

CHAPTER 340

THE WEIGHTS AND MEASURES ACT

[PRINCIPAL LEGISLATION]

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CHAPTER 340

THE WEIGHTS AND MEASURES ACT

An Act to revise and consolidate the law relating to weights and measures and to provide for the introduction of the International System of Units (SI) and for related matters.

[15th May, 1983]

[G.N. No. 59 of 1983]

Acts Nos.

20 of 1982

8 of 1983

G.Ns. Nos.

38 of 1983

184 of 1984

188 of 1993

614 of 1995

128 of 1996

PART I

PRELIMINARY PROVISIONS (ss 1-2)

[PCh340s1]1. Short title

This Act may be cited as the Weights and Measures Act.

[PCh340s2]2. Interpretation Act No. 8 of 1983 Sch.; G.N. No. 38 of 1983

(1) In this Act, unless the context otherwise requires—

"approved pattern" means a pattern of any weighing or measuring instrument approved by the Minister;

"assizer" means a Weights and Measures Officer appointed under section 14 of this Act, and also means the Commissioner and the Assistant Commissioner;

"Commissioner" means the Commissioner of Weights and Measures appointed under section 14 of this Act;

"Committee" means the Weights and Measures Committee appointed under section 17;

"container" means any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by attaching the goods around some other articles, and includes a wrapper or confining band;

"correct" in relation to a weight, measure, weighing instrument, means correct within such limits of error and with such sensitiveness as may be prescribed;

"custodians" means the custodians of the secondary standards referred to in section 6;

"error" in reference to a weighing instrument includes deficiency in sensitiveness;

"General Conference" means the General Conference of Weights and Measures from time to time convened by the International Bureau of Weights and Measures;

"International Bureau" means the International Bureau of Weights and Measures established by the Metric Convention;

"International System of Units" "SI" means the system of units referred to in section 3 of this Act;

"human food" includes every article used for food or drink by man;

"just" means any weight, measure, weighing or measuring instrument which does not have an error greater than the prescribed limits of error;

"metric carat weight" has the meaning assigned to it in Part V of the Seventh Schedule;

"metric system" means the base, supplementary, derived and special or permitted units of the International System of Units;

"Minister" means the Minister responsible for Trade;

"National Standards" means the National Reference Standards of weight and measure maintained by the Tanzania Bureau of Standards under section 4 of the Standards Act *;

"net weight" means the weight of any good excluding the weight of its container;

"premises" includes any place whether open or enclosed, and any stall, vehicle, ship or aircraft;

"pre-packed" means made up in advance ready for or kept for or stored for retail sale in or on a container;

"prescribed" means prescribed by regulations made under this Act;

"purchaser" includes any person acting on behalf of the purchaser;

"quantity" includes any measurement of distance, length, width, height, area, size, volume, capacity, mass or number;

"Secondary Standards" means the standards referred to in section 5 of this Act;

"sell" includes offer, advertise, expose, keep, have in possession, or prepare for sale and to exchange or dispose of for valuable consideration, and cognate expressions shall be construed accordingly;

"ship" includes any boat or any other description of vessel used on navigation;

"stamping" includes casting, engraving, etching, branding or otherwise marking in such manner as to be, so far as practicable, indelible, and the expression "stamp" and other expressions relating to it shall be construed accordingly;

"Tanzania Bureau of Standards" means the Tanzania Bureau of Standards established under section 3 of the Standards Act *;

"trade" includes any contract, bargain, sale, dealing and generally any transaction for valuable consideration in pursuance of which goods are weighed, measured or counted but does not include any contract or bargain for sale of or dealing in land or interest in land;

"valid" in relation to stamp borne by any weight, measure, weighing or measuring instrument, means a stamp that is still in force according to any period which may be prescribed and cognate expressions shall be construed accordingly;

"verification" means examination testing, passing as fit for use for trade and stamping any weight, measure, weighing or measuring instrument;

"weighing or measuring instrument" means a weight or measure or any instrument for weighing or measuring in terms of any of the International System of Units "SI" base or derived or supplementary units such as units of mass, length, volume, capacity or, number whether or not

the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement;

"weight" means mass;

"working standards" means standards which, standardised by comparison with Secondary Standards, are kept for the purpose of verifying trades, weighing or measuring instruments, weight or measure.

(2) The Minister may, by order published in the Gazette exempt any person, trade or industry from all or any of the application of this Act.

PART II

STANDARDS (ss 3-10)

[PCh340s3]3. Units of measurement G.N. No. 38 of 1983

(1) Without prejudice to the powers of the Tanzania Bureau of Standards to set standards, the International System of Units (SI) shall be a system of measurement by reference to which any measurement in trade shall be made in the United Republic.

(2) The International System of Units shall consist of—

- (a) the base units set out and defined in the First Schedule;
- (b) the supplementary units set out and defined in the Second Schedule;

(c) units derived from the base and supplementary units, defined in the Third Schedule;

(d) any special and permitted units that may be used in conjunction with units mentioned in paragraph (a) to (c) as adopted by the General Conference and referred to in the Fourth Schedule.

(3) The SI prefixes for multiples and sub-multiples of the units referred to in subsection (2) are those set out and defined in the Fifth Schedule and include such prefixes for multiples and sub-multiples and defined by the General Conferences from time to time.

(4) The Units to be used in specialised scientific fields as are set out and defined in the Sixth Schedule.

(5) The Seventh Schedule shall have the effect for the purposes of defining the units of measurement set out in the Schedule, and for the purpose of any measurement of weight, that weight may be expressed, by reference to the units of measurement set out in Part V of the Seventh Schedule in the same terms as its mass.

(6) The Eighth Schedule shall have effect for the purpose of defining the physical weights and measures that shall be used for the purpose of trade in the United Republic.

(7) The Minister may, by order, amend any of the Schedules referred to in this section.

[PCh340s4]4. National Standards

(1) The prototype copies of the International Standards of the kilogram and metre together with any prescribed standards representing SI Base units as defined in the First Schedule

hereto procured and maintained by the Tanzania Bureau of Standards shall for the purpose of this Act be the National Standards.

(2) Without prejudice to the provisions of the Standards Act *, the Tanzania Bureau of Standards shall for the purposes of this Act be the procurers of the National Standards.

[PCh340s5]5. Procurement of Secondary Standards

(1) The Minister shall—

(a) procure and cause to be maintained copies of National Standards and the weights and measures specified in the Eighth Schedule;

(b) provide for the initial verification of any copies so procured; and

(c) cause the verified copies to be authenticated as Secondary Standards in the manner he may prescribe from time to time.

(2) A Secondary Standard of linear or capacity measure may, as the Minister may think fit, be—

(a) provided either as a separate standard or by means of divisions on a larger standard measure; and

(b) either marked in whole or in part with subdivisions representing any smaller units of measurement of multiples or submultiples of unit or have no such markings.

[PCh340s6]6. Custody of Secondary Standards

The Commissioner shall be responsible for the proper care, maintenance and custody of the Secondary Standards except that the conditions of their custody may be determined by the Minister.

[PCh340s7]7. Periodic verification of Secondary Standards Act No. 8 of 1983 Sch.

Once in every two years, the Minister shall cause each of the Secondary Standards referred to in subsection (1) of section 5 to—

(a) be compared with the National Standards and if necessary be corrected and adjusted by the Tanzania Bureau of Standards or any other competent institution as the Minister may direct, but such reverification, shall be witnessed by two wardens appointed by him, one of whom shall be the Commissioner; and

(b) bear a certificate of correctness prescribed in Form A of the Ninth Schedule and signed by the wardens and the institution so appointed by the Minister.

[PCh340s8]8. Cancellation of Secondary Standards

The Minister may, on the advice of the Commissioner, cancel any Secondary Standard and direct that it be no longer used.

[PCh340s9]9. Standards equipment

The Minister shall procure and cause to be maintained standard equipment which he may from time to time determine as being proper and necessary for the verification of standards of weights and measures.

[PCh340s10]10. Working standards Act No. 8 of 1983 Sch.

(1) Every assizer shall be provided with proper and sufficient working standards of weights and measures which shall be used for assizing or re-assizing of weights or measures or instruments in use for purposes of trade.

