



THE STATUTES OF THE REPUBLIC OF SINGAPORE

WEIGHTS AND MEASURES ACT

(CHAPTER 349)

(Original Enactment: Act 51 of 1975)

REVISED EDITION 1985

(30th March 1987)

Prepared and Published by

THE LAW REVISION COMMISSION
UNDER THE AUTHORITY OF
THE REVISED EDITION OF THE LAWS ACT (CHAPTER 275)

Informal Consolidation – version in force from 1/4/2018

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.

Interpretation

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

“Accuracy Label” means a mark referred to in section 7(2)(ii)(B) for use as evidence of the passing of any weighing or measuring instrument as fit for use for trade;

[30/2005 wef 01/01/2006]

“Authorised Verifier” means any person appointed by the Board under section 29A;

[30/2005 wef 01/01/2006]

“Board” means the Enterprise Singapore Board established by section 3 of the Enterprise Singapore Board Act 2018;

[Act 10 of 2018 wef 01/04/2018]

“catch weight goods” means goods that —

- (a) are enclosed in a package;

(b) cannot be portioned to a predetermined quantity because of their nature; and

(c) are usually sold in varying quantities;

[30/2005 wef 01/01/2006]

“check-weighed”, in relation to any vehicle, means weighed with its load by means of the nearest suitable and available weighing instrument, and weighed again after it has been unloaded by means of the same or other suitable weighing instrument;

[30/2005 wef 01/01/2006]

“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;

“desiccating goods” means any goods made up in a package that lose weight or volume solely through evaporation when the package is made up;

[30/2005 wef 01/01/2006]

“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;

“inadequate package” means a package enclosing goods that contain less than the quantity stated on the package or a label attached to the package, where the deficiency is more than twice the amount of error prescribed for the purpose of this definition;

[30/2005 wef 01/01/2006]

“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 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 [Cap. 70];

“lot of packages” means a collection of packages enclosing goods that —

(a) are of the same kind;

(b) are of the same stated weight, measure or number;
and

(c) are available for inspection at the same time and place;

[30/2005 wef 01/01/2006]

“mark” includes label;

“non-standard package” means a package enclosing goods that contains less than the quantity stated on the package or a label attached to it, where the deficiency is more than the amount of error prescribed for the purpose of this definition but not more than twice that prescribed amount of error;

[30/2005 wef 01/01/2006]

“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 referred to in section 7(2)(ii)(A) for use as evidence of the passing of any weighing or measuring instrument as fit for use for trade;

[30/2005 wef 01/01/2006]

“supply”, in relation to a weighing or measuring instrument, includes —

- (a) selling the weighing or measuring instrument, whether by wholesale or retail or otherwise;
- (b) supplying the weighing or measuring instrument by way of exchange, lease, loan, hire or hire-purchase;
- (c) supplying the weighing or measuring instrument, whether with or without charge, by way of sample or otherwise;
- (d) offering or exposing the weighing or measuring instrument for sale or supply; and
- (e) keeping or having the weighing or measuring instrument for the purpose of selling or supplying it to someone else;

[30/2005 wef 01/01/2006]

“weighing or measuring instrument” means an instrument for measuring in terms of length, area, volume, capacity, weight or number, whether or not the instrument is constructed to give an indication of the measurement made or other information determined by reference to that measurement, and includes any article used as a weighing or measuring instrument.

[30/2005 wef 01/01/2006]

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

[30/2005 wef 01/01/2006]

PART II

UNITS AND STANDARDS OF MEASUREMENT

Units of measurement

3.—(1) The metre shall be the unit of measurement of length and 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.

[30/2005 wef 01/01/2006]

(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) [Deleted by Act 30/2005 wef 01/01/2006]

Standard weights and measures

4.—(1) There shall be maintained by the Agency for Science, Technology and Research established under section 3 of the Agency for Science, Technology and Research Act (Cap. 5A) or such other person as the Minister may, by notification in the *Gazette*, specify the standards of the metre and kilogram (referred to in this Act as the Singapore standards) by reference to which all other standards of —

(a) those units; and

(b) any other unit of measurement derived wholly or partly from any of those units,

are maintained.

[30/2005 wef 01/01/2006]

[54/2007 wef 01/01/2008]

(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 reference standards shall consist of standards of all the measures set out in Parts I and II, and the weights set out in Part III, of

the Second Schedule other than capacity measures of more than 10 litres; and any such standard shall be constructed and, while it remains in use, from time to time have its value or values redetermined by reference to one or more of the Singapore standards maintained under subsection (1).

[30/2005 wef 01/01/2006]

[54/2007 wef 01/01/2008]

(4) *[Deleted by Act 30/2005 wef 01/01/2006]*

(5) *[Deleted by Act 30/2005 wef 01/01/2006]*

(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 instruments for testing and the affixing of stamps and Accuracy Labels as the Controller may from time to time approve or require as being proper and sufficient for the efficient discharge of their duties.

