

1978/271



**THE WEIGHTS AND MEASURES REGULATIONS 1926-1951,
AMENDMENT NO. 13**

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 9th day of October 1978

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Weights and Measures Act 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Weights and Measures Regulations 1926-1951, Amendment No. 13, and shall be read together with and deemed part of the Weights and Measures Regulations 1926-1951* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of November 1978.

2. Examination fees—Part II of the principal regulations is hereby amended by revoking regulation 4A (as inserted by regulation 2 of the Weights and Measures Regulations 1926-1951, Amendment No. 11), and substituting the following regulation:

“4A. (1) Subject to subclauses (2) to (4) of this regulation, the examination fee shall be the highest of the following fees:

“(a) In the case of a weight, measure of capacity, or measure of length, \$10:

**Gazette*, 1927, Vol I, p. 25 (Reprinted with Amendments Nos. 1 to 8: S.R. 1967/34)
Amendment No. 9: S.R. 1971/215
Amendment No. 10: S.R. 1973/40
Amendment No. 11: S.R. 1975/298
Amendment No. 12: S.R. 1977/24

“(b) In the case of a weighing or measuring instrument which is presented for examination at the office of the Chief Inspector, \$30:

Plus, in the case of a digital weighing instrument fitted with a computer, an additional fee of \$15:

“(c) In the case of a weighing or measuring instrument which is not presented for examination at the office of the Chief Inspector, \$25:

Plus, for each series of tests undertaken by or at the direction of the Chief Inspector as part of the examination, fees equivalent to the fees prescribed by Part IV of these regulations:

“(d) In the case of a farm milk tank or a bulk tank, \$20:

“(2) If a weighing or measuring instrument submitted for examination under regulation 4 of this Part of these regulations is also a device for ticket printing, multi recording, or blending or which can be operated by remote control or has any other special feature, the examination fee payable under that regulation shall be the appropriate fee prescribed by subclause (1) of this regulation plus an additional sum of \$15.

“(3) In the case of an automatic weighing instrument fitted with a feeding system, a site approval fee of \$10 shall be payable in addition to the fee or fees payable in accordance with subclauses (1) and (2) of this regulation.

“(4) Where the submission involves only a variation of an approval of the Chief Inspector which is for the time being in force, the fees payable under this regulation (other than any fees payable pursuant to the proviso to paragraph (c) of subclause (1) of this regulation) shall be one-half of the fees that would otherwise be payable in respect of the weight, measure, or instrument under subclauses (1) to (3) of this regulation.”

3. New scale of fees prescribed—(1) The principal regulations are hereby amended by revoking Part IV (as substituted by regulation 4 of the *Weights and Measures Regulations 1926-1951, Amendment No. 11*), and substituting the Part IV set out in the Schedule to these regulations.

(2) Regulation 4 of, and the Schedule to, the *Weights and Measures Regulations 1926-1951, Amendment No. 11*, are hereby consequentially revoked.

4. Sale of barbecue fuel—Part VII of the principal regulations (as substituted by regulation 5 (1) of the *Weights and Measures Regulations 1926-1951, Amendment No. 11*) is hereby amended by inserting in regulation 2, after subclause (1), the following subclause:

“(1A) Notwithstanding anything in subclause (1) of this regulation, barbecue fuel derived from coal may be sold by retail in a package that contains less than 10 kilograms net weight if, upon the outside of the package or upon a label firmly attached to the outside of the package, there are legibly written or printed—

- “(a) Words that indicate that the goods enclosed in the package are barbecue fuel; and
 “(b) The net weight of the barbecue fuel contained in the package.”

SCHEDULE

Reg. 3

NEW PART IV OF THE PRINCIPAL REGULATIONS
 “PART IV

“There shall be paid to the Chief Inspector and to every Inspector for the various matters set out in the Schedule to this Part the fees provided for in that Schedule.

“SCHEDULE TO PART IV

*Fees related to the Testing of Weights and Measures and of Weighing
 and Measuring Instruments*
Weights