(2) Once at least in every twelve months an assizer shall compare the working standards, which have been in use during the past twelve months, with the Secondary Standards, and, if necessary be corrected and adjusted before signing a certificate prescribed in Form B of the Ninth Schedule to this Act.

(3) The Minister may at any time cancel any working standard and direct that it no longer be used.

(4) Judicial notice shall be taken of every working standard and each such standard shall be deemed to be true and accurate until the contrary is proved.

PART III

USE OF WEIGHTS AND MEASURES IN TRADE (ss 11-12)

[PCh340s11]11. Weights and measures permitted to be used in trade G.N. No. 38 of 1983

(1) Unless otherwise permitted by this Act, every contract, bargain, sale or dealing made or had after the commencement of this Act whereby any work, goods, wares, merchandise or other thing is or are to be, or is or are done, sold, delivered, carried, measured, computed, paid for or agreed for by weight or measure shall be made and had according to one of the relevant units of measurement specified in the First, Second, Third, Fourth, Sixth, Seventh and Eighth

Schedules to this Act or to some multiple thereof, and if not so made or had, shall, so far as it is to be performed in the United Republic, be void:

Provided that a court may, in exceptional circumstances in the interest of justice, direct that a person who has received an advantage under such contract, bargain, sale or dealing so declared to be void restore it or make compensation for it to the person from whom it was received.

(2) All tolls and duties charged and collected according to weight or measure shall be charged and collected according to one of the relevant units of measurement specified in the First, Second, Third, Fourth, Sixth, Seventh and Eighth Schedules or to some multiple of the units.

(3) Such contract, bargain, sale, dealing and collecting of duties mentioned in this section are in this Act referred to under the term "trade".

[PCh340s12]12. Sale by metric carat weight

(1) Subject to subsection (2), no person shall use the carat unit for purposes of trade except in transaction relating to precious stones or pearls.

(2) The restrictions set out in this section do not apply to any transaction affecting the export of goods to a country where a system of units of measurement other than those authorised by this Act is used for purposes of trade.

PART IV

DISTINCTIVE MARKS (s 13)

[PCh340s13]13. Stamping of weights and measures with denomination

(1) No person shall at any time after the end of twelve months from the commencement of this Act use or have in his possession for use in trade—

(a) any weight which, except where the small size of the weight, renders it impracticable, does not have its denomination stamped on the top or side thereof in legible figures and letters; or

(b) any measure or length or capacity which does not have its denomination stamped on the outside thereof in legible figures and letters.

(2) Any weight or measure mentioned in subsection (1) of this section shall be stamped by an assizer with a prescribed verification mark.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence.

(4) Nothing of subsection (1) shall apply to any weight or measure where the user of such weight or measure, has applied and obtained an exemption from the Minister.

PART V

ADMINISTRATIVE PROVISIONS (ss 14-16)

[PCh340s14]14. Appointment of employees Act No. 8 of 1983 Sch.

(1) The President shall appoint a public officer to be Commissioner for Weights and Measures.

(2) The Minister shall appoint Assistant Commissioners and Assizers as may be required to assist the Commissioner for Weights and Measures in carrying out the purpose of this Act.

[PCh340s15]15. Function of Commissioner

The Commissioner shall be the chief executive officer of weights and measures and shall—

- (a) have the general supervision and control of the work of assizers; and
- (b) be responsible for the verification or reverification of all weights, measures, weighing, or measuring instruments used or intended to be used for trade in the United Republic.

[PCh340s16]16. Duties of Assizers

The duties of an assizer shall be—

- (a) to carry out verification of weights, measures, weighing and measuring instrument;
- (b) to care for and maintain any working standards which may be entrusted to his care;
- (c) to keep records and make such reports as the Commissioner may require;
- (d) to give effect to the directions of the Commissioner; and

(e) generally to exercise such other powers and duties as may be conferred or imposed by this or any other Act or by regulations made under this Act.

PART VI

INSPECTION OF WEIGHTS AND MEASURES (ss 17-25)

[PCh340s17]17. Appointment of Weights and Measures Committee G.N. No. 38 of 1983

(1) The Minister may, by order published in the Gazette, appoint a Weights and Measures Committee, consisting of not less than five and not more than seven persons.

(2) Such Committee shall be convened as often as may be necessary and the Minister, or some other person deputed by him, shall be the Chairman of the Committee.

(3) The duties of the Committee shall be to advise the Minister upon any matter arising out of the operation of the Act, which the Minister may refer to the Committee for advice.

[PCh340s18]18. Testing facilities for approval of patterns

(1) The Minister shall provide and maintain adequate facilities for testing prototype weights, measures, weighing or measuring instruments for use for trade.

(2) No weight, measure, weighing or measuring instrument shall be verified, stamped or authorised for use for trade unless it is of a—

(a) pattern approved by the Minister; or

(b) class or kind exempted by regulation from the provisions of this Act.

(3) Any person who fails to comply with the provisions of this section shall be guilty of an offence.

[PCh340s19]19. Verification of weights and measures G.N. No. 38 of 1983

(1) Not more than once in every twelve months, in respect of an area of jurisdiction, an assizer shall, by notice published in the Gazette, and where it is necessary, by such other means as will in the opinion of the assizer, ensure the contents thereof coming to the notice of those who are concerned, specify such dates, times and places as he thinks fit, and require all persons who have in their possession any weight, measure, weighing or measuring instrument which is used or intended to be used in trade, to produce at such time and place within the area as he may appoint.

(2) Every such weight, measure, weighing or measuring instrument shall be examined and verified by the assizer.

(3) An assizer shall attend with his working standard at such times and places fixed and, on the prescribed fee being paid, shall examine and verify every weight, measure, weighing and measuring instruments brought to him for the purpose, except that an assizer may also verify a weight, measure, weighing or measuring instruments at any other time or place within his area of jurisdiction, or as may be authorised by the Commissioner.

(4) Where a weight, measure, weighing or measuring instrument is of delicate construction and cannot conveniently be moved it shall be sufficient for the purposes of this section if the person who has the same in his possession for use or intended use in trade notifies the assizer in writing of its nature and position instead of producing it to the assizer.

(5) When a measure of capacity made of glass, earthenware or enameled metal has been stamped it shall not be necessary to produce such measure, unless the original stamp is defaced or has become illegible or the measure has been chipped or cracked.

(6) Any person who contravenes or fails to comply with the provisions of any notice issued by an assizer under this section shall be guilty of an offence.

[PCh340s20]20. Limits of error Act No. 8 of 1983

Any weight or measure which is in accordance with the standard weight or measure which it represents or which has no greater error than the prescribed limit of error shall be deemed to be just and true unless it be shown to the satisfaction of the court that such weight, measure, weighing instrument or measuring instrument has been tempered with in such a way as to facilitate the commission of fraud.

[PCh340s21]21. Stamping of verification mark, etc. G.N. No. 38 of 1983

(1) Subject to the provisions of this Act, every weight, measure, weighing instrument or measuring instrument used or intended to be used in trade and found to be just shall, if not already stamped, be stamped with the prescribed verification mark in such manner so as to prevent fraud; except that an assizer may refuse to stamp a weight cased with iron unless it is fitted with a plug of softer metal suitable for stamping.

(2) Where any dormant equipment which is required to be stamped only after it has been installed at the place where it is to be used for trade, if, after the equipment has been so stamped, is in any way removed or dismantled and re-installed whether in the same or some other place it

shall not be used for trade after being so re-installed until it has been re-tested and re-stamped by an assizer.

[PCh340s22]22. Request by assizer to examine test or retest weight, measure, etc.

(1) An assizer may at any time request any person having in his possession or control any weight, measure, weighing instrument or measuring instrument which is used or intended to be used for trade to submit it to him at such time and place as the assizer may specify for the purpose of examination and testing or re-testing of that instrument.

(2) Any person who fails to comply with the request of an assizer under this section shall be guilty of an offence.

[PCh340s23]23. Rejection of weight, measure, etc.

An assizer who on test finds a weight, measure, weighing instrument or measuring instrument to be false, unjust or to be not in compliance with the provisions of this Act or any regulations made under this Act shall—

- (a) reject it;
- (b) mark it with the prescribed rejection mark;
- (c) issue to the person in charge of such instruction a rejection note in the prescribed form to the effect that it has been rejected:

Provided that the assizer may in his discretion—

- (a) adjust it;

- (b) return it to the owner for adjustment; or
- (c) retain it with a view to proceedings being taken for its forfeiture.