[30/2005 wef 01/01/2006]

PART III

WEIGHING AND MEASURING FOR TRADE

Meaning of “use 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 —

- (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; and

[30/2005 wef 01/01/2006]

- (b) *[Deleted by Act 30/2005 wef 01/01/2006]*

- (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 instrument 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 instrument in use for trade, whether or not it would apart from this subsection be so treated.

[30/2005 wef 01/01/2006]

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.

[30/2005 wef 01/01/2006]

- (3) *[Deleted by Act 30/2005 wef 01/01/2006]*

(4) Any person who contravenes subsection (1) or (2) 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.

[30/2005 wef 01/01/2006]

(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.

Weighing or measuring instruments for use for trade

7.—(1) This section shall apply to weighing or measuring instruments of such class or description as may be prescribed.

(2) No person shall —

- (a) supply for use for trade; or
- (b) use for trade, or have in his possession for use for trade, any weighing or measuring instrument to which this section applies unless —
 - (i) the instrument has been submitted to and passed as being fit for such use by an Authorised Verifier under section 7A or an inspector under section 7B; and

(ii) except as otherwise expressly provided under this Act or by regulations made under section 10, the instrument has been affixed with —

(A) a stamp; and

(B) an Accuracy Label,

indicating that it has been so passed, and both the stamp and Accuracy Label remain 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 weighing or measuring instrument in respect of which the offence was committed shall be liable to be forfeited.

(4) Where —

(a) in accordance with regulations made under section 10, any weighing or measuring instrument is passed as fit for use for trade and affixed with a stamp and an Accuracy Label only after it has been installed at the place where it is used for trade; and

(b) the instrument is subsequently dismantled and re-installed, whether in the same or some other place,

the instrument shall not be used for trade after being so re-installed until it has been retested by an Authorised Verifier or inspector.

(5) Any person who —

(a) knowingly uses any weighing or measuring instrument in contravention of subsection (4);

(b) knowingly causes or permits any other person so to use it; or

(c) knowing that the instrument is required under subsection (4) to be retested disposes of it to some other person without informing him of that requirement,

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

[30/2005 wef 01/01/2006]

Inspection and testing by Authorised Verifier

7A.—(1) Any person requiring any weighing or measuring instrument to which section 7 applies to be tested for its fitness for use for trade by an Authorised Verifier shall submit the instrument to the Authorised Verifier in such manner as the Authorised Verifier may require.

(2) An Authorised Verifier may charge such fee as he may determine for the testing of any weighing or measuring instrument submitted to him under subsection (1).

(3) On payment of such a fee, the Authorised Verifier shall inspect the weighing or measuring instrument and —

- (a) test the instrument for its fitness for use for trade by means of such method of testing, working standard and testing instrument as may be specified by the Controller; and
- (b) subject to the provisions of this Act and any regulations made under section 10, if the instrument being tested falls within the prescribed maximum permissible error, pass the instrument as being fit for use for trade and affix the instrument with a stamp and an Accuracy Label.

(4) If any difference arises between an Authorised Verifier and the person who submitted the weighing or measuring instrument being tested with respect to any method of testing, working standard or testing instrument used under subsection (3)(a), 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.

(5) Unless the Board otherwise allows, no Authorised Verifier shall pass, or affix a stamp or an Accuracy Label on, any weighing or measuring instrument submitted to him under subsection (1) unless a letter of pattern approval in respect of the pattern of that instrument has been issued by the Controller under section 8.

(6) Where any weighing or measuring instrument submitted to an Authorised Verifier under subsection (1) is of a pattern in respect of which a letter of pattern 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 Authorised Verifier shall not refuse to pass, or affix a stamp or an Accuracy Label on, the instrument on the ground that it is not suitable for use for trade.

(7) For the purposes of subsection (6), if the Authorised Verifier is of the opinion that the weighing or measuring instrument is intended for use for trade for a particular purpose for which it is not suitable, he may refuse to pass it as fit for use for trade, or affix a stamp or an Accuracy Label on it, until the matter has been referred to the Controller whose decision shall be final.

(8) Where an Authorised Verifier refuses to pass as fit for use for trade any weighing or measuring instrument, the Authorised Verifier shall —

- (a) immediately give to the person in charge of that instrument notice in writing of his refusal in such form as the Controller may require; and
- (b) as soon as practicable, send a copy of the notice to the Controller.

(9) Where it is not possible or practicable to give a notice under subsection (8)(a), the Authorised Verifier shall attach the notice to the weighing or measuring instrument to which the notice relates.