	Verifying (or Reverifying) and Stamping
1. Avoirdupois—	
Each weight above 56 lb 	A fee calculated in accordance with clause 43 of this Schedule
Each weight of 50 lb or 56 lb 	50c
Each weight of 10 lb or of more than 10 lb but not more than 28 lb 	30c
Each weight of less than 10 lb 	20c
2. Metric (not being a weight to which clause 3 or clause 4 of this Schedule applies)—	
Each weight above 20 kg 	A fee calculated in accordance with clause 43 of this Schedule
Each weight of 20 kg 	50c
Each weight of 5 kg or of more than 5 kg but not more than 10 kg 	30c
Each weight of less than 5 kg 	20c
3. Metric (not being a weight to which clause 4 of this Schedule applies)—	
Each weight of less than 100 g intended for pharmaceutical use 	25c
4. Metric (graduated in metric carats)	
Each weight above 5000 carats 	50c
Each weight of 500 carats or of more than 500 carats but not more than 5000 carats	30c
Each weight of less than 500 carats 	20c
5. Troy and Apothecary—	
Each weight of more than 50 oz 	50c
Each weight of 2 oz or of more than 2 oz but not more than 50 oz 	30c
Each weight of less than 2 oz 	20c

SCHEDULE—*continued*

Measures of Length

	Verifying (or Reverifying) and Stamping
6. Each measure, a minimum fee of	50c
Plus, for each Imperial measure that exceeds 1 yard and for each metric measure that exceeds 1 metre, a fee, for each complete yard or metre, after the first, of	15c

Measures of Capacity

7. Metric measures of not more than 250 litres capacity and Imperial measures of not more than 50 gallons capacity—	
(a) Each metric measure with a capacity of more than 20 litres and each Imperial measure with a capacity of more than 5 gallons	\$1.00
Plus, for each complete 5 litres in excess of 20 litres and for each com- plete gallon in excess of 5 gallons	20c
(b) Each metric measure with a capacity of 10 litres or of more than 10 litres but not more than 20 litres and each Imperial measure with a capacity of 2 gallons or of more than 2 gallons but not more than 5 gallons, for each complete 5 litres and for each com- plete gallon respectively	25c
(c) Each metric measure with a capacity of more than 2 litres but less than 10 litres and each Imperial measure with a capacity of more than 1 quart but less than 2 gallons	25c (except as provided in clause 8 of this Schedule)
(d) Each metric measure with a capacity of more than 500 millilitres but not more than 2 litres and each Imperial measure with a capacity of more than 1 pint but not more than 1 quart	20c (except as provided in clause 8 of this Schedule)
(e) Each metric measure with a capacity of not more than 500 millilitres and each Imperial measure with a capacity of not more than 1 pint	15c (except as provided in clause 8 of this Schedule)

SCHEDULE—*continued*

	Verifying (or Reverify- ing) and Stamping
(f) Each denominated subdivision of a subdivided measure	10c
8. Where measures of the same capacity (being a capacity of less than 10 litres) are submitted in quantities of 200 or more and the person submitting them provides special testing facilities and assistance in testing, the fees payable under paragraph (c), paragraph (d), or paragraph (e) of clause 7 of this Schedule shall be reduced by 50 percent.	
9. Farm milk and other measuring tanks with a capacity (where metric measurement is used) of more than 250 litres or (where Imperial measurement is used) of more than 50 gallons—	
(a) When verified at makers works where special bulk testing facilities and assistance in testing are provided—	
(i) Each tank, if the tanks submitted for testing on the one visit have a total capacity of at least 13,500 litres or 3,000 gallons, for every 50 litres or 10 gallons of capacity	15c
(ii) Each tank in any other case, for every 50 litres or 10 gallons of capacity	20c
(b) When verified (in the case of a farm milk tank) at a place other than the maker's works	A fee calculated in accordance with clause 43 of this Schedule
(c) When verified in circumstances other than those set out in paragraph (a) or paragraph (b) of this clause, a minimum, for each tank, of	\$5.00
Plus an additional fee, for each complete 50 litres in excess of 250 litres or for each complete 10 gallons in excess of 50 gallons, of	50c
(d) Where the Inspector sets out a graduated scale for engraving, a fee calculated in accordance with clause 43 of this Schedule	
(e) Where the level of any tank (including a farm milk tank) is tested at the installation site, a fee for the test shall be \$2.50:	

SCHEDULE—*continued*

Verifying (or Re-verifying) and Stamping

- (f) Where the level of any tank (including a farm milk tank) is adjusted at the installation site, the fee for carrying out that adjustment shall be \$5:

Provided that if the person responsible for the installation of the tank, or a person acting on his behalf, provides competent assistance in the carrying out of the adjustment of the level of the tank, the fee shall be reduced to \$2.50:

- (g) Where the conversion of a tank (including a farm milk tank) from Imperial measurement to metric measurement is effected by the superimposing of a graduated scale, the fee for the verification of that conversion shall be—

(i) If the verification takes place in conjunction with a test of level in respect of which a fee is payable under paragraph (e) of this clause

\$1.00

(ii) In any other case

\$2.50

Bottles Serving as Measures

10. Bottles which when filled serve as measures of capacity—

(a) When submitted in lots of 500 or more of the same type and capacity, per each 500

\$1.00

(b) For similar lots of less than 500, per 100 or part thereof

50c

Adjusting Fees, Rejection Fees, and Minimum Charge

11. For adjusting or rejecting weights and common measures of capacity, fees equivalent to those prescribed for verifying and stamping will be charged.