[PCh340s24]24. Illegal stamping

No assizer shall stamp with the prescribed verification mark any weight or measure—

- (a) which is not just;
- (b) which does not comply with the provisions of this Act or any regulations made under this Act except in so far as any discretion may be vested in the assizer or in any other person by the Act or regulations to waive such compliance;
- (c) which is not of the denomination of a weight or measure specified in the Eighth Schedule to this Act;
- (d) without testing by comparison with the appropriate working standard.

[PCh340s25]25. Restriction on assizer buying, selling or adjusting weights, measures, etc.

No assizer shall, while he holds office, be employed in or derive any profit from the making, buying, selling or adjusting of weights, measures, weighing instrument or measuring instrument; except that an assizer may while carrying out the duties of his office adjust weights, measures, weighing instruments and measuring instruments and for any such adjustment charge the prescribed fee for his services.

PART VII

SALE OF GOODS BY WEIGHTS AND MEASURES (ss 26-31)

[PCh340s26]26. Sale by net weight or measure only, etc. G.N. No. 38 of 1983

(1) Subject to the provisions of section 27, no person shall—

(a) sell or offer, expose, keep on trade premises, carry or in any manner advertise, for sale, any of the goods specified in the Tenth Schedule to this Act otherwise than by net weight or measure and in a denomination specified in the Eighth Schedule, or in a multiple or aliquot part of any such denomination; or

(b) sell or offer, expose, keep on trade premises, carry or in any manner advertise for sale, any goods of the kinds and sold in the manner, if any, specified in the first column of the Eleventh Schedule otherwise than in a weight or measure specified in relation to such goods in second column of that Schedule; or

(c) sell or offer, expose, keep on trade premises, carry or in any manner advertise for sale pre-packed goods of the kinds specified in the Twelfth Schedule unless the wrapper or container bears on it, or on a label securely attached to it, a conspicuous and legible statement of the net weight or measure of such goods.

(2) Any person who contravenes or fails to comply with the provisions of paragraphs (a), (b) or (c) of subsection (1) shall be guilty of an offence.

[PCh340s27]27. Exceptions G.N. No. 38 of 1983

Nothing in section 26 shall apply to—

- (a) the sale of human food for consumption on or at the premises of the seller; or
- (b) the sale of any goods in quantities not exceeding 50 grams or 50 millilitres, or at a price not exceeding five shillings:

Provided that the Minister may by order vary the quantity of goods to be sold and the price specified in paragraph (b) of this section.

[PCh340s28]28. Assizer may weigh or measure pre-packed goods

Where any person has in his possession for sale or delivery any goods of a kind required by the provisions of this Act to be sold by weight or measure, or any goods in respect of which any representation of weight or measure is made, he shall—

- (a) cause such goods to be weighed or measured in the presence of the assizer or permit the assizer to weigh or measure them;
- (b) if necessary for this purpose, break open or permit the assizer to break open any wrapper or container in which such goods are packed; and
- (c) if so requested by the assizer sell such goods to the assizer.

[PCh340s29]29. Presumption of nature of goods G.N. No. 38 of 1983

(1) In any proceedings under this Act, the description of any goods in any complaint, charge or information shall be prima facie evidence that the goods were, at the time of the offence and subsequently, as so described, and the burden of proving the contrary shall lie upon the accused.

(2) Where any goods are found on any trade premises such goods shall be presumed to be for sale or to be carried for sale and the burden of proving the contrary shall lie upon the accused.

[PCh340s30]30. Weighing, etc., operations to be in the presence of purchaser

(1) Any person using any weighing or measuring instrument for the purpose of retail sale of any goods to a purchaser shall—

(a) cause the weighing or measuring instrument used for that purpose to be so placed; and

(b) conduct the operation of weighing or measuring as to permit the purchaser a clear and unobstructed view of such weighing instrument or measuring instrument and all the indications of weight or measure pertaining to such operation.

(2) Any person who contravenes or fails to comply with the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand shillings.

[PCh340s31]31. Safeguards to traders

(1) In any proceedings under this Act in respect of an alleged deficiency of weight or measure of any goods mentioned in this Act or any Order made under this Act, it shall be a defence for the person charged to prove to the satisfaction of the court that—

(a) the commission of the offence was due to a mistake or to an accident or some other cause beyond his control; and

(b) all reasonable steps were taken by him to prevent the occurrence of such deficiency of those goods by himself or any person under his control:

Provided that it shall not be a defence under this subsection for the person charged to prove that the commission of the offence was due to some cause beyond his control if that cause could reasonably have been foreseen.

(2) In any proceedings under this Act or Order made under this Act, in respect of an alleged deficiency of weight or measure of any goods, the court shall disregard any inconsiderable variation in the weight or measure of a single article, and shall have regard to the average weight or measure of other articles of the same kind, if any, sold or delivered by the accused or in his possession for the purpose of sale or delivery on the same occasion and generally to all the circumstances of the case.

(3) In any proceedings under this Act, the weight or measure of any article shall be deemed to be correct if it is within the permitted limits of error prescribed for such article by regulations made under this Act.

PART VIII

OFFENCE AND PENALTIES (ss 32-46)

[PCh340s32]32. Falsely representing a pattern to be an approved pattern

Any person who falsely represents, either directly or indirectly, that a pattern of weight, measure, weighing or measuring instrument is a pattern approved to be suitable for use for trade, shall be guilty of an offence.

[PCh340s33]33. Offences in connection with the office of assizer

(1) Any assizer who—

(a) stamps any weighing or measuring instrument in contravention of any provisions of this Act or of any order made under the Act or without duly testing it; or

(b) knowingly commits any breach of duty imposed on him by or under this Act or otherwise misconducts himself in the execution of his office,

shall be guilty of an offence.

(2) If any person who is not an assizer acts as or purports to act as an assizer he shall be guilty of an offence.

[PCh340s34]34. Forgery of stamps on weights and measures

(1) Any person who, in the case of any weighing or measuring instrument used or intended to be used for trade—

(a) not being an assizer or a person acting under the instructions of an assizer, marks in any manner any plug or seal used or designed for use for the reception of a stamp; or

(b) forges, counterfeits or, except as permitted by or under this Act, in any way alters or defaces any stamp; or

(c) removes any stamp and inserts it into any other such instrument; or

(d) makes any alteration in the instrument after it has been stamped such as to make it false or unjust,

shall be guilty of an offence:

Provided that paragraphs (a) and (b) of this subsection shall not apply to the destruction or obliteration of any stamp, plug or seal in the course of the adjustment or repair of weighing or measuring instrument by a licensed repairer.

(2) Any person who uses for trade, sells or exposes or offers for sale any weighing or measuring instrument which to his knowledge—

(a) bears a stamp which is a forgery or counterfeit, or which has been transferred from another instrument, or which has been altered or defaced, otherwise than as permitted under this Act; or

(b) is false or unjust as a result of an alteration made in the instrument after it has been stamped,

shall be guilty of an offence.

(3) Any weighing or measuring instrument in respect of which an offence under this section is committed, and any stamp or stamping implement used in connection with the offence, shall be liable to be forfeited.

[PCh340s35]35. Use of unauthorised weights or measures in trade

(1) Any person who uses or has in his possession for use in trade any weight, measure, weighing or measuring instrument the use of which for such trade is not authorised by this Act or is in contravention of the provisions of this Act or any regulations made under this Act, or which is false or unjust, or which is not stamped with the prescribed verification mark, shall be guilty of an offence.

(2) Notwithstanding the provisions of subsection (1), the Commissioner may, where he is satisfied that in any area of the United Republic insufficient staff or facilities exist for the testing of weights, measures, weighing or measuring instruments in accordance with the provisions of this Act, in writing in such form as may be prescribed and on such term, and subject to such conditions as he may think fit, authorise any person in such area to use or have in his possession for use in trade any weight, measure, weighing or measuring instrument which is not stamped with the prescribed verification mark for a period not exceeding six months or until such weight, measure, weighing or measuring instrument is verified in accordance with the provision of this Act, whichever is the less.