(10) Every Authorised Verifier shall —

- (a) keep a record of —
 - (i) every inspection and test carried out by him under subsection (3); and
 - (ii) every instance in which the Authorised Verifier breaks any stamp affixed on any weighing or measuring instrument; and
- (b) submit to the Controller, in such form, comprising such information and within such time as the Controller may require, together with such fee as may be prescribed —
 - (i) a report on every inspection and test carried out by him under subsection (3); and

- (ii) a report on every instance in which the Authorised Verifier breaks any stamp affixed on any weighing or measuring instrument.

(11) Any Authorised Verifier who fails to keep any record referred to in subsection (10)(a) shall be guilty of an offence.

[30/2005 wef 01/01/2006]

Inspection and testing by inspector

7B.—(1) Any person requiring any weighing or measuring instrument to which section 7 applies to be tested for its fitness for use for trade by an inspector shall submit the instrument to the inspector in such manner as the Controller may direct.

(2) On payment by the person referred to in subsection (1) of the prescribed fee, the inspector shall inspect the weighing or measuring instrument and —

- (a) test the instrument by means of such method of testing, working standard and testing instrument as he considers appropriate or, subject to any condition which may be prescribed, by means of any other instrument which has already been tested and which the inspector considers suitable for the purpose; and
- (b) subject to the provisions of this Act and any regulations made under section 10, if the instrument submitted falls within the prescribed maximum permissible error, pass the instrument as being fit for use for trade and affix the instrument with a stamp and an Accuracy Label.

(3) If any difference arises between an inspector and the person who submitted the weighing or measuring instrument for testing with respect to any method of testing, working standard or testing instrument used under subsection (2)(a), 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.

(4) Unless the Board otherwise allows, no inspector shall pass, or affix a stamp or an Accuracy Label on, any weighing or measuring instrument submitted to him under subsection (1) unless a letter of

pattern approval in respect of the pattern of that instrument has been issued by the Controller under section 8.

(5) Where any weighing or measuring instrument submitted to an inspector under subsection (1) is of a pattern in respect of which a letter of pattern 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 affix a stamp or an Accuracy Label on, the instrument on the ground that it is not suitable for use for trade.

(6) For the purposes of subsection (5), if the inspector is of the opinion that the weighing or measuring instrument is intended for use for trade for a particular purpose for which it is not suitable, he may refuse to pass it as fit for use for trade, or affix a stamp or an Accuracy Label on it, until the matter has been referred to the Controller whose decision shall be final.

(7) Every inspector shall keep a record of every inspection and test carried out by him under subsection (2).

(8) Nothing in this section or section 7 shall require any inspector to inspect, test or pass any weighing or measuring instrument as fit for use for the purpose of section 7 unless there is no Authorised Verifier able to do so without unreasonable delay.

[30/2005 wef 01/01/2006]

Approved patterns of instruments for use for trade

8.—(1) Any importer or manufacturer who intends, in the course of any trade or business, to supply in Singapore any weighing or measuring instrument to which section 7 applies shall —

- (a) submit in such manner as the Controller may require the pattern of that instrument to the Controller for examination, together with such fee as may be prescribed; and
- (b) obtain from the Controller a letter of pattern approval signifying the suitability of that instrument for use for trade.

(2) Any importer or manufacturer who, in the course of any trade or business, supplies in Singapore any weighing or measuring instrument in respect of which a letter of pattern approval from the Controller has not been obtained shall be guilty of an offence.

(3) Upon receipt of the pattern of a weighing or measuring instrument and any prescribed fee under subsection (1), the Controller shall, in such manner as may be prescribed, examine the suitability for use for trade of the pattern of the weighing or measuring instrument, having regard in particular to the principle, materials and methods used or proposed to be used in its construction.

(4) If, upon completion of the examination under subsection (3), the Controller is satisfied that the weighing or measuring instrument examined is suitable for use for trade, then, subject to section 9(2), he —

- (a) shall issue a letter of pattern approval of that pattern and cause particulars thereof to be published; and
- (b) may from time to time thereafter authorise such minor modifications thereof as he thinks fit and cause particulars of those modifications to be published.

(5) The requirements of subsection (4) as to the publication of the particulars of any pattern or modification shall not apply where the letter of pattern approval is issued subject to such a condition as is referred to in subsection (6).

(6) A letter of pattern approval issued under subsection (4) may be granted subject to a condition that, except with the consent of the Controller, the weighing or measuring instrument of the pattern approval in question shall be used for trade only for a specified period or a specified purpose.

(7) Any person who, knowing that a condition referred to in subsection (6) has been imposed with respect to any weighing or measuring instrument —

- (a) uses, or causes or permits any other person to use, that instrument in contravention of that condition; or

- (b) disposes of that instrument to any other person in a state in which it could be used for trade without informing that other person of that condition,

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

(8) The Controller, after consultation with such person appearing to him to be interested as he thinks fit, may at any time revoke any letter of pattern approval or authorisation granted under this section, and shall cause notice of any such revocation to be published.

