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WEIGHTS AND MEASURES (NATIONAL STANDARDS) AMENDMENT  
BILL 1984

Date Introduced: 28 March 1984  
House: House of Representatives  
Presented by: Hon. B.O. Jones, M.P., Minister for  
Science and Technology

Short Digest of Bill

Purpose

To update the nomenclature of reference standards of physical quantities, to clarify the functions and powers of the National Standards Commission, to transfer responsibility for remaining metric conversion activities to the National Standards Commission from the Metric Conversion Board and to repeal the Metric Conversion Act 1970.

Background

The Commonwealth, under section 51(xv) of the Constitution, has power to make laws in respect of weights and measures and as a result it established the National Standards Commission in 1948. The Principal Act under which the Commission operates is the Weights and Measures (National Standards) Act, which was extensively revised in 1960. In practice, and by mutual agreement, the Commonwealth has limited the application of its power to legislation covering uniform measurement standards, whereas the States and Territories have legislated to regulate weighting and measuring practices in the market place. The activities are complementary, and combine to give Australia a uniform measuring system.

The National Standards Commission is responsible for establishing and maintaining legal units and standards of measurements for uniform application in Australia, and for approving the pattern of measuring instruments for use in trade to ensure accuracy and reliability in service. In the present era of rapid technological change, the States have looked to the Commission to play an increasing role in matters such as the promotion of uniform principles in State legislation relating to trade measurements, and giving effect to internationally agreed principles of measurement. As well, the range of responsibilities of the Commission has increased as trade measuring devices presented for pattern approval have become more complex, and are often integrated

with other devices such as computers. The Bill proposes to give legal effect to the increasingly important role undertaken by the Commission in this age of new technologies.

The Metric Conversion Board was established under the Metric Conversion Act 1970 as a transitional body to promote, help and guide conversion from the imperial to metric system of measurement. Metric conversion was substantially completed by 1980 and appointments to the Metric Conversion Board expired on June 30 1981. Some conversion is still ongoing, such as in industries reliant on long life equipment and in industries affected by international agreement, e.g. aviation.

A Bill which included some of these amendments was introduced into the House of Representatives in October 1982 but it lapsed without being debated after the March 1983 election.

### Main Provisions

Clause 4 amends the short title of the Weights and Measures (National Standards) Act 1960 to the National Measurement Act 1980.

Clause 5 amends the terminology of the hierarchy of standards of measurement in accord with current weights and measures practices, clarifies the definition of "instrument" and "pattern" in relation to an instrument for use in trade, defines "metric system of measurement" according to that used in the Metric Conversion Act 1970, and provides a definition of unit of measurement to facilitate prescription of certain terms, such as decibel, which are employed as units of measurement.

Clause 6 defines objects of the Act to include the objects of the Metric Conversion Act 1970 and deletes packaging, now covered by uniform State Legislation, from the ambit of the Weights and Measures (National Standards) Act 1960.

Clause 8 permits units of measurement prescribed as legal to be used in particular classes of transactions. This modifies the requirement that contracts must be made in terms of Australian legal units.

Clause 11 clarifies the relationship between a State primary standard and the Australian standards of measurement, and the procedure for verification of a State primary standard.

Clause 14 puts beyond doubt the validity of existing contracts made in terms of Australian legal units which subsequently cease to be Australian legal units and modifies the requirement that contracts be made only in terms of Australian legal units by permitting additional units to be used in specified classes of transactions.

Clause 18 provides for an increase in the membership of the Commission by two members, and thus allows consumer and industry representation on the Commission.

Clause 19 consolidates and sets out clearly the functions and powers of the Commission.

Clause 25 provides that pattern approval of an instrument be given subject to the retention of a sample of the instrument or part of the instrument to provide some assurance that the instrument so approved is representative of like instruments in the market place. As well, this clause provides that error tolerance of instruments may be specified on certificates of pattern approval.

Clause 26 increases the penalty for false representations in relation to the approval of patterns of instruments from \$200 to \$4,000 for a person and to \$20,000 for a body corporate.

Clauses 29 and 30 repeal the Metric Conversion Act 1970.

For further information, if required, contact:

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Science, Technology and  
Environment Group  
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