[PCh340s36]36. Use of false or unjust instrument

Any person who uses or has in his possession for use in trade, or hires out, permits or condones the use for trade of any weight, measure, weighing or measuring instrument which is false or unjust, shall be guilty of an offence, and any such instrument shall be liable to be forfeited.

[PCh340s37]37. Making or selling unjust weights, measures etc.

Any person who wilfully or knowingly makes or sells or causes to be made or sold, any false or unjust weight, measure, weighing or measuring instrument, shall be guilty of an offence.

[PCh340s38]38. Sale of unstamped instrument G.N. No. 38 of 1983

(1) Any person who uses, exposes or has in his possession for sale any weight, measure, weighing or measuring instrument which does not bear a valid verification stamp of a date not earlier than one year previous to such use, sale or exposure or possession for sale, shall be guilty of an offence:

Provided that this subsection shall not apply to weighing or measuring instrument which when made, were not intended or designed for use for trade and which were permanently and clearly marked on a conspicuous part thereon with the words "NOT FOR TRADE USE".

(2) Any weight, measure, weighing or measuring instrument made or sold in contravention of the provisions of this section shall be liable to be forfeited.

[PCh340s39]39. Fraud in use of weight, measure, etc.

Where fraud is knowingly committed in the use of a weight, weighing or measuring instrument, the person committing the fraud and every person who is a part to the fraud is guilty of an offence and in addition to any penalty the court imposes, the weight, measure, weighing or measuring instrument shall be liable to be forfeited.

[PCh340s40]40. Obstructing assizers, etc., in the performance of their duties G.N. No. 38 of 1983

A person who—

- (a) assaults, resists, hinders or obstructs an assizer entering any place mentioned in section 48; or
- (b) hinders or obstructs an assizer in the performance of his duties under this Act; or
- (c) fails to comply with any request made by an assizer in the performance of his duties under this Act; or
- (d) bribes or attempts to bribe an assizer in connection with any matter arising from the exercise or performance of his duties under this Act; or
- (e) being an assizer, accepts or attempts to solicit any bribe in connection with any matter arising in the performance of his duties under this Act; or
- (f) uses indecent, abusive or insulting language to an assizer in the exercise of his duties under this Act,

shall be guilty of an offence.

[PCh340s41]41. Prohibition of giving short weight, measure or number

Any person who—

- (a) in selling any article by weight, measure or number delivers or causes to be delivered to the purchaser a lesser weight measure or number, as the case may be, than is purported to be sold; or

(b) in a trade dealing by means of words, writing or conduct makes any false representation as to the number, gauge, weight, measure or quantity of any goods or things, shall be guilty of an offence.

[PCh340s42]42. False declaration as to weight

(1) Any person who by means of words, description or other indication, direct or indirect, makes any false declaration or statement or misleads any person as to the true weight, measure, gauge, class or grade of any article sold by him, shall be guilty of an offence.

(2) Where an article is purchased by weight or measure the weight or measure of its determined by the purchaser at or before the time of sale and the purchaser by means of words, description or other indication, direct or indirect, makes to the seller or his agent a false declaration or statement or misleads the seller or his agent to the true weight or measure of the article, the purchaser shall be guilty of an offence.

[PCh340s43]43. Sales by unauthorised denominations

Any person who sells or exposes for sale by any denomination of weight or measure denominations other than the denominations of weight or measure authorised by section 3 shall be guilty of an offence.

[PCh340s44]44. Attempts and aiding or abetting

Any person who attempts to commit or who aids or abets an offence against this Act shall himself be guilty of the same offence.

[PCh340s45]45. General penalty G.N. No. 38 of 1983; Act No. 8 of 1983 Sch.

(1) Any person who contravenes the provisions of this Act or regulations made under this Act and for which no specific penalty is provided is guilty of an offence and shall be liable on conviction in the case of a first offence to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding three years, or to both such fine and imprisonment; and in the case of a second or subsequent offence to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding seven years or to both such fine and imprisonment.

(2) Where any person is convicted of any offence against this Act and the court by which he is convicted is of the opinion that such offence was committed with intent to defraud, such person shall be liable in addition to or in lieu of any penalty to imprisonment for a term not exceeding three years.

[PCh340s46]46. Power to compound offences G.N. No. 38 of 1983

(1) Where the Commissioner is satisfied that any person has committed an offence under sections 22(2), 26(1)(a), 34(1), (2), 36, 41 and 42 or under any regulations made under this Act, may by order, compound such offence by requiring such person to make payment of a sum of money, except that—

- (a) such sum of money shall not be less than five hundred shillings;
- (b) the Commissioner shall give to the person from whom he receives such sum of money, a receipt;

(c) the Commissioner may ask the court to forfeit any weight or measure or weighing or measuring instrument or other item for which the offence was committed as directed by or under this Act or any regulations made under this Act.

(2) Where an offence is compounded in accordance with the provisions of subsection (1) and any proceedings are brought against the offender for the same offence, it shall be a good defence for such offender to prove to the satisfaction of the court that the offence with which he is charged has been compounded under subsection (1).

(3) The Commissioner may, by order published in the Gazette, delegate to the Assistant Commissioners or assizers as the case may be, his powers under subsection (1) of this section to compound offences and upon such delegation the provisions of this section shall apply mutatis mutandis to the performance by the Assistant Commissioners or Assizers of such functions so delegated to them.

(4) Where any person is aggrieved by any order made under subsection (1), he may, within thirty days of such order being made, appeal against such order to a higher court and the provisions of Part X of the Criminal Procedure Act * shall apply with the necessary modifications, to every such appeal as if it were an appeal against a sentence passed by a district court in the exercise of its original jurisdiction.

PART IX

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS (ss 47-55)

[PCh340s47]47. Evidence of possession

Where any weight, measure, weighing or measuring instrument is found—

- (a) in the possession of a person carrying on trade; or
- (b) on the premises used for trade, of any person—
 - (i) whether or not such premises are a building or in the open air; or
 - (ii) whether or not such premises are open or enclosed,

that person shall be deemed for the purposes of this Act until the contrary is proved, to have such weight, measure, weighing or measuring instrument in his possession for use for the purposes of trade.

[PCh340s48]48. Power of entry G.N. No. 38 of 1983

(1) An assizer, may at all reasonable times—

(a) enter into premises he has reasonable cause to believe there is any weight, measure, weighing or measuring instrument which is in use for trade and may inspect such weight, measure, weighing or measuring instrument or part of such equipment which he has reasonable cause to believe is used contrary to the provisions of this Act;

(b) seize and detain any weight, measure, weighing or measuring instrument or part of such equipment which he has reasonable cause to believe is used contrary to the provisions of this Act;

(c) enter any premises in which he has reasonable cause to believe any goods are being sold or kept for sale or delivery and may inspect and weigh or measure any of such goods;

(d) order any person delivering any goods to stop and may inspect and weigh or measure such goods;

(e) for the purposes of paragraph (a) and (b) use any verified or re-verified instrument, weight or measure available at the premises where such goods are being inspected;

(f) order the seller or purchaser of any goods to produce for inspection, and if he thinks it necessary, seize and detain any invoice, delivery note or other record kept by such seller or purchaser;

(g) order any person mentioned in subsection (d) to—

(i) provide sufficient labour for handling and weighing of any goods under this section;

(ii) give his name and address or his employers' name and address, if any.

(2) Any person who fails to comply with any order made in terms of this section shall be guilty of an offence.

(3) When exercising any powers conferred by this section, an assizer shall, produce a written authority from the Commissioner.

[PCh340s49]49. Judicial notice of documents

A document purporting to be signed by an assizer and certifying that a weighing or measuring instrument specified therein was inspected or examined and compared with the standard by him on a specified date and the finding of his examination or inspection shall be

received in any court on production by any person and without further proof as prima facie evidence of the facts therein stated.

[PCh340s50]50. Forfeiture

All weights, measures, weighing or measuring instruments forfeited under this Act shall be dismantled and the material thereof may be sold or otherwise disposed of as the court may direct.

[PCh340s51]51. Acts or omissions by managers, agents or employees G.N. No. 38 of 1983

(1) Whenever any manager, agent or employee of any person (herein referred to as principal) does or omits to do an act which could be an offence under this Act for such principal to do or omit to do, then, unless notice is given to the Commissioner that all reasonable steps were taken by the principal to prevent that act or omission of the kind in question, the principal shall be presumed himself to have done or omitted to do that act and be liable to be convicted and sentenced in respect thereof.

