Commencement: 6 May 1966

CHAPTER 43

WEIGHTS

JR 7 of 1966

ARRANGEMENT OF SECTIONS

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SCHEDULE – Standard weights

WEIGHTS

To provide for the use of standard weights.

1. Interpretation

In this Act, unless the context otherwise requires –

"Minister" means the Minister responsible for trade and commerce;

"touring officer" means District Commissioners, Assistant District Commissioners, members of the police force, members of the Agricultural Department and such other persons as the Minister may designate for the purpose of examining weights or weighing instruments.

2. Standard weights

(1) The weights described in the Schedule shall be the principal standard weights of Vanuatu and shall be kept in safe custody by the Treasury.

(2) The Minister shall at intervals not exceeding 10 years cause the principal standard weights to be verified.

(3) The principal standard weights shall not without the consent of the Treasury be used for any purpose other than for verification as described in subsection (2) or for the comparison and the verification of the secondary weights described in section 3.

3. Secondary weights

(1) There shall be provided for each District a set of weights corresponding to the denominations of the principal standard weights. These sets shall be known as secondary standard weights and shall be verified by the Treasury at intervals not exceeding 5 years by comparison with the principal standard weights.

(2) The secondary standard weights shall be kept in safe custody by the District Commissioners and shall be issued by them to touring officers as required.

4. Prohibition of giving short weight

Subject to a reasonable variation no person –

(a) in purchasing any goods by weight shall take delivery of or cause delivery to be taken from the seller of a greater weight than is purported to be bought;

(b) in selling any goods by weight shall deliver or cause to be delivered a less weight than is purported to be sold.

5. Prohibition of possession of false weight

No person shall have in his possession any false weight or false weighing instrument.

6. Liability for contraventions of this Act

In any case where any false weight or false weighing instrument is used for trade by any person or is in the possession of any person as the agent or servant or any other person, the agent or servant and his principal or employer shall be severally liable in respect of any contravention of this Act.

7. Duties of touring officers

(1) Any touring officer may:

(a) inspect any premises, shop, vessel or vehicle wherein or in connection with which false weights or weighing instruments are used or transported for trade

or wherein or in connection with which they may be used or transported for trade;

(b) examine and test any weights or weighing instruments that may be used for trade;

(c) weigh or cause to be weighed in the presence of the person in charge of the same any goods in the course of sale.

(2) any person who wilfully obstructs any touring officer in the exercise or on the occasion of the exercise by him of his duties shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 20,000.

8. Offences and penalties

(1) Any person who acts in contravention of the provisions of sections 4 and 5 shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding VT 20,000.

(2) Where any person is convicted of an offence under the provisions of this section the court may order the confiscation of any weight or weighing machine involved in the said offence.

SCHEDULE

(section 2(1))

Standard Weights:

1 kilogram
5 kilograms
10 kilograms
20 kilograms