(9) Where the Controller has revoked any letter of pattern approval or authorisation under subsection (8), any person who, knowing that the letter of pattern approval or authorisation has been revoked, and except as may be permitted by any fresh letter of pattern approval or authorisation granted in respect thereof —

- (a) uses for trade, or has in his possession for such use, or causes or permits any other person so to use, any weighing or measuring instrument of the pattern or incorporating the modification in question; or
- (b) disposes of any such instrument to any other person in a state in which it could be so used without informing that other person of the revocation,

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

(10) Any weighing or measuring instrument of a pattern in respect of which a letter of pattern approval has been granted under this section may, and in such cases as may be prescribed, shall, be marked in such manner as may be prescribed so as to identify it with the pattern in question.

[30/2005 wef 01/01/2006]

General specifications of instruments for use for trade

9.—(1) The Minister may by regulations prescribe general specifications for the construction of weighing or measuring instruments to which section 7 applies.

[30/2005 wef 01/01/2006]

(2) Subject to subsection (4), where any general specification is for the time being prescribed under subsection (1), no letter of pattern approval shall be issued under section 8 in respect of the pattern of any weighing or measuring instrument unless the pattern complies with the prescribed general specifications.

[30/2005 wef 01/01/2006]

(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 instrument which conformed with that specification but which to his knowledge no longer conforms to any specification to prescribed, or disposes of any such instrument 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 instrument shall be liable to be forfeited.

[30/2005 wef 01/01/2006]

(4) Where, in the case of any particular instrument, the Controller is of the opinion that there are special circumstances which make it impracticable or unnecessary for that instrument to comply with any particular requirement of any specification prescribed under this section, the Controller may exempt that instrument 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 instrument by virtue of this subsection, he shall be guilty of an offence and the instrument shall be liable to be forfeited.

[30/2005 wef 01/01/2006]

(5) *[Deleted by Act 30/2005 wef 01/01/2006]*

Regulations relating to weighing or measuring instruments for trade

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

- (a) the materials and principles of construction of weighing or measuring instruments for use for trade;

- (b) the inspection, testing and passing as fit for use for trade of weighing or measuring instruments, and stamps and Accuracy Labels and the affixing thereof, including —
- (i) the circumstances in which the affixing of stamps and Accuracy Labels on such instruments are prohibited or are not necessary;
 - (ii) prohibiting the affixing of stamps or Accuracy Labels or both on prescribed instruments and requiring them to be affixed elsewhere;
 - (iii) the period for which stamps and Accuracy Labels are to remain in force;
 - (iv) the circumstances in which an inspector may remove or detain any such instrument for inspection or testing; and
 - (v) the marking of any such instrument found unfit for use for trade;
- (c) the circumstances in which, conditions under which and manner in which stamps may be obliterated or defaced and Accuracy Labels cancelled;
- (d) the retesting of weighing or measuring instruments passed as fit for use for trade;
- (e) the purposes for which particular types of weighing or measuring instruments may be used for trade;
- (f) the manner of erection or use of weighing or measuring instruments 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.

[30/2005 wef 01/01/2006]

(2) The regulations made under subsection (1) may provide that any contravention thereof is an offence punishable with a fine not exceeding \$2,000, and that any weighing or measuring instrument in

respect of which the contravention was committed shall be liable to be forfeited.

[30/2005 wef 01/01/2006]

(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 instrument by virtue of this subsection he shall be guilty of an offence and the instrument shall be liable to be forfeited.

[30/2005 wef 01/01/2006]

Offences in connection with affixing of stamps and Accuracy Labels on instruments

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

- (a) not being an Authorised Verifier or an inspector or a person acting under the instructions of an Authorised Verifier or inspector —
 - (i) inspects, tests or passes as fit for use for trade such instrument for the purposes of this Act;
 - (ii) affixes any stamp or Accuracy Label on such instrument; or
 - (iii) 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 or Accuracy Label;
- (c) removes any stamp or Accuracy Label and inserts it onto any other such instrument; or
- (d) makes any alteration in the instrument after it has been affixed with a stamp or an Accuracy Label such as to make it false or unjust,

shall be guilty of an offence.

(2) Subsection (1)(a)(iii) and (b) shall not apply to the destruction or obliteration of any stamp, plug, seal or Accuracy Label in the course of the adjustment or repair of any weighing or measuring instrument by, or by the duly authorised agent of, a person who is a manufacturer of, or regularly engaged in the business of repairing, such instrument.

(3) Any person who uses for trade or supplies any weighing or measuring instrument which to his knowledge —

(a) bears a stamp or an Accuracy Label which is a forgery or counterfeit, or which has been transferred from another instrument, 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 instrument after it has been affixed with a stamp or an Accuracy Label,

shall be guilty of an offence.

(4) Any weighing or measuring instrument in respect of which an offence under this section is committed, and any stamp or instrument for the affixing of stamps and Accuracy Labels used in the commission of the offence, shall be liable to be forfeited.

