

# THE NORTHERN TERRITORY OF AUSTRALIA

No. 76 of 1978

## AN ORDINANCE

To amend the Weights and Measures (Packaged Goods) Ordinance

[Assented to 26 July 1978]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Weights and Measures (Packaged Goods) Ordinance 1978.

Short title

2. The Weights and Measures (Packaged Goods) Ordinance is in this Ordinance referred to as the Principal Ordinance.

Principal  
Ordinance

3.(1) Section 3(1) of the Principal Ordinance is amended -

Interpretation

(a) by inserting after the definition of "package" the following definition:

"'quantity' means, where used in relation to a pre-packed article -

(a) in the case of an article ordinarily sold by mass - the mass of the article contained in the package;

(b) in the case of an article ordinarily sold by volume - the volume of the article contained in the package;

(c) in the case of an article ordinarily sold by number - the quantity of the article contained in the package as counted by number; and

(d) in the case of an article ordinarily sold by reference to its dimensions - the dimensions of the article contained in the package;"

(b) by omitting the definition of "the metric system of measurement" and substituting the following definition:

"'the metric system of measurement' means the system of measurement in Commonwealth legal units of measurement within the meaning of the Weights and Measures (National Standards) Act 1960 related to the metre,

Weights and Measures (Packaged Goods)

the kilogram or the cubic metre;" and

(c) by adding at the end thereof the following definition:

"'weigh' means to determine the apparent mass of an object when weighed in air."

(2) Section 3 of the Principal Ordinance is amended by omitting sub-section (5).

Name, &c., of  
packer to be  
marked on  
packages

4. Section 7(1) of the Principal Ordinance is amended by inserting after "mark" the words ", in the prescribed manner,".

Packages to be  
marked with  
particulars of  
quantity

5.(1) Section 9(2) of the Principal Ordinance is amended by omitting "a statement of the weight or measure" and substituting ", in the prescribed manner, a statement of the quantity".

(2) Section 9(3) of the Principal Ordinance is amended by omitting "a statement of the weight or measure" and substituting ", in the prescribed manner, a statement of the quantity".

Incorrect  
quantity of  
pre-packed  
articles

6. Section 11(5)(a) of the Principal Ordinance is amended -

(a) by omitting "8 ounces or"; and

(b) by omitting "8 fluid ounces or".

Provisions  
applicable where  
quantity marked  
in different  
units of mea-  
surement

7. Section 14 of the Principal Ordinance is amended -

(a) by omitting sub-paragraph (i) from sub-section (1)(a) and substituting the following sub-paragraph:

"(i) in terms of the metric system of measurement;" and

(b) by omitting sub-section (2).

8. The Principal Ordinance is amended by inserting after section 15 the following section:

Marking of  
price per  
unit of  
quantity

"15A.(1) A person who packs an article shall, if the package containing that article is required by the regulations to be marked with a price per unit of quantity, mark that package with that price per unit in the prescribed manner.

Penalty: 200 dollars.

"(2) Subject to section 19, a person shall not sell an article, whether packed in or outside the Territory, the package of which is required by the regulations to be marked with a price per unit of quantity, unless that article is marked in the prescribed manner.

Penalty: 200 dollars."

Defences

9. Section 19(3) of the Principal Ordinance is amended -

- (a) by omitting from paragraph (f) "or"; and
- (b) by inserting after paragraph (f) the following paragraph:  
"(fa) section 15A(2); or".

10. Section 26(2) of the Principal Ordinance is amended by omitting "100" and substituting "200".

Penalties

11. Section 29(m) of the Principal Ordinance is amended by omitting "100" and substituting "200".

Regulations

12. The Principal Ordinance is amended as set out in the Schedule.

---

SCHEDULE

Section 12

1. The following sections of the Principal Ordinance are amended by omitting "weight or measure" (wherever occurring) and substituting "quantity":

Sections 3(4), 5(a), 5(b), 5(c), 6(1), 8(2)(a), 8(2)(b), 8(3)(a), 8(3)(b), 10(3)(a), 10(3)(b), 11(1)(a), 11(1)(b), 11(2), 11(3), 11(4), 11(5), 11(5)(a), 11(5)(b), 11(6)(a)(i), 14(1), 14(1)(a), 14(1)(b), 15(1)(a), 15(1)(c), 15(2), 15(2)(a), 16(1), 16(4)(a), 19(5)(d)(ii), 20(1)(c), 20(3), 20(3)(a), 27(3)(a), 28(a), 28(b), 29(f), 29(g), 29(h) and 29(k).

