

- ensure that all measuring instruments used for trade are verified and used correctly
- monitor the activities of servicing licensees and public weighbridge licensees
- check pre-packed articles for correct packer identification, measurement markings and accurate measure
- check public weighbridges for their conditions and accuracy
- investigate complaints and resolve questions relating to trade measurement matters
- take appropriate enforcement action where there have been breaches of the laws.

A visit by an inspector may be a response to a complaint or enquiry from a consumer, or part of a trade measurement compliance inspection program.

Inspectors can visit a place of business 'at any reasonable time of day', and the inspector does not have to give notice of entry. The frequency of visits may be based on a risk assessment by NMI.



We recommend that businesses work closely with their NMI inspectors, who are available to help and answer any enquiries.

WHAT IF A BUSINESS FAILS TO COMPLY WITH THE TRADE MEASUREMENT LAWS?

The NMI aims to prevent, stop or minimise contraventions of national trade measurement laws and deter future contravention. It has a range of compliance and enforcement options, from monitoring and issuing notices of non-compliance, through to infringement notices, fines, court-enforced undertakings and criminal prosecution.

TEN TIPS FOR CONSUMERS

1. **Check the quantity statements** on the goods you buy.
2. **Make sure you have a clear view of the scales.** When buying goods by weight over the counter, the trader must place the scales so you can see the weight, price per kilogram, total price and the goods being weighed, otherwise ask for a written statement of the measurement.
3. **Ensure the shop scales display zero weight** before your goods are weighed. If they don't – tell the trader.
4. **Make sure that the scale is clear** of other items and only the goods you are purchasing are being weighed when the price is being calculated.
5. **Check the price per kilogram** on the scales matches the advertised price.
6. **Check the total price** on the scales is the price you are charged at the checkout.
7. **Check your receipt** to ensure the calculated price matches the advertised price.
8. **Pay only for the product**, not the packaging material. In many stores, the electronic checkout scales are set to automatically deduct the weight of the packaging during the weighing process. In other stores, staff manually set

the scale to deduct the weight of the packaging materials. For example, when you buy apples in a plastic bag, you should only pay for the apples. If you buy potato salad at the deli counter, you should only pay for the salad, not for the weight of the plastic container.

9. If you are not present during the measuring of the goods, **ensure you have a receipt that states the measurement used.**
10. At the service station, after you have picked up the nozzle and before you start filling your fuel tank, **make sure the display of the fuel dispenser is indicating all zeroes** on the volume and total price indicators.


FOR MORE INFORMATION ...

See the NMI website
www.measurement.gov.au/trademeasurement

The laws covering trade measurement in Australia are the *National Measurement Act 1960* and the National Trade Measurement Regulations 2009.

Trade Measurement – it all adds up!

CONTACTS

-  Bradfield Road, Lindfield, NSW 2070
PO Box 264, Lindfield, NSW 2070
-  Telephone: 1300 686 664
Facsimile: (61 2) 8467 3715
-  Email: infotm@measurement.gov.au

www.measurement.gov.au

The purpose of this publication is to provide you with general information only and should not be relied upon for any legal, business or personal purpose. Nothing in this publication shall be taken in any way to replace the provisions of the *National Measurement Act 1960* (Cth), the National Trade Measurement Regulations 2009 (Cth) and any other legislative instruments made pursuant to the *National Measurement Act 1960*.

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WHAT IS TRADE MEASUREMENT?



Australian Government
National Measurement Institute
Trade Measurement

www.measurement.gov.au

WHAT IS TRADE MEASUREMENT?

Trade measurement is the system that regulates the buying or selling of goods and services – where the value is determined by measurement.

Whether you are buying or selling cheese by weight, milk by volume, or fabric by length, it is important to know your consumer rights and business obligations under trade measurement laws.

The trade measurement laws cover:

- the definition of the legal units of measurement
- the use of measuring instruments for trade
- testing and verification of these measuring instruments
- transactions by measurement
- pre-packed articles (known as prepackages)
- licensing of the businesses (known as servicing licensees) that verify trade measuring instruments
- licensing of public weighbridges.



WHO IS RESPONSIBLE FOR TRADE MEASUREMENT?

The National Measurement Institute (NMI) is Australia's peak measurement organisation, a division of the Department of Industry, Innovation, Science, Research and Tertiary Education in the Australian Government.

The NMI is responsible for maintaining the primary standards of measurement and providing the legal and technical framework for the dissemination of measurement standards.

WHO BENEFITS FROM TRADE MEASUREMENT?

Everyone benefits when correct measurement is assured in trade.

- Consumers benefit from getting the goods or services they pay for.
- Businesses benefit by reducing potential over-supply and knowing there is measurement consistency across all competitors in the market.
- The economy benefits domestically from consumer confidence and internationally from trade reputation through a consistent and reliable system.

WHAT ARE MY REQUIREMENTS AS A BUSINESS?

All businesses that sell goods by measurement, or who make available or operate measuring instruments used for trade are required to comply with Australian trade measurement laws.

Manufacturers, packers, importers and sellers of **pre-packed articles** must:

- make sure packages are correctly labelled – the laws include requirements for measurement statements and packer's identification



- make sure packages they pack or sell contain the quantity stated on the label
- have appropriate measuring instruments – any measuring instruments used to perform compliance sampling must be suitable for the task, of an NMI-approved pattern, verified, and properly maintained to ensure they remain accurate at all times
- assist trade measurement inspectors with any enquiries and provide information if required.

Businesses benefit from following correct compliance sampling – by monitoring correct measurement using appropriate measuring instruments and appropriate procedures.

If you use a **measuring instrument** such as a weighing instrument (scale) to sell goods you must make sure it is:

- an approved type
- verified before use by a servicing licensee or inspector
- indicating zero before use
- level when in use

- positioned so that the customer can easily see the measurement process, or else provide a written statement of the measurement
- kept clean and in good working order
- verified after each repair or metrological adjustment
- suitable for its intended purpose
- used in the correct manner.

The NMI recommends that you get all your measuring instruments used for trade purposes checked regularly by a licensed service organisation and have a quality management program in place to monitor how you are going.

Goods offered for sale by measurement must be sold by legal units of measurement (kg, L, m etc).

WHAT DO TRADE MEASUREMENT INSPECTORS DO?

The NMI employs inspectors throughout Australia. Their role is to:

- educate, monitor and consult with businesses about their trade measurement obligations