(2) Whenever any manager, agent or employee of a principal does or omits to do any act which would be an offence under this Act to do or omit to do, he shall be liable to be convicted and sentenced in respect thereof as if he were the principal.

[PCh340s52]52. Burden of proof G.N. No. 38 of 1983

(1) In any proceedings under this Act in which it is necessary in order to establish the charge against a person to prove that a notice or any other means, under section 19(1) in respect of any weighing or measuring instrument, has been complied with, such instrument, shall be

presumed, unless the contrary is proved, at all relevant times to have been used in trade by that person in the area to which the notice in question relates.

(2) Where any goods are found on any premises which are used by any person for trade, those goods shall, unless the contrary is proved, be deemed, for the purpose of this Act, to be in or on that place or vehicle for sale.

[PCh340s53]53. Saving of civil remedies

No proceedings or conviction under this Act shall affect any civil right or remedy under any other written law.

[PCh340s54]54. Regulations Act No. 8 of 1983 Sch.; G.N. No. 38 of 1983

(1) The Minister may make regulations prescribing all matters that by this Act are required or permitted to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act, including, in particular, provisions of, or with respect to—

(a) the exemption in whole or part from the provisions of this Act any undertaking or class of undertaking specified in the regulations;

(b) the procedure for examination or verification or stamping of weights, measures, weighing or measuring instrument, including the prohibition of stamping in cases when the nature, denomination, materials or principle of construction of the weight, measure, weighing or measuring instrument appears likely to facilitate the perpetration of fraud;

(c) the general specifications for instruments suitable for use for trade including prohibition of approved patterns that are unsuitable for further use in trade;

(d) the manner of identification of any instrument by its approved pattern;

(e) the manner or marking of any instrument suitable for use in trade;

(f) the test to be applied for the purpose of ascertaining the accuracy and efficiency of weights, measures weighing or measuring instruments;

(g) the limits of error to be allowed on verification and tolerated either generally or with respect to any trade or goods;

(h) the fees that may be demanded by assizers for examining, verifying or stamping with a stamp of verification on any weight, measure, weighing or measuring instrument;

(i) the manner in which the value expressed in terms of any weight or measure other than in terms of standard weight or measure may be converted;

(j) the enabling of assizers to carry out their duties under this Act; and prohibiting any person while so employed by the Weights and Measures Bureau from deriving any personal profits from adjusting, buying, selling repairing, overhauling or installing any weights, measures, weighing or measuring instruments;

(k) the purpose for which particular types of weighing or measuring instrument may be used for purpose of trade;

(l) the manner of erecting, or using, weights, measures, weighing or measuring instrument used for purposes of trade;

(m) the circumstances in which, conditions under which and manner in which the verification stamp or marks placed on weights, measures, weighing or measuring instrument may be obliterated or defaced;

(n) the registration of public weigh-bridges and their weighmen;

(o) the procedure to be followed before issuing a certificate for pattern approval;

(p) the manner or quantities in which pre-packed goods, foodstuffs may be packed; or sold in the market or shops;

(q) the system of relating and authorising persons proposing to engage themselves in the repairing, overhauling and installation of any weights, measures, weighing or measuring instruments and the fee to be charged for such registration, examination or authorisation;

(r) the manner under which weights or measures, weighing or measuring instruments used in industries may be checked and stamped;

(s) the specifications, forms, and manner in which verification stamps, rejection stamps, date stamps and other forms of stamps may be made, used and maintained by the assizer;

(t) the specifications of standard equipment necessary to carry out the provisions of this Act; and the manner in which standard equipment shall be used and verified by the assizer;

(u) the exemption from the provisions of this Act to any contract made or effected with a view to the exportation of any goods from the United Republic of Tanzania;

(v) the period of the validity of verification stamps on various types of weighing or measuring instrument;

(w) prescribing the manner in which indications of weights or measures shall be marked on pre-packed goods required by the provisions of this Act to be so marked;

(x) making additions to or removals from or otherwise vary the items contained in the Tenth, Eleventh and Twelfth Schedules to this Act;

(y) prescribing the permitted limits of error in the weight or measure of any goods specified in the Tenth, Eleventh and Twelfth Schedules;

(z) requiring all or any weights or measures to be constructed with distinctive shape or appearance;

(aa) conferring upon assizer or upon a particular assizer or assizers any of the powers and duties which are by this Act conferred or imposed upon the Commissioner;

(bb) prescribing anything that is by this Act authorised or required to be prescribed generally for better carrying into effect any of the purposes of this Act.

(2) Regulations made under this section may provide penalties for the breach of such regulations not exceeding the penalties contained in section 45 of this Act.

(1) [Repeal of the Weights and Measures Ordinance *, the Sale of Goods (Weights and Measures) Ordinance *, the Weights and Measures (Metric System) Act * and the Metric System (Amendment of Written Laws) Act *.]

(2) Notwithstanding the provisions of subsection (1) of this section—

(a) where, prior to the date upon which this Act comes into operation, any weight or measures has been stamped by an inspector with a verification mark under the provisions of the Weights and Measures Ordinance hereby repealed, such weight or measure as the case may be, shall be stamped with a prescribed verification mark for the purposes of this Act; and

(b) any standards procured or provided by the Minister under the provisions of the Weights and Measures Ordinance hereby repealed, being standards which the Minister is authorised or required to procure or provide under the provisions of this Act, shall be deemed to have been procured and verified or provided and authenticated, as the case may be, under the provisions of this Act;

(c) any subsidiary legislation made under any of the enactments repealed by this Act and in force immediately prior to the coming into operation of this Act shall, so far as it is not inconsistent with the provisions of this Act, continue in force as if made under this Act;

(d) any orders, directions, appointments and other acts lawfully made or done under a provision of the enactments repealed and in force immediately before the commencement of this Act shall be deemed to have been made or done under the corresponding provision of this Act and shall continue to have effect accordingly.

FIRST SCHEDULE

BASE UNITS OF SI

(Section 3(2)(a))

The base units of the SI are defined as follows—

Physical Quantity	Name of Unit	Unit symbol	Definition
1. Length	metre	m	the unit for the measurement of length equal to 1 650 763.73 wavelengths in vacuum of the radiation corresponding to the transition between the levels 2p ₁₀ and 5d ₅ of the krypton - 86 atom.
2. mass	kilogram	kg	the unit for the measurement of mass, being a mass of the international prototype of the kilogram established in the year 1889 by the First General Conference and deposited at the International Bureau.
3. time	second	s	the unit for the measurement of time, being duration of 9 192 631 770 periods of the radiation corresponding to transition between the two hyperfine levels of the ground state of caesium - 133 atom.
4. electric current	ampère	A	the unit for the measurement of electric current, being constant current, that, if maintained in two straight parallel conductors of infinite length, of negligible circular cross-section and placed one metre apart in vacuum, would produce between these conductors a force equal to 2×10^{-7} newton per metre of length.

5. thermo-dynamic kelvin K the unit for the measurement of thermodynamic temperature, being the fraction $1/273.16$ of the thermodynamic temperature of the triple point of water.

6. luminous intensity candela cd is the unit of measurement of luminous intensity, in a given direction of a source that emits monochromatic radiation of frequency 540×10^{12} Hz and of which radiant intensity in that direction is $1/683$ watt per steradian.

7. amount of substance mole mol the unit for the measurement of amount of substance of a system which contains as many elementary entities as there are atoms in 0.012 kilogram of carbon 12.

Note: When the mole is used, the elementary entities must be specified and these may be atoms, molecules, ions, electrons, other particles or specified groups of such particles.

SECOND SCHEDULE

SUPPLEMENTARY UNITS OF SI

(Section 3(2)(b))

The supplementary units of the SI are defined as follows—

Physical Quantity	Name of Unit	Unit symbol	Definition
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1. Plane angle radian rad the unit for the measurement of plane angle, being the angle with its vertex at the centre of a circle and subtended by an arc of the circle that is equal in length to its radius.

2. solid angle steradian the unit for the measurement of solid angle being the angle with its vertex at the centre of a sphere and subtended by an area on the spherical surface equal to that of a square with sides equal in length to the radius.