[30/2005 wef 01/01/2006]

Power to ban use of weighing or measuring instrument

12.—(1) The Minister may by order prohibit the use of any weighing or measuring instrument for such purposes as he may specify, notwithstanding that the weighing or measuring instrument 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 instrument should be discontinued for such purposes as may be specified in the order.

[30/2005 wef 01/01/2006]

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

[30/2005 wef 01/01/2006]

13. *[Repealed by Act 30/2005 wef 01/01/2006]***Other offences in connection with instruments**

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

[30/2005 wef 01/01/2006]

(2) Without prejudice to the liability of any weighing or measuring instrument to be forfeited, it shall be a defence for any person charged with an offence under subsection (1) to show —

(a) in respect of the use for trade of the weighing or measuring instrument, that —

(i) he used the instrument only in the course of his employment by some other person; and

(ii) he neither knew, nor had any reason to suspect, that the instrument was false or unjust; or

(b) in respect of the use for trade or the possession for use for trade of the weighing or measuring instrument, that —

(i) the use or possession of the instrument took place during a period of 12 months immediately following the month in which an Accuracy Label for the instrument was issued; and

(ii) he neither knew, nor had any reason to suspect, that the instrument was false or unjust.

[30/2005 wef 01/01/2006]

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

[30/2005 wef 01/01/2006]

Evidence of possession of instruments for use for trade

15. Where any weighing or measuring instrument 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 instrument in his possession for use for trade.

[30/2005 wef 01/01/2006]

PART IV

REGULATION OF CERTAIN TRANSACTIONS IN GOODS

Transactions in particular goods

16.—(1) The Minister may 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.

[1/80]

[30/2005 wef 01/01/2006]

(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 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.

[30/2005 wef 01/01/2006]

(4) The Minister may 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 [Cap. 344] and not sold or offered, exposed or in any person's possession for sale for any other use;
- (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 [Cap. 70] in a ship or aircraft on a voyage or flight to an eventual destination outside Singapore;
- (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.

[30/2005 wef 01/01/2006]

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.

Sale of goods in metric units

18.—(1) Subject to the provisions of this Part, any person who —

- (a) in relation to any matter, work, goods or other thing, makes or enters into any contract, or engages in any dealing or transaction, by reference to any weight or measure other than a weight or measure of the metric system;
- (b) uses for trade any weight or measure other than a weight or measure of the metric system;
- (c) uses for trade any weighing or measuring instrument other than a weighing or measuring instrument which weighs or measures only by reference to weights or measures other than weights or measures of the metric system; or
- (d) in the course of or for the purposes of any trade or business, uses, whether on any package, or in any price list or advertisement or otherwise, any unit of a weight or measure other than a weight or measure of the metric system, in advertising, displaying, or exposing goods for sale,

shall be guilty of an offence.

(2) Nothing in subsection (1)(d) shall apply to the use by any person of any unit of a weight or measure which is not a unit of a weight or measure of the metric system on any goods displayed or exposed for sale by retail or on the package of any such goods or on both if —

- (a) that unit is additional to a unit of a weight or measure of the metric system; and

- (b) that unit, the figures in which that unit and the numerical value of that unit are marked no larger than those of that metric weight or measure.

[30/2005 wef 01/01/2006]

Short weight, etc.

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.

(2) Subject to the provisions of this Part, any person who —

- (a) on or in connection with the sale or purchase of any goods;
- (b) in exposing or offering any goods for sale;
- (c) in purporting to make known to the buyer thereof the quantity of any goods sold; or
- (d) 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.

[30/2005 wef 01/01/2006]

(3) Any person who sells or offers or exposes for sale, or has in his possession for sale, by weight, measure or number, any goods enclosed in a package that states the quantity of the goods or that has a label attached to it stating the quantity of the goods shall be guilty of an offence if the weight, measure or number of the goods in the package is less than that stated on the package or label.

[30/2005 wef 01/01/2006]

(4) In subsection (3), “goods” includes catch weight goods.

[30/2005 wef 01/01/2006]

(5) For the purposes of subsection (3), the weight, measure or number of the goods (other than catch weight goods) in a package shall be deemed to be the same as that stated on the package or label on the package if —

- (a) the package meets the conditions prescribed by regulations made under section 37; or
- (b) the package is one package in a lot of packages that meets the conditions prescribed by regulations made under section 37.

