



ANALYSIS

Title
1. Short Title

2. Weighing and measuring of goods sold by retail
3. Use of metric and Imperial denominations for the purposes of sale by retail

1977, No. 182

An Act to amend the Weights and Measures Act 1925

[23 December 1977]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the *Weights and Measures Amendment Act 1977*, and shall be read together with and deemed part of the *Weights and Measures Act 1925* (hereinafter referred to as the principal Act).

2. Weighing and measuring of goods sold by retail—The principal Act is hereby amended by repealing section 20, and substituting the following section:

“20. (1) Where any person offers or exposes any goods for sale by retail by weight or measure in a shop or other place, or in any vehicle, pack, basket, or other receptacle, he shall—

“(a) At the request of a purchaser to whom any such goods are sold as being of a given weight or measure, or of an Inspector, weigh or measure them in the presence of the purchaser; and

“(b) Subject to subsection (2) of this section, have in a convenient place, in the shop, place, or vehicle, a suitable weighing instrument or measure, with the necessary weights for weighing such goods, which convenient place shall be a place—

“(i) To which the purchaser has or may be given access; and

“(ii) That is, where the goods are not pre-packaged when offered or exposed for sale, capable of being easily seen by the purchaser at the time of purchase.

“(2) Subsection (1) (b) of this section shall not apply where—

“(a) The only business carried on in the shop, place, or vehicle in which the goods are offered or exposed for sale is a business that is wholly or predominantly that of—

“(i) A tobacconist; or

“(ii) A barber or hairdresser; or

“(iii) A dairy or milk-bar; or

“(iv) A restaurant; or

“(v) A garage or service station; or

“(vi) A roadside seller of fruit or vegetables or both; or

“(vii) A seller of cake or bread or both; or

“(viii) A hardware store; or

“(ix) A business combining any two or more of the kinds of businesses mentioned in subparagraphs (i) to (viii) of this paragraph; and

“(b) The goods offered or exposed for sale are all pre-packaged; and

“(c) No prepacking is carried out in the shop, place, or vehicle.

“(3) The weighing or measuring required by subsection (1) (a) of this section shall be carried out—

“(a) In any case where there is a suitable weighing or measuring instrument or measure in the shop, place, or vehicle, forthwith; and

“(b) In any other case, as soon as practicable having regard to the time and place at which the request of the purchaser is made.

“(4) Every person commits an offence who contravenes any provision of this section or refuses or fails to comply, in accordance with this section, with any request, made under subsection (1) (a) of this section, to weigh or measure any goods.”

3. Use of metric and Imperial denominations for the purposes of sale by retail—Section 4 of the Weights and Measures Amendment Act 1976 is hereby amended by adding the following subsection:

“(3) It shall not be an offence against subsection (1) of this section for any person to use any denomination of an Imperial weight or measure in advertising, displaying, or exposing, for sale by retail, any goods or class of goods in respect of which any regulations made under section 3 (1) (c) of this Act are in force if—

- “(a) The Imperial denomination is additional to one or more of the weights or measures of the metric system; and
- “(b) The type or letters used to show the metric denomination is at least twice the size of the type or letters used to show the Imperial denomination; and
- “(c) The Imperial denomination is not given greater prominence than the metric denomination; and
- “(d) The use of the Imperial denomination takes place before the 30th day of June 1979 or such later date as may be appointed for the purposes of this paragraph by the Governor-General by Order in Council.”

This Act is administered in the Department of Labour.