12. The minimum charge to any one person for verifying and stamping weights or measures produced at one time, shall be—

(a) If the verification is undertaken at the office of an Inspector

50c

(b) In any other case

\$2.00

SCHEDULE—continued

Weighing Instruments

	Verifying (or Reverify- ing) and Stamping
13. Weighing instruments (not being automatic weighing instruments) with a capacity (where metric measurement is used) of more than 1 tonne or (where Imperial measurement is used) of more than 1 ton—	
Each instrument	\$15.00
Plus—	
(a) For each tonne of capacity (in excess of 1 tonne) in respect of which the instrument is tested	50c
(b) For each ton of capacity (in excess of 1 ton) in respect of which the instrument is tested	50c
(c) For the remainder of the capacity (where the capacity in respect of which the instrument is tested is not a whole number of tonnes or tons, as the case may require)	50c
14. Where additional features on any weighing instrument to which clause 13 of this Schedule applies are tested, there shall be payable, in addition to the fees prescribed by that clause—	
(a) In respect of each such feature that consists of an associated printing device, a fee of \$2.50:	
(b) In respect of each such feature that consists of a display (additional to the first tested), a fee of \$5:	
Plus, where a second Inspector is required to be associated with the testing because of the remoteness of the additional display from the weighing instrument, a fee for the second Inspector's time, which fee shall be calculated in accordance with clause 43 of this Schedule.	
15. Where a weighing instrument to which clause 13 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee shall be charged, which fee (with a minimum of \$10 plus 50c for each tonne or ton for which the instrument is tested) shall be calculated at half the rate specified in clause 43 of this Schedule.	

SCHEDULE—*continued*

	Verifying (or Reverifying) and Stamping
16. Weighing instruments (not being self-indicating scales or automatic weighers) with a capacity (where métric measurement is used) of not more than 1 tonne or (where Imperial measurement is used) of not more than 1 ton—	
(a) Not exceeding 1 kg or 2 lb in capacity respectively, each	\$2.00
(b) Exceeding 1 kg or 2 lb in capacity but not exceeding 15 kg or 30 lb in capacity respectively, each	\$3.00
(c) Exceeding 15 kg or 30 lb in capacity respectively, a minimum, for each such instrument, of	\$4.00
Plus, in the case of any such instrument with a capacity of more than 50 kg or 100 lb,—	
(i) For each 50 kg (after the first 50 kg) of the capacity of the instrument	50c
(ii) For each 100 lb (after the first 100 lb) of the capacity of the instrument	50c
(iii) For the remainder of the capacity of the instrument (where that capacity is not divisible, without remainder, by 50 kg or 100 lb, as the case may require)	50c
NOTE—The fees prescribed for instruments to which this clause applies include the stamping of one set of proportional weights where such are used; duplex or dual sets of such weights for such instruments will be charged at one-half the rate prescribed for the instrument.	
17. Where a weighing instrument to which clause 16 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee shall be charged, which fee—	
(a) In the case of a weighing instrument to which clause 16 (a) or clause 16 (b) of this Schedule applies, shall be the equivalent of the verification fee:	
(b) In the case of a weighing instrument to which clause 16 (c) of this Schedule applies, shall be the equivalent of the fee that would have been charged if	

SCHEDULE—*continued*

	Verifying (or Reverify- ing) and Stamping
the instrument had been verified for the actual weight in respect of which it was tested.	
18. Self-indicating weighing instruments with a capacity (where metric measurement is used) of not more than 1 tonne or (where Imperial measurement is used) of not more than 1 ton—	
(a) Not exceeding 2 kg or 4 lb in capacity respectively, each	\$2.50
(b) Exceeding 2 kg or 4 lb but not exceeding 15 kg or 30 lb in capacity respectively, each	\$3.50
(c) Exceeding 15 kg or 30 lb in capacity respectively, a minimum, for each such instrument, of	\$4.50
Plus, in the case of any such instrument with a capacity of more than 50 kg or 100 lb,—	
(i) For each 50 kg (after the first 50 kg) of the capacity of the instrument	50c
(ii) For each 100 lb (after the first 100 lb) of the capacity of the instrument	50c
(iii) For the remainder of the capacity of the instrument (where that capacity is not divisible, without remainder, by 50 kg or 100 lb, as the case may require)	50c
19. Where additional features on any self-indicating weighing instrument to which clause 18 of this Schedule applies are tested, there shall be payable, in addition to the fees prescribed by that clause—	
(a) In respect of each such feature that consists of an associated printing device, a fee of	\$1.00
(b) In respect of each such feature that consists of a digital computer, a fee of	\$1.50
(c) In respect of each such feature that consists of a display (additional to the first tested), a fee of	\$1.50
Provided that where the testing of any such printing device or display takes additional time because of the remoteness of the device or display	

