac{1}{100}$ square centimetre.

FIRST SCHEDULE — *continued*

PART III

Measurement of Volume

Imperial Units

1. Cubic yard = a volume equal to that of a cube each edge of which measures one yard.
- Cubic foot = $\frac{1}{27}$ cubic yard.
- Cubic inch = $\frac{1}{1728}$ cubic foot.

Metric Units

2. Cubic metre = a volume equal to that of a cube each edge of which measures one metre.
- Cubic decimetre = $\frac{1}{1000}$ cubic metre.
- Cubic centimetre = $\frac{1}{1000}$ cubic decimetre.

PART IV

Measurement of Capacity

Imperial Units

1. Gallon = the space occupied by 10 pounds weight of distilled water of density 0.998 859 grams per millilitre weighed in air of density 0.001 217 grams per millilitre against weights of density 8.136 grams per millilitre.
- Quart = $\frac{1}{4}$ gallon.
- Pint = $\frac{1}{2}$ quart.
- Gill = $\frac{1}{4}$ pint.
- Fluid ounce = $\frac{1}{20}$ pint.
2. Bushel = 8 gallons.
- Peck = 2 gallons.
3. Fluid drachm = $\frac{1}{8}$ fluid ounce.
- Minim = $\frac{1}{16}$ fluid drachm.

Metric Units

4. Hectolitre = 100 litres.
- Litre = shall have the meaning from time to time assigned by order of the Minister, being the meaning appearing to the Minister to reproduce in English the international definition of the litre in force at the date of the making of the order.
- Decilitre = $\frac{1}{10}$ litre.
- Centilitre = $\frac{1}{100}$ litre.
- Millilitre = $\frac{1}{1000}$ litre.

FIRST SCHEDULE — *continued*

PART V

Measurement of Mass or Weight

Imperial Units

1. Ton	=	2240 pounds.
Hundredweight	=	112 pounds.
Central	=	100 pounds.
Quarter	=	28 pounds.
Stone	=	14 pounds.
Pound	=	0.453 592 37 kilogram.
Ounce	=	$\frac{1}{16}$ pound.
Dram	=	$\frac{1}{16}$ ounce.
Grain	=	$\frac{1}{700}$ pound.
2. Ounce troy	=	480 grains.
3. Pennyweight	=	24 grains.
4. Ounce apothecaries	=	480 grains.
Drachm	=	$\frac{1}{8}$ ounce apothecaries.
Scruple	=	$\frac{1}{3}$ drachm.

Metric Units

5. Metric ton	=	1000 kilograms.
Quintal	=	100 kilograms.
Kilogram	=	shall have the meaning from time to time assigned by order of the Minister, being the meaning appearing to the Minister to reproduce in English the international definition of the kilogram in force at the date of the making of the order.
Hectogram	=	$\frac{1}{10}$ kilogram.
Gram	=	$\frac{1}{1000}$ kilogram.
Carat (metric)	=	$\frac{1}{5}$ gram.
Milligram	=	$\frac{1}{1000}$ gram.

PART VI

Measurement of Electricity

- The following units of measurement:
 - the AMPERE (as the unit of measurement of electrical current);
 - the OHM (as the unit of measurement of electrical resistance);
 - the VOLT (as the unit of measurement of difference of electrical potential); and
 - the WATT (as the unit of measurement of electrical power),

FIRST SCHEDULE — *continued*

shall have the meanings from time to time respectively assigned by order of the Minister, being the meanings appearing to the Minister to reproduce in English the international definition of the ampere, ohm, volt or watt, as the case may be, in force at the date of the making of the order.

- | | | |
|-------------|---|--------------------|
| 2. Kilowatt | = | 1000 watts. |
| Megawatt | = | one million watts. |

SECOND SCHEDULE

Section 4.

MEASURES AND WEIGHTS

PART I

Linear Measure

Imperial System

1. Measures of —

100 feet	5 feet.
66 feet	4 feet.
50 feet	1 yard.
33 feet	2 feet.
20 feet	1 foot.
10 feet	6 inches.
8 feet	1 inch.
6 feet	

Metric System

2. Measures of —

20 metres	1 metre.
10 metres	1 decimetre.
3 metres	1 centimetre.
2 metres	

PART II

Capacity Measures

Imperial System

1. Measure of —

any multiple of 1 gallon	1 gill.
1 gallon	4 fluid ounces.
$\frac{1}{2}$ gallon	$\frac{1}{2}$ gill.
1 quart	$\frac{2}{5}$ gill.
1 pint	$\frac{1}{3}$ gill.
$\frac{1}{2}$ pint	$\frac{1}{4}$ gill.
8 fluid ounces	$\frac{1}{5}$ gill.
$\frac{1}{3}$ pint	$\frac{1}{6}$ gill.
6 fluid ounces	

SECOND SCHEDULE — *continued*

2. Measures of —

1 bushel

 $\frac{1}{2}$ bushel

1 peck

3. Measures of —

4 fluid drachms

30 minims.