[30/2005 wef 01/01/2006]

(6) It shall be a defence for any person charged with an offence under this section in respect of a package from a lot of packages containing desiccating goods to prove that —

- (a) at any time on the day the package was made up or during a period of 7 days beginning on the day after the day the package was made up —
 - (i) the weighed average quantity of any sample taken from the lot of packages, as determined in accordance with regulations made under section 37, was equal to or exceeded the quantity stated on the package or a label attached to it;
 - (ii) the number of non-standard packages in any sample taken from the lot of packages was equal to or less than the appropriate number specified for the purpose in regulations made under section 37; and
 - (iii) there were no inadequate packages in any sample taken from the lot of packages; or
- (b) at any time, after the close of the period specified in paragraph (a), a sample taken from the lot of packages contained no inadequate packages.

[30/2005 wef 01/01/2006]

(7) [Deleted by Act 30/2005 wef 01/01/2006]

(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 safeguards 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.

Offence relating to document containing particular statements

21A. 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.

[30/2005 wef 01/01/2006]

Offences due to default of third person

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 —

- (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.

Special powers of inspector with respect to certain goods

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,

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 or package of any pre-packed goods is broken open under subsection (1), the inspector shall not be under any obligation to re-seal the container or package or pay for the goods, whether on behalf of the Controller or otherwise.

[30/2005 wef 01/01/2006]

(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 instrument;
[30/2005 wef 01/01/2006]
- (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.

Check-weighing of certain road vehicles

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.

Power to make test purchases

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.

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 any weighing instrument 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 instrument; 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 instrument for such use is displayed in a position on the premises where it may be readily seen by any such prospective buyer.

[30/2005 wef 01/01/2006]

(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 instrument 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 instrument, if any, and of the operation, and of any indication of quantity given by any such instrument as the result of that operation.

[30/2005 wef 01/01/2006]

Selling by retail by weight, measure or number

28A.—(1) Any person who offers or exposes for sale by retail by weight, measure or number goods which are not pre-packaged when

so offered or exposed for sale shall weigh, measure or count the goods —

- (a) at the time of sale;
- (b) in the presence of the buyer; and
- (c) in the case of goods sold by weight or measure, by means of a suitable weighing or measuring instrument.

[30/2005 wef 01/01/2006]

(2) Any person who offers or exposes for sale by retail by weight, measure or number goods which are pre-packaged and weighed, measured or counted before they are so offered or exposed for sale at the premises or place where they are so offered or exposed for sale shall, at the request of the buyer, weigh, measure or count the goods —

- (a) in the presence of the buyer; and
- (b) in the case of goods sold by weight or measure, by means of a suitable weighing or measuring instrument.

[30/2005 wef 01/01/2006]

(3) Every weighing or measuring instrument used to weigh or measure goods for the purposes of this section and any necessary weights or measures shall be so situated that the weighing or measuring of the goods and the recorded or indicated weight or measurement of the goods can be easily seen by the buyer.

(4) Any person who contravenes this section shall be guilty of an offence.

[30/2005 wef 01/01/2006]

PART V

ADMINISTRATION

Administration of Act

29.—(1) The Board shall be responsible for the administration of this Act subject to the general and special directions of the Minister.

(2) The Board may appoint a Controller of Weights and Measures and such other number of inspectors of weights and measures and other officers as it thinks necessary (under whatever title the Board

may from time to time determine) for the purposes of this Act, who shall discharge their functions and duties, and exercise their powers, subject to the direction and control of the Board.

(3) All officers appointed under this Act shall be deemed to be public servants for the purposes of the Penal Code (Cap. 224).

[30/2005 wef 01/01/2006]

Appointment of Authorised Verifiers

29A.—(1) The Board may appoint any person to be an Authorised Verifier for the purposes of this Act and any subsidiary legislation made thereunder.

(2) Any person who desires to be appointed as an Authorised Verifier shall make an application for appointment to the Board in accordance with regulations made under this Act.

(3) No person shall —

- (a) engage in any work of an Authorised Verifier specified in this Act or any subsidiary legislation made thereunder; or
- (b) advertise or hold himself out or conduct himself in any way or by any means as a person who is authorised to act as an Authorised Verifier for any purpose under this Act or any subsidiary legislation made thereunder,

unless he has been appointed by the Board under subsection (1) as an Authorised Verifier.

(4) No Authorised Verifier shall, for the purposes of section 7A(3)(a), use any working standard or testing instrument which he knows or has reason to suspect is false or unjust.

(5) Any person who contravenes subsection (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

(6) Without prejudice to section 30, for the purposes of ensuring compliance by an Authorised Verifier with this Act or any subsidiary legislation made thereunder, an inspector may —

- (a) require the Authorised Verifier to produce within such period as the inspector may specify —
 - (i) any working standard or testing instrument used by that Authorised Verifier for the purposes of section 7A(3)(a), and may examine and test such standard and instrument; and
 - (ii) any document in the possession or under the control of that Authorised Verifier, and may take copies of or extracts from any such document;
- (b) require the Authorised Verifier to furnish, within such period as the inspector may specify, such information or particulars as the inspector may require; and
- (c) enter and inspect any premises at which the Authorised Verifier carries out any inspection or testing of any weighing or measuring instrument or the affixing of any stamp or Accuracy Label on such instrument.