THIRD SCHEDULE

DERIVED UNITS OF SI

(Section 3(2)(c))

A derived unit means a unit derived only from the base units set and defined in the First Schedule or the supplementary units set out and defined in the Second Schedule or both by the process of multiplication or division or both without the introduction of any co-efficient, unit, excepted. The derived units of SI are defined as follows—

Physical Quantity	Name of unit	Unit symbol
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area	square metre	m ²
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volume or capacity	cubic metre	m ³
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speed metre per second m/s or m.s^{-1}

acceleration metre per second or metre per second squared m/s^2 or m.s^{-2}

wave number reciprocal metre $1/\text{m}$ or m^{-1}

mass density kilogram per cubic kg/m^3 or kg.m^{-3}

concentration mole per cubic metre mol/m^3 or mol.m^{-3}

angular speed radian per second rad/s or rad.s^{-1}

angular acceleration radian per second or radian per second squared rad/s^2 or rad.s^{-2}

electric resistance ohm $\Omega = \text{V.A}^{-1}$

electric capacitance farad $\text{F} = \text{A.s.V}^{-1}$

electric conductance siemens $\text{S} = \text{A.V}^{-1}$

magnetic flux weber $\text{Wb} = \text{V.s}$

magnetic flux density,

magnetic Induction tesla $\text{T} = \text{Wb.m}^{-2}$ or V.s.m^{-2}

Inductance (self and mutual) henry $\text{H} = \text{Wb.A}^{-1}$

electric charge density coulomb per cubic metre C.m^{-3}

electric field strength volt per metre V.m^{-1}

surface charge density coulomb per square metre $C.m^{-2}$

permittivity farad per metre $F.m^{-1}$

force newton $N = kg.m.s^{-2}$

power watt $W = J.s^{-1}$ or $kg.m^2.s^{-3}$

moment of inertia kilogram metre squared $kg.m^2$

frequency hertz $Hz = s^{-1}$

entropy, heat capacity (at constant pressure and constant volume) joule per kelvin J/K or $J.K^{-1}$

electric charge, quantity of electricity coulomb $C = A.s$

electric potential, electromotive force, electric potential difference volt $V = kg.m^2 s^{-3} A^{-1}$

activity (of a radioactive source) one per second $1/s$ or s^{-1}

thermal conductivity watt per metre kelvin $J.s^{-1}m^{-1}.K^{-1} = W.m^{-1}.K^{-1}$

specific volume cubic metre per kilogram m^3kg^{-1}

pressure pascal $Pa = kg.m^{-1} s^{-2}$

moment of force, torque, work, energy, quantity of heat joule $J = kg.m^2.s^{-2}$

dynamic viscosity pascal second $Pa.s = kg.m^{-1} .s^{-1}$

kinematic viscosity metre squared per second $m^2 s^{-1}$

surface tension newton per metre $\text{N.M}^{-1}=\text{kg.s}^{-2}$

magnetic field strength ampere per metre A.M^{-1}

electric current density ampere per square metre A.M^{-2}

permeability henry per metre $\text{H.m}^{-1}=\text{kg.m.s}^{-2}.\text{A}^{-2}$

molar entropy, molar joule per kelvin $\text{J.K}^{-1} \text{mol}^{-1}$

heat capacity (at constant volume and constant pressure) mole

molar energy, molar enthalpy joule per mole J.mol^{-1}

magnetic moment ampère per square metre A.m^2

conductivity siemens per metre S.m^{-1}

radiant intensity watt per steradian W.sr^{-1}

radiant existance irradiance watt per steradian metre $\text{W.sr}^{-1} .\text{m}^{-2}$

radiance watt per square metre W.m^{-2}

luminance candela per square metre cd.m^{-2}

luminous flux lumen $\text{lm}=\text{cd.sr}$

illuminance lux $\text{lx}=\text{lm.m}^{-2}$

FOURTH SCHEDULE

SPECIAL OR PERMITTED UNITS OF SI

(Section 3(2)(d))

These have internationally - agreed units which are deviations from strict SI. They are permitted either because of their practical importance or because of their use in specialised scientific fields.

The units should be used together with SI units and their multiples and sub-multiples.

The names of the permitted units, the physical quantities they represent, their unit symbols and definitions are listed hereunder–

Physical Quantity	Name of Unit	Unit symbol	Definition
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I.	time	minute	Min	1 min=60 s
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	hour	H	1 h=60 min
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	day	D	1 d=24 h
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	week	Wk	1 wk=7 d
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	Calendar year	Yr	1 yr=365 d or 366 d (leap year)
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II.	plane angle	degree	o	1°=(n/180) radian
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minute ' $1' = (1/60)^\circ$

second " $1'' = (1/60)'$

III. volume or capacity litre l $1\text{ l} = 1\text{ dm}^3$

IV. mass tonne t $1\text{ t} = 1\,000\text{ kg}$

V. pressure bar bar $1\text{ bar} = 100\,000\text{ Pa}$

standard atmosphere atm $1\text{ atm} = 101\,325\text{ Pa}$

VI. area are a $1\text{ are} = 100\text{ m}^2$

hectare ha $1\text{ hectare} = 10\,000\text{ m}^2$

VII. temperature degree Celsius $^\circ\text{C}$ $1^\circ\text{C} = 1\text{ K}$

VIII. marine and

aerial navigation nautical mile knot nautical mile knot $1\text{ nautical mile} = 1852\text{ m}$

$1\text{ knot} = 1\text{ nautical mile per hour}$

FIFTH SCHEDULE

PREFIXES FOR MULTIPLES AND SUB-MULTIPLES OF SI UNITS

(Section 3(3))

The Prefixes * for multiples and sub-multiples of the base, supplementary and derived units of SI set out and defined in the First to Fourth Schedules are as follows—

Prefix	Symbol	Definition
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exa	E	10 ¹⁸
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peta	P	10 ¹⁵
------	---	------------------

tera	T	10 ¹²
------	---	------------------

giga	G	10 ⁹
------	---	-----------------

mega	M	10 ⁶
------	---	-----------------

kilo	k	10 ³
------	---	-----------------

hecto	h	10 ²
-------	---	-----------------

deca	da	10 ¹
------	----	-----------------

deci	d	10 ⁻¹
------	---	------------------

centi	c	10 ⁻²
-------	---	------------------

mili	m	10 ⁻³
------	---	------------------

micro	u	10 ⁻⁴
-------	---	------------------

nano	n	10 ⁻⁹
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pico p 10-12

femto f 10-15

atto a 10-18

SIXTH SCHEDULE

UNITS TO BE USED IN SPECIALISED SCIENTIFIC FIELDS

(Section 3(4))

Name of Unit	Unit Symbol	Definition
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electron volt	eV	1 eV=1.602 10x10-19J
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unified atomic mass	u	1 u=1.660 44x10-27kg
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astronomical unit	AU	1 AU=149 600x106m
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parsec	pc	1 pc=3 086x1013m
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ångstrom	Å	1 Å=10-10m
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barn	b	1 b=10-28m2
------	---	-------------

curie	Ci	1 Ci=3.7x1010 s-1(exactly)
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gal Gal 1 Gal=10⁻² metre per second, per second

metric carat CM 1 metric carat=2x10⁻⁴kg

rad rd 1 rd=10⁻²J.kg⁻¹

roentgen R IR=2.58x10⁻⁴C.kg⁻¹

SEVENTH SCHEDULE

DEFINITION OF UNITS OF MEASUREMENT

(Section 3(5))

PART I

Measurement of Length

kilometre = 1 000 metres

metre = unit of mass as defined in the First Schedule

decimetre = 1/10 metre

centimetre = 1/100 metre

millimetre = 1/1 000 metre

PART II

Measurement of Area

hectare = 100 are

decare = 10 are

are = 100 square metres

square metre = a superficial area equal to that of a square each side of which measures one metre

square decimetre = $\frac{1}{100}$ square metre

square centimetre = $\frac{1}{100}$ square decimetre

square millimetre = $\frac{1}{100}$ square centimetre

PART III

Measurement of Volume

cubic metre = a volume equal to that of a cube each edge of which measures one metre

cubic decimetre = 1/1 000 cubic metre

cubic centimetre = 1/1 000 decimetre

PART IV

Measurement of Capacity

hectolitre = 100 litres

litre = the capacity equal to that of a cube each edge of which measures 1 decimetre

decilitre = 1/10 litres

centilitre = 1/100 litres

millilitre = 1/1 000 litre

PART V

Measurement of Mass or Weight

metric ton or tonne = 1 000 kilogram

quintal = 100 kilograms

kilogram = unit of mass as defined in the First Schedule

hectogram = 1/10 kilogram

gram = 1/1 000 kilogram

carat (metric) = 1/5 gram

milligram = 1/1 000 gram

PART VI

Measurement of Electricity

The following units of measurement, that is to say—

- (a) The ampère (as the unit of measurement of electrical current);
- (b) The ohm (as the unit of measurement of electrical resistances);
- (c) The volt (as the unit of measurement of difference of electrical potential); and
- (d) The watt (as the unit of measurement of electrical power),

shall have the meanings from time to time respectively assigned by order by the Minister, being the meaning appearing to the Minister to reproduce in English the International definition of the ampère, ohm, volt or watt as the case may be, in force at the date of the making of the order.