SCHEDULE—*continued*

Verifying (or Re-verifying) and Stamping

from the instrument, the additional time shall be charged for at the rate prescribed by clause 43 of this Schedule.

20. Where a self-indicating weighing instrument to which clause 18 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee shall be charged, which fee—
- (a) In the case of an instrument to which clause 18 (a) or clause 18 (b) of this Schedule applies, shall be the equivalent of the verification fee:
 - (b) In the case of an instrument to which clause 18 (c) of this Schedule applies, shall be the equivalent of the fee that would have been charged if the instrument had been verified for the actual weight in respect of which it was tested.
21. Personal weighing instruments for the use of which a charge is made, each **\$3.50**
22. Where a weighing instrument to which clause 16 or clause 18 or clause 21 of this Schedule applies is tested at the Inspector's office or at a weighing machine servicing establishment where assistance is provided to the Inspector, the fee payable (including any fee payable under clause 19 of this Schedule) shall be half the fee that would otherwise have been charged.
23. Where weighing instruments are graduated in centals read '100 lb' in place of '1 cwt' and '2,000 lb' in place of '1 ton'.
24. In the case where a dual form of graduation has been approved, e.g., avoirdupois and metric, the fee for each instrument shall be the fee otherwise applicable plus 50 percent.
25. Automatic weighing, semi-automatic weighing, and automatic weight totalising instruments—
- (a) Each complete weighing unit with a capacity (where metric measurement is used) of not more than 10 kg or (where Imperial measurement is used) of not more than 20 lb **\$5.00**

SCHEDULE—*continued*

	Verifying (or Reverify- ing) and Stamping
(b) Each complete weighing unit with a capacity (where metric measurement is used) of more than 10 kg or (where Imperial measurement is used) of more than 20 lb, a minimum, for each instrument, of	\$7.50
Plus, in the case of any such unit with a capacity of more than 125 kg or 250 lb,—	
(i) For each 125 kg (after the first 125 kg) of the capacity of the instrument	\$1.00
(ii) For each 250 lb (after the first 250 lb) of the capacity of the instrument	\$1.00
(iii) For the remainder of the capacity of the instrument (where that capacity is not divisible, without remainder, by 125 kg or 250 lb, as the case may require)	\$1.00
(c) Notwithstanding anything in paragraph (a) or paragraph (b) of this clause, where a semi-automatic weighing instrument can be tested by the direct application of standard weights, there shall be payable, instead of the fees prescribed by either of those paragraphs,	Fees calculated in accordance with clause 18 of this Sched- ule
(d) The fee per hour for each Inspector engaged on testing any automatic weight totalising instrument of the belt weighing type shall be \$10.	
26. Egg or poultry grading machines—	
With not more than 6 weighing stations, each machine	\$5.00
With more than 6 weighing stations, each machine	\$15.00
Provided that if the services of a second Inspector are required in order to carry out the verification of any egg or poultry grading machine the time of the second Inspector shall be charged for at the rate prescribed by clause 43 of this Schedule.	

SCHEDULE—*continued*

	Verifying (or Reverify- ing) and Stamping
27. Liquid fuel pumps (whether or not equipped with a price computer)—	
(a) Without pre-set delivery, remote control, blending or additional indicating devices, for each meter	\$3.50
(b) Where pre-set delivery, remote control, blending or additional indicating devices are provided, the fee shall be, for each meter in a pump	\$3.50
Plus 50 cents for each pre-set delivery, remote control, blending device, or additional indicating device.	
(c) Coin operated pumps, in addition to charges under paragraph (a) or paragraph (b) of this clause	\$2.00
28. Where a liquid fuel pump to which clause 27 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee of \$2 shall be charged.	