(7) Any Authorised Verifier who fails to comply with any requirement under subsection (6) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both.

[30/2005 wef 01/01/2006]

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 instrument 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 instrument or goods, not being premises used only as a private dwelling-house.

[30/2005 wef 01/01/2006]

(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 instrument as may appear to him necessary.

[30/2005 wef 01/01/2006]

(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 [Cap. 68] and shall not be detained longer than is necessary for bringing him before a Magistrate's Court.

(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.

Power to require recall of weighing or measuring instrument supplied

31A.—(1) Where any person has supplied any weighing or measuring instrument which is, or which the Controller has reason to believe is, in contravention of this Act or any subsidiary legislation made thereunder, the Controller may require the person to effect a recall of any weighing or measuring instrument supplied by him.

(2) Any person who fails to comply with a requirement of the Controller made under subsection (1) shall be guilty of an offence.

[30/2005 wef 01/01/2006]

PART VI

MISCELLANEOUS

Obstruction of inspectors

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,

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.

Composition of offences

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.

(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.

Fees, etc., collected by Board

36A. All fees, charges and moneys collected under this Act, other than composition sums, shall be paid to the Board.

[30/2005 wef 01/01/2006]

Exemption

36B. The Board may, subject to the general or special directions of the Minister, and by order published in the *Gazette*, exempt —

- (a) any person or class of persons; and
- (b) any weighing or measuring instrument or class of weighing or measuring instruments,

from all or any of the provisions of this Act or any subsidiary legislation made thereunder, subject to such terms and conditions as the Board may impose.

[30/2005 wef 01/01/2006]

Regulations

37. The Minister may make regulations generally for carrying out the purposes and provisions of this Act and, in particular, may make regulations —

- (a) to provide for the form and manner of the application for appointment as an Authorised Verifier;
- (b) to provide for the qualifications and other requirements for Authorised Verifiers;
- (c) to provide for the conditions and duration of appointment of Authorised Verifiers;
- (d) to provide for the practice and conduct of Authorised Verifiers, including the carrying out of any work of

Authorised Verifiers specified in this Act or any subsidiary legislation made thereunder, the use of any means of giving publicity to their practice and the use of titles and qualifications;

- (e) to prohibit absolutely or conditionally, or to regulate the manufacture, import or supply of any weighing or measuring instrument, whether in all cases or in any specified case or class of cases and subject to such exceptions as may be made by the regulations;
- (f) to require the registration of —
 - (i) any weighing or measuring instrument; and
 - (ii) any person involved in the manufacture, import or supply of any weighing or measuring instrument, whether in all cases or in any specified case or class of cases and subject to such exceptions as may be made by the regulations;
- (g) to provide for the determination of the weighed average quantity of goods for the purposes of section 19, including —
 - (i) the statistical basis or method by which packages are to be selected for counting, examining, measuring or weighing;
 - (ii) the statistical basis or method by which the minimum number of packages to be selected is to be set;
 - (iii) the circumstances, if any, in which the minimum number of packages to be selected may be varied;
 - (iv) the maximum amount of error allowed in the weight, measure or number of goods in a single selected package; and
 - (v) the maximum amount of error allowed in the weight, measure or number of goods in a group of selected packages examined at one time;

- (h) to prescribe fees and charges for any purpose of this Act or any subsidiary legislation made thereunder; and
- (i) to prescribe anything which is to be or may be prescribed under this Act.

[30/2005 wef 01/01/2006]

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.

Application to the Government

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.

(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.

Savings

40.—(1) The Minister may by regulations prescribe the transactions in which, notwithstanding anything in this Act, it shall be lawful to use any unit of the local customary weights and measures as may be specified in the Third Schedule and having the values defined therein.

(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.

(3) Where any weighing or measuring instrument was being used for trade immediately before the date of commencement of the

Weights and Measures (Amendment) Act 2005 in compliance with this Act in force immediately before that date —

- (a) nothing in section 7 shall prevent the continued use for trade of that weighing or measuring instrument notwithstanding that it does not have an Accuracy Label affixed to it; and
- (b) subject to subsection (4), nothing in section 7A or 7B shall prevent the weighing or measuring instrument from being affixed with a stamp or Accuracy Label notwithstanding that no letter of pattern approval has been issued in respect of that weighing or measuring instrument.
- (4) Subsection (3)(b) shall not apply to any weighing or measuring instrument specified by the Board in a notification published in the *Gazette*.

[30/2005 wef 01/01/2006]

Transitional provision

41. Notwithstanding the repeal of the Weights and Measures Act [1970 Ed., Cap. 263], 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.