2. The following sections of the Principal Ordinance are amended by omitting "weight" (wherever occurring) and substituting "mass":

Sections 12(2)(a), 12(2)(b), 12(4)(a), 12(5)(a), 12(6), 12(6)(a), 12(6)(b), 12(7), 12(7)(a), 12(7)(b), 12(8), 12(9)(a)(i), 12(9)(b), 12(10), 12(10)(b), 12(11)(a)(i), 13(1)(a), 13(2)(a), 13(2)(b), 13(2)(c), 13(2)(d), 13(3), 13(3)(b), 13(3)(d), 13(4), 13(4)(a), 13(4)(c), 13(5)(a)(i), 13(6)(a), 13(6)(b) and 13(7).

3. Sections 11(6)(b), 14(1) and 29(b) of the Principal Ordinance are amended by omitting "weights or measures" (wherever occurring) and substituting "quantities".

4. Sections 12(2)(a), 12(9)(b), 12(11)(b) and 13(5)(b) are amended by omitting "weights" (wherever occurring) and substituting "masses".

1.0

2.0

3.0

4.0

5.0

6.0

7.0

8.0

9.0

10.0

11.0

12.0

13.0

14.0

15.0

16.0

17.0

18.0

19.0

20.0

21.0

22.0

23.0

24.0

25.0

26.0

27.0

28.0

29.0

30.0

31.0

32.0

33.0

34.0

35.0

36.0

37.0

38.0

39.0

40.0

41.0

42.0

43.0

44.0

45.0

46.0

47.0

48.0

49.0

50.0

51.0

52.0

53.0

54.0

55.0

56.0

57.0

58.0

59.0

60.0

61.0

62.0

63.0

64.0

65.0

66.0

67.0

68.0

69.0

70.0

71.0

72.0

73.0

74.0

75.0

76.0

77.0

78.0

79.0

80.0

81.0

82.0

83.0

84.0

85.0

86.0

87.0

88.0

89.0

90.0

91.0

92.0

93.0

94.0

95.0

96.0

97.0

98.0

99.0

100.0

101.0

102.0

103.0

104.0

105.0

106.0

107.0

108.0

109.0

110.0

111.0

112.0

113.0

114.0

115.0

116.0

117.0

118.0

119.0

120.0

121.0

122.0

123.0

124.0

125.0

126.0

127.0

128.0

129.0

130.0

131.0

132.0

133.0

134.0

135.0

136.0

137.0

138.0

139.0

140.0

141.0

142.0

143.0

144.0

145.0

146.0

147.0

148.0

149.0

150.0

151.0

152.0

153.0

154.0

155.0

156.0

157.0

158.0

159.0

160.0

161.0

162.0

163.0

164.0

165.0

166.0

167.0

168.0

169.0

170.0

171.0

172.0

173.0

174.0

175.0

176.0

177.0

178.0

179.0

180.0

181.0

182.0

183.0

184.0

185.0

186.0

187.0

188.0

189.0

190.0

191.0

192.0

193.0

194.0

195.0

196.0

197.0

198.0

199.0

200.0

201.0

202.0

203.0

204.0

205.0

206.0

207.0

208.0

209.0

210.0

211.0

212.0

213.0

214.0

215.0

216.0

217.0

218.0

219.0

220.0

221.0

222.0

223.0

224.0

225.0

226.0

227.0

228.0

229.0

230.0

231.0

232.0

233.0

234.0

235.0

236.0

237.0

238.0

239.0

240.0

241.0

242.0

243.0

244.0

245.0

246.0

247.0

248.0

249.0

250.0

251.0

252.0

253.0

254.0

255.0

256.0

257.0

258.0

259.0

260.0

261.0

262.0

263.0

264.0

265.0

266.0

267.0

268.0

269.0

270.0

271.0

272.0

273.0

274.0

275.0

276.0

277.0

278.0

279.0

280.0

281.0

282.0

283.0

284.0

285.0

286.0

287.0

288.0

289.0

290.0

291.0

292.0

293.0

294.0

295.0

296.0

297.0

298.0

299.0

300.0

301.0

302.0

303.0

304.0

305.0

306.0

307.0

308.0

309.0

310.0

311.0

312.0

313.0

314.0

315.0