Flowmeters (other than those in Liquid Fuel Pumps) and Drum Filling Instruments

29. Drum filling measures or flowmeters used in static situations for drum filling, each	\$5.00
30. Where a measure or flowmeter to which clause 29 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee of \$3.50 shall be charged.	
31. Each static flowmeter used for purposes other than drum filling	A fee calculated in accordance with clause 43 of this Schedule
32. Each flowmeter fitted to a mobile tanker, being a flowmeter—	
(a) That is shown by the test to measure not above 300 litres or 65 gallons per minute	\$7.50
(b) That is shown by the test to measure above 300 litres or 65 gallons per minute	\$12.50
Provided that where any flowmeter fitted to a mobile tanker has an additional hose, the fee applicable under paragraph (a) or paragraph (b) of this clause shall be increased by \$2.	

SCHEDULE—*continued*

Verifying (or Re-verifying) and Stamping

33. Where a flowmeter fitted to a mobile tanker is rejected as incorrect or otherwise unsuitable, a rejection fee of \$5 shall be charged.
34. Oil and low flow domestic fuel oil meters, each \$3.50
Provided that, where such a meter is tested on a special test rig, the fee shall be \$2.
35. Where a meter to which clause 34 of this Schedule applies is rejected as incorrect or otherwise unsuitable, a rejection fee of \$2 shall be charged.
36. Where a temperature compensating device is fitted to any flowmeter to which clause 29, clause 31, clause 32, or clause 34 of this Schedule applies, the fee payable under that clause shall be increased by 50 percent.
37. For each printing device fitted to any flowmeter to which clause 29, clause 31, clause 32, or clause 34 of this Schedule applies, a fee of \$1 shall be charged.
38. For each additional indicator fitted to any flowmeter to which clause 29, clause 31, clause 32, or clause 34 of this Schedule applies, a fee of 50c shall be charged.

Area and Length Measuring Instruments

39. Area measuring instruments, for each instrument \$3.00
40. Length measuring instruments, for each instrument \$5.00
41. For each printing device fitted to any area or length measuring instrument, a fee of \$1 shall be charged.

General Provisions

42. Where any weight, measure, or weighing or measuring instrument is rejected as incorrect or otherwise unsuitable, a rejection fee shall be charged which fee (if no other fee is specifically prescribed in this Schedule as the rejection fee applicable in respect of that weight, measure, or weighing or measuring instrument) shall be equivalent to the fee set out in this Schedule for verifying (or reverifying) and stamping that weight, measure, or weighing or measuring instrument.
43. A fee at the rate of \$10 per hour, for each Inspector involved, shall be charged:
(a) For testing or verification work in respect of which no other fee is specifically prescribed by this Schedule:

SCHEDULE—*continued*

- (b) For testing to closer tolerances than those specified in these regulations:
- (c) For calibration work and special testing work, being, in both cases, work undertaken on request:
- (d) For work to which the fee specified in this clause is specifically applied by some other provision of this Schedule:

Provided that where any provision of this Schedule specifically provides for a fee to be based on a fraction of the rate specified in this clause, that provision shall have effect according to its tenor.

44. For the testing of weights or measures, or weighing or measuring instruments at premises other than an Inspector's office, owners shall, when requested, provide cartage for the necessary weights or other heavy equipment involved, and make available such equipment as an Inspector may require to perform suitable tests and such labour as is required to handle the weights and equipment:

Provided that, in the case of the testing of a weighbridge, the Inspector may arrange for the transportation of the test weights if the owner undertakes to pay the charges for their transportation.

45. For the testing of weighing and measuring instruments (other than on routine inspection) owners shall pay the travelling expenses of the Inspector, at a rate of 15 cents per kilometre, in addition to the other fees applicable under this Schedule.
46. When, in the carrying out of any inspection, any delays arise in matters associated therewith, being delays beyond the control of the Inspector, the waiting time associated with such delays may be charged at the rate of \$10 per hour per Inspector involved.
47. In any case where the Inspector at the request of or by agreement with the owner, makes an adjustment to any weighing machine or measuring instrument, a fee for this service shall be payable at the rate of \$10 per hour for the time determined by the Inspector as occupied in making and checking the effect of the adjustment."

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 November 1978, amend the Weights and Measures Regulations 1926-1951.

Regulation 2 amends Part II of the principal regulations by substituting a new regulation 4A relating to novel appliances. The new regulation 4A prescribes a new and increased scale of examination fees for such appliances.

Regulation 3 prescribes a new and increased scale of fees in relation to the testing of weights and measures and of weighing and measuring instruments.

Regulation 4 allows barbecue fuel derived from coal to be sold by retail in a package that contains less than 10 kilograms, net weight. The existing range of permissible net weights, the smallest of which is 10 kg, is the same as for coal.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 October 1978.

These regulations are administered in the Department of Labour.