FIRST SCHEDULE

Sections 3(2) and 6(1), (5), (6) and (7)

DEFINITIONS OF UNITS OF MEASUREMENT (METRIC UNITS)

PART I

Measurement of Length

Kilometre	=	1000 metres
Metre	=	The metre as defined under the Convention of the Metre 1875
Decimetre	=	1/10 metre
Centimetre	=	1/100 metre
Millimetre	=	1/1000 metre.

FIRST SCHEDULE — *continued*

PART II

Measurement of Area

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 decimeter	=	1/100 square metre
Square centimeter	=	1/100 square decimeter
Square millimeter	=	1/100 square centimetre.

PART III

Measurement of Volume

Cubic metre	=	A volume equal to that of a cube each edge of which measures one metre
Cubic decimeter	=	1/1000 cubic metre
Cubic centimeter	=	1/1000 cubic decimeter

PART IV

Measurement of Capacity

Hectolitre	=	100 litres
Litre	=	1/1000 cubic metre
Decilitre	=	1/10 litre
Centilitre	=	1/100 litre
Millilitre	=	1/1000 litre.

PART V

Measurement of Mass or Weight

Metric ton	=	1000 kilograms
Quintal	=	100 kilograms

FIRST SCHEDULE — *continued*

Kilogram	=	The kilogram as defined under the Convention of the Metre 1875
Hectogram	=	1/10 kilogram
Gram	=	1/1000 kilogram
Carat (metric)	=	1/5 gram
Milligram	=	1/1000 gram.

[30/2005 wef 01/01/2006]

SECOND SCHEDULE

Section 4(3), (6) and (7)

MEASURES AND WEIGHTS (METRIC SYSTEM)

PART I

Linear Measure

Measures of —

20 metres	100 millimetres
10 metres	50 millimetres
2 metres	20 millimetres
1 metre	10 millimetres
500 millimetres	1 decimetre
200 millimetres	1 centimetre.

PART II

Measures of Volume

Measures of —

any multiple of 1 cubic decimetre in cubic form	100 millilitres
10 litres	50 millilitres
5 litres	20 millilitres
2 litres	10 millilitres
1 litre	5 millilitres
500 millilitres	2 millilitres

SECOND SCHEDULE — *continued*

200 millilitres

1 millilitre.

PART III

Weights

1. Weights of —

1000 kilograms	4 grams
500 kilograms	3 grams
250 kilograms	2 grams
100 kilograms	1 gram
50 kilograms	500 milligrams
20 kilograms	400 milligrams
15 kilograms	300 milligrams
10 kilograms	200 milligrams
5 kilograms	150 milligrams
2 kilograms	0.5 milligrams
1 kilogram	0.2 milligrams
15 grams	0.1 milligrams.

2. 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).

[30/2005 wef 01/01/2006]

THIRD SCHEDULE

Section 40

CUSTOMARY WEIGHTS

1 Hoon = 1/10 Chee = ... = 0.377994 grams

1 Chee = 1/10 Tahil = ... = 3.77994 grams

1 Tahil = ... = 1 1/3 ozs = 37.7994 grams

16 Tahils = 1 Kati = 1 1/3 lbs = 0.6048 kilogram.

[30/2005 wef 01/01/2006]

LEGISLATIVE HISTORY
WEIGHTS AND MEASURES ACT
(CHAPTER 349)

This Legislative History is provided for the convenience of users of the Weights and Measures Act. It is not part of the Act.

1. Act 51 of 1975 — Weights and Measures Act 1975

Date of First Reading	:	11 November 1975 (Bill No. 40/75 published on 11 November 1975)
Date of Second and Third Readings	:	20 November 1975
Date of commencement	:	1 January 1976

2. Act 1 of 1980 — Weights and Measures (Amendment) Act

Date of First Reading	:	11 December 1979 (Bill No. 1/79 published on 17 December 1979)
Date of Second and Third Readings	:	26 February 1980
Date of commencement	:	5 April 1980

3. 1985 Revised Edition — Weights and Measures Act
(G.N. No. S 22/1989 — Rectification Order)

Date of operation	:	30 March 1987
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4. Act 30 of 2005 — Weights and Measures (Amendment) Act 2005

Date of First Reading	:	18 July 2005 (Bill No. 20/2005 published on 19 July 2005)
Date of Second and Third Readings	:	15 August 2005
Date of commencement	:	1 January 2006

**5. Act 54 of 2007 — Agency for Science, Technology and Research
(Amendment) Act 2007**

(Consequential amendments made to Act by)

Date of First Reading	:	22 October 2007 (Bill No. 45/2007 published on 23 October 2007)
Date of Second and Third Readings	:	12 November 2007
Date of commencement	:	1 January 2008

6. Act 10 of 2018 — Enterprise Singapore Board Act 2018

Date of First Reading	:	8 January 2018 (Bill No. 3/2018 published on 8 January 2018)
Date of Second and Third Readings	:	5 February 2018
Date of commencement	:	1 April 2018