2 fluid drachms

10 minims.

1 fluid drachm

Metric System

4. Measures of —

any multiple of 10 litres

100 millilitres.

10 litres

50 millilitres.

5 litres

25 millilitres.

 $2\frac{1}{2}$ litres

20 millilitres.

2 litres

10 millilitres.

1 litre

5 millilitres.

500 millilitres

2 millilitres.

250 millilitres

1 millilitre.

200 millilitres

PART III

Weights

Imperial System

1. Weights of —

56 pounds

 $\frac{1}{2}$ dram.

50 pounds

100 grains.

28 pounds

50 grains.

20 pounds

30 grains.

14 pounds

20 grains.

10 pounds

10 grains.

7 pounds

5 grains.

5 pounds

3 grains.

4 pounds

2 grains.

2 pounds

1 grain.

1 pound

0.5 grain.

8 ounces

0.3 grain.

4 ounces

0.2 grain.

2 ounces

0.1 grain.

1 ounce

0.05 grain.

SECOND SCHEDULE — *continued*

8 drams	0.03 grain.
4 drams	0.02 grain.
2 drams	0.01 grain.
1 dram	
2. Weights of —	
500 ounces troy	40 ounces troy.
400 ounces troy	30 ounces troy.
300 ounces troy	20 ounces troy.
200 ounces troy	10 ounces troy.
100 ounces troy	5 ounces troy.
50 ounces troy	4 ounces troy.
3 ounces troy	0.03 ounce troy.
2 ounces troy	0.025 ounce troy.
1 ounce troy	0.02 ounce troy.
0.5 ounce troy	0.01 ounce troy.
0.4 ounce troy	0.005 ounce troy.
0.3 ounce troy	0.004 ounce troy.
0.2 ounce troy	0.003 ounce troy.
0.1 ounce troy	0.002 ounce troy.
0.05 ounce troy	0.001 ounce troy.
0.04 ounce troy	
3. Weights of —	
10 ounces apothecaries	1 drachm.
8 ounces apothecaries	2 scruples.
6 ounces apothecaries	1½ scruples.
4 ounces apothecaries	1 scruple.
2 ounces apothecaries	½ scruple.
1 ounce apothecaries	6 grains.
4 drachms	4 grains.
2 drachms	
4. Weights of —	
10 pennyweights	2 pennyweights.
5 pennyweights	1 pennyweight.
3 pennyweights	
Metric System	
5. Weights of —	
20 kilograms	2 grams.
10 kilograms	1 gram.
5 kilograms	500 milligrams.
2 kilograms	200 milligrams.

SECOND SCHEDULE — *continued*

1 kilogram	100 milligrams.
500 grams	50 milligrams.
200 grams	20 milligrams.
100 grams	10 milligrams.
50 grams	5 milligrams.
20 grams	2 milligrams.
10 grams	1 milligram.
5 grams	
6. Weights of —	
500 carats (metric)	1 carat (metric).
200 carats (metric)	0.5 carat (metric).
100 carats (metric)	0.25 carat (metric).
50 carats (metric)	0.2 carat (metric).
20 carats (metric)	0.1 carat (metric).
10 carats (metric)	0.05 carat (metric).
5 carats (metric)	0.02 carat (metric).
2 carats (metric)	0.01 carat (metric).

THIRD SCHEDULE

Section 40.

CUSTOMARY WEIGHTS AND MEASURES

1 Tahil =	...	...	...	=	1½ ozs. =	37.7994 grams.
16 Tahils =	1 Kati	...	...	=	1½ lbs. =	0.6048 kilogram.
1,600 Tahils =	100 Katis =	1 Pikul =	...	=	133½ lbs. =	60.4790 kilograms.
64,000 Tahils =	4,000 Katis =	40 Pikuls =	1 koyan =	5,333½ lbs. =	2419.1593 kilograms.	
1 Chhun =	1¼ inches	...	...	=	37.4650 millimetres.	
10 Chhuns =	1 Chhek =	14¾ inches	...	=	37.4650 centimetres.	