1 kilowatt = 1 000 watts

1 megawatt = 1 000 000 watts

PART VII

Measurement of Time

hour = 60 minutes

minute = 60 seconds

second = as defined in the First Schedule

PART VIII

Customary terms of Weights and Measures in use in trade:

Capacity measures - "debe" - 20 litres.

EIGHTH SCHEDULE

PHYSICAL WEIGHTS AND MEASURES LAWFUL FOR USE IN TRADE

(Section 3(6))

1. Measures of Capacity–

Any multiple of 10 litres 100 millilitres

10 litres 50 millilitres

5 litres 25 millilitres

2.5 litres 20 millilitres

2 litres 10 millilitres

1 litre 5 millilitres

500 millilitres 2 millilitres

250 millilitres 1 millilitre

2. Weights of–

20 kilograms 500 milligrams

10 kilograms 200 milligrams

5 kilograms 100 milligrams

2 kilograms 50 milligrams

1 kilogram 20 milligrams

500 grams 10 milligrams

200 grams 5 milligrams

100 grams 2 milligrams

50 grams 1 milligram

20 grams

10 grams

5 grams

2 grams

1 gram

3. Metric Carat Weights–

500 carats 0.5 carat

200 carats 0.25 carat

100 carats 0.2 carat

50 carats 0.1 carat

20 carats 0.05 carat

10 carats 0.02 carat

5 carats 0.01 carat

2 carats 0.005 carat

1 carat

4. Square Measures–

Measures of, or of any multiple of, 1 square decimetre.

5. Cubic Measures–

Measures of, or any multiple of 0.1 cubic metre

6. Measures of length–

50 metres 500 millimetres

20 metres 200 millimetres

10 metres 100 millimetres

5 metres 50 millimetres

2 metres 20 millimetres

1 metre 10 millimetres

7. Customary measures of capacity–

nusu koroboi 0.05 litre

koroboi 0.1 litre

robo kibaba 0.25 litre

nusu kibaba 0.5 litre

kibaba 1 litre

pishi 4 litre

NINTH SCHEDULE

(Section 10(2))

FORM A

FORM OF CERTIFICATE OF VERIFICATION OF SECONDARY STANDARDS

We hereby certify that the several secondary standards

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have been this day, duly compared in our presence and found to agree with the National Standard.

.....) Wardens of the Secondary Standards

.....)

.....

Authorised Institution

Dated this day of 20....

FORM B

CERTIFICATE OF EXAMINATION OF WORKING STANDARDS

I hereby certify that the several working standards at

Weights and Measures office viz.

.....

.....

have been, this day, duly compared by me and found to agree with the secondary standards.

Dated this day of 20....

.....

Assizer of Weights and Measures

TENTH SCHEDULE

THE MANNER IN WHICH CERTAIN GOODS SHALL BE SOLD

(Section 26(1)(a))

PART I

BY WEIGHT

1. Aerosol products.
2. All food stuffs, other than those specified elsewhere in this Schedule.
3. Animal and pet food.
4. Cement.
5. Cleaning and scouring powder; soap flakes, soap powder; detergents (other than liquid detergents not exceeding 5 litres).
6. Dentifrices.

7. Liquid petroleum gas.
8. Lubricant greases.
9. Nails.
10. Sisal.
11. Solid fertilizers, agricultural liming material and agricultural salt.
12. Solid fuel.
13. Solid insecticides and solid fungicides.
14. Solid polishes and dressings analogous to solid polishes.
15. Tobacco including snuff.
16. Cotton.
17. Livestock.

PART II

BY WEIGHT OR NUMBER

1. Cassava Root.
2. Cigars.
3. Cigarette.

4. Eggs in shell.
5. Fresh fruit.
6. Maize on the cob.
7. Stationery and envelope.
8. Sweetening tablets and soft drink tablets.
9. Coconuts.
10. Poultry.
11. Sweet potatoes.

PART III

BY CAPACITY MEASURE

1. Castro oil.
2. Cream (not exceeding 1 litre).
3. Edible oil (not exceeding 1 litre).
4. Intoxicating drinks.
5. Liquid fuel excluding liquid petroleum gas.

lubricating oil (Not exceeding 20 litres); any mixture of liquid fuel and lubricating oil.

6. Liquid fungicides and liquid insecticides.
7. Liquid polishes and liquid dressings analogous to polishes.
8. Liquid soap; liquid detergents (not exceeding 5 litres).
9. Milk (not exceeding 5 litres).
10. Perfumes and toilet waters.
11. Soft drinks and mineral waters.
12. Squashes and fruits juices.
13. Thinners.
14. Vinegar.
15. Shoe polish.

PART IV

BY WEIGHT OR CAPACITY MEASURE

1. Charcoal.
2. Distemper.
3. Lubricating oil (exceeding 20 litres).

4. Maize grain.
5. Milk (exceeding 5 litres).
6. Paint, Varnish lacquer and paint remover.
7. Sand and ballast.
8. Stainers.
9. Toilet preparations.
10. Beans (Maharage, kunde).)
11. Grama (Choroko).)
12. Peas (njegere, mbaazi).)
13. Rice.)
14. Millet.)
15. Bull-rush millet.)
16. Maize flour.) capacity not

Millet flour.) exceeding

Rice flour.) 20 litres.

Cassava flour.)

17. Groundnuts seeds.)
18. Peanuts (njugu mawe).)
19. Simsim seeds.)
20. Sorghum and wimbi grains.)
21. Sunflower.)
22. Salt.)

PART V

BY WEIGHT OR LINEAR MEASURE

1. Bias binding.
2. Elastic.
3. Fencing wire.
4. Knitting and sewing thread.
5. Ribbon.
6. Rope.
7. Sisal Twine.

8. String.
9. Tape.
10. Fabrics.
11. Aluminium, Iron and Asbestos sheets.

ELEVENTH SCHEDULE

QUANTITIES IN WHICH CERTAIN GOODS SHALL BE PRE-PACKED

(Section 26(1)(b))

(a) (b)

Quantity when packed in rigid containers of glass, plastic or metal Quantity when packed
in containers other than rigid containers of glass plastic or metal

1. Bacon and Sausages 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of
1kg 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1kg.
2. Barley 100kg, 250g, 500g, 1kg, thereafter by steps of 1kg, to 50kg; 80kg.
3. Beans, dengu, grain and peas 250g, 500g, 1kg, thereafter by steps of 1kg, up to
10kg 250g, 500g, 1kg, thereafter by steps of 1kg, up to 10kg; 90kg.
4. Beer 300ml, 500ml

5. Biscuits 50g, 100g, 150g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 500g. 50g, 100g, 150g, 200g, 300g, 400g, 1kg, thereafter by steps of 500g.
6. Butter 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1kg. 250g, 500g, 1kg
7. Cashew nuts (in shell)– 80kg
8. Cassava flour – 500kg, 1kg, 2kg, 4kg, 5kg, 60kg
9. Castor oil 100ml, then by multiples of 100ml to 1 litre, thereafter by steps of 1 litre 100ml, then by steps of 100 ml to 1 litre
10. Castor seed – 65kg
11. Cement – 50kg
12. Coffee, tea (other than tea in chests), cocoa powder, chicory mixture 50g, 100g, 250g, 500g, 1kg, thereafter by steps of 1kg 50g, 100g, 250g, 500g thereafter by steps of 1kg
13. Cooking fat, including dripping lard and shredded suet 100g, 250g, 500g, 1kg, thereafter by steps of 1kg 100g, 250g, 500g, 1kg, thereafter by steps of 1kg
14. Custard powder 50g, 100g, 250g, 500g, 1kg, thereafter by steps of 1kg 50g, 100g, 250g, 500g, 1kg, thereafter by steps of 1kg
15. Charcoal – 30kg

16. Cream (not exceeding 1 litre) 100ml, 200ml, 300ml, 400ml, 500ml, 1 litre 100ml, 200ml, 300ml, 400ml, 500ml, 1 litre
17. Edible oil 100ml, thereafter by steps of 100ml, up to 1 litre, 2kg, 4kg, 8kg, 18kg 100ml, thereafter by steps of 100ml to 1 litre
18. Flour of oats, rice, beans, self-raising flour 100g, 250g, 500g, 1kg, thereafter by steps of 1kg 100g, 250g, 500g, 1kg, thereafter by steps of 1kg
19. Ghee 500g, 1kg, 2kg, 3kg, 4kg, 18kg 500g, 1kg
20. Jam, marmalade, honey, jelly 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1kg -
21. Liquid fuel 250ml, 500ml, 1 litre, then by steps of 5 litres to 100 litres, thereafter by steps of 10 litres -
22. Liquid fungicides and liquid insecticides 250g, 500g, 1 litre, thereafter by steps of 1 litre -
23. Liquid polish 100ml, then by steps of 100ml, up to 500ml, thereafter by steps of 1 litre -
24. Liquid soap; liquid detergents (not exceeding 5 Litres) 100ml, then by steps of 100ml, then by steps of 100ml up to 500ml, 1 litre, thereafter by steps of 1 litre, 20kg in 20 litre tin, thereafter by steps of 10kg -

25. Lubricating oil, excluding grease (not exceeding 20 litres) 250ml, 500ml, 1 litre and thereafter by steps of 1 litre to 5 litres, 10 litres, 15 litres, 20 litres -

26. (a) Maize flour – 1kg, thereafter by steps of 1kg, up to 10 kg, 20kg, 50kg, 80kg

(b) Maize grain – 1kg, thereafter by steps of 1 kg to 10kg, 20kg, 90 kg

(c) Maize bran – 50 kg, thereafter by steps of 5kg.

27. Margarine and mixture of margarine and butter 100g, 250g, 500g, 1kg, and thereafter by steps of 1kg to 5kg; 20kg; 180kg 100g, 250g, 500kg, 1kg

28. Milk (Not exceeding 5 litres) excluding evaporated unsweetened milk and sweetened milk 100ml, 200ml, 250ml, 500ml 1 litre, thereafter by steps of 1 litre except tinned milk in 100ml, 200ml, 300ml, 400ml, 500ml 100ml, 200ml, 250ml, 500ml, 1 litre, thereafter by steps of 1 litre

29. Milk powder including milk food and milk food substitutes for feeding infants 100g, 250g, 500g, 1kg, thereafter by steps of 1kg 100g, 250g, 500g, 1kg, thereafter by steps of 1kg

30. Millet, wimbi, simsim, sorghum, groundnuts – 90 kg

31. Molasses, treacle and syrup 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1kg –

32. Paint and distemper 125ml, 250ml, 500ml, 1 litre, 2 litres, 4 litres, 20 litres, 500g, 1kg, 3kg, 6kg, 10kg, 25kg, 50kg –
33. Rice – 250g, 500g, 1kg, 2kg, 3kg, 4kg, 5kg, 10kg, 20kg, 50kg, 100kg
34. Rice bran – 50kg, thereafter by steps of 5kg
35. Rice paddy – 75kg
36. Salt 100g, 250g, 500g, 1kg, 2kg 100g, 250g, 500g, 1kg, 2kg, 25kg, 50kg, 100kg
37. Soap – 25g, 50g, 100g, 150g, 200g, 300g, 400g, 500g, 800g, 1kg, 1.25kg, 1.5kg, 2kg, 2.25kg, 2.5kg, 3kg, thereafter by steps of 1kg
38. Soft drinks and mineral waters 100ml, thereafter by steps of 10ml to 1 litre –
39. Shoe polish 15ml, 30ml, 40ml, 100ml –
40. Solid polish (other than shoe polish) 15g, 20g, 40g, 100g, then by steps of 100g, to 1kg thereafter by steps of 1kg –
41. Spices 5g, 10g, 20g, 30g, 40g, 50g, 60g, 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1kg 5g, 10g, 20g, 30g, 40g, 50g, 60g, 100g, 200g, 300g, 400g, 500g, 1kg, thereafter by steps of 1 kg

42. Squashes and fruit Juices 100ml, then by steps of 10ml up to 1 litre, thereafter by multiples of 1 litre 100ml, then by steps of 10ml, up to 1 litre, thereafter by multiples of 1 litre.

43. Stout 300ml, 500ml –

44. Sweets (sugar confectionery) 100g, 250g, 500g, 1kg, thereafter by steps of 1kg
100g, 250g, 1kg, thereafter by steps of 1kg

45. Sugar – 100g, 250g, 500g, 1kg, thereafter by steps of 1kg to 10kg, 50kg,
100kg

46. Sunflower seed – 40kg

47. Toilet paper – 200, 300 leaves per roll of 140 to 160 sq. cm. per leaf

48. Wheat Bran – 45kg

49. Wheat flour and Wheat grain – 250g, 500g, 1kg, thereafter by steps of 1kg,
to 10kg, 20kg, 50kg, 90kg

50. Wheat pollard – 50kg, thereafter by steps of 5kg

51. Bread in any form 100g, 250g, 500g, 1000g –

52. Kibuku (Tikisa) – (a) 500ml, 1 litre and thereafter by steps of 1
litre

(b) 500ml, 1 litre, 2 litres, 5 litres and thereafter by multiples of 5 litres

53.	Spirits)	to be sold in quantities of 25ml, 30ml, 50ml and 100ml
—		
54.	Liquor)	—
55.	Wines)	—

TWELFTH SCHEDULE

GOODS REQUIRING STATEMENT OF WEIGHT OR MEASURE

(Section 26(1)(c))

Description of Goods

1. Paint (excluding paint packed in tubes, jars or boxes commonly sold as artists' or children's paints).
2. Varnish.
3. Distemper.
4. Thinners.
5. Enamel Paint.
6. Lacquer.
7. Stainer.

8. Sewing.
9. Bacon and sausages.
10. Barley.
11. Beans, dengu, gram, peas.
12. Beer.
13. Biscuits.
14. Butter.
15. Cashew nuts (in shell).
16. Cassava.
17. Castor oil.
18. Castor seed.
19. Cement.
20. Coffee, tea (other than tea in chests), cocoa powder chicory, mixture.
21. Cooking fat including dripping lard and shredded suet.
22. Custard powder.
23. Charcoal.

24. Cream (not exceeding litre).
25. Edible oil.
26. Flour of oats, rice, bean, rye, soya beans, self-raising flour.
27. Ghee.
28. Jam, marmalade, honey, jelly.
29. Liquid Fuel.
30. Liquid fungicides and liquid insecticides.
31. Liquid polish.
32. Liquid soap, liquid detergent (not exceeding 5 litres).
33. Lubricating excluding grease (not exceeding 20 litres).
34.
 - (a) Maize.
 - (b) Maize grain.
 - (c) Maize bran.
35. Margarine and mixture of butter and margarine.
36. Milk (not exceeding 5 litres) excluding evaporated unsweetened milk and sweetened condensed milk.
37. Milk powder including milk food and milk food substitutes for feeding infants.

38. Millet, wimbi, simsim, sorghum, groundnuts.
39. Molasses, treacle and syrup.
40. Rice bran.
41. Rice.
42. Salt.
43. Rice paddy.
44. Soft drinks and mineral waters.
45. Soap.
46. Solid polish (other than shoe polish).
47. Shoe polish.
48. Squashes and fruit juices.
49. Spices.
50. Sweets (sugar confectionery).
51. Stout.
52. Sunflower seed.
53. Sugar.

- 54. Wheat bran.
- 55. Toilet paper.
- 56. Wheat pollard.
- 57. Wheat flour and wheat grain.