



Australian Government

**Department of Industry,
Innovation and Science**

GUIDE TO THE DISCUSSION PAPERS

Measurement Law Review

2019

Introduction

Initial public consultation for the Measurement Law Review has been broken down into six key topic papers that each focus on different aspects of the legislative framework but collectively cover the breadth of Australia's measurement laws. Below are the topics for each paper, details regarding the views we are seeking and a reference guide to the relevant Parts of the [National Measurement Act 1960](#).

Paper 1 – Scope of Australia's Measurement Laws

Sought views on what should and should not be addressed by Australia's measurement laws.

Consultation on this paper has closed. To learn more about this consultation please visit consult.industry.gov.au/measurement-law-review/scope/

Related National Measurement Act 1960 reference

National Measurement Institute and Chief Metrologist (Part III) – establishes the NMI and sets out the metrological functions of the Commonwealth. Creates the position of Chief Metrologist and identifies the functions of this position.

Paper 2 – Traceable Measurements (Traceability)

Seeking views on processes that could be streamlined within the measurement framework, appropriate framework for measurement of chemical and biological quantities, and whether the current pathways to ascertain measurement in section 10 could be simplified and made more useful.

Related National Measurement Act 1960 reference

Units and standards of measurement (Part II) - sections 7-10, 14 establishes Australian standards of measurement and their verification, Australian legal units of measurement; establishes accepted pathways to demonstrate legal traceability of measurement.

National Measurement Regulations 1999:

- **Standards of measurement (Part 3)** – provisions for the verification of standards of measurement, marks and certificates of verification, when verification cease to have effect and may be cancelled, accuracy, value and uncertainty of standards of measurement.
- **Artefacts (Part 3A)** - provides for the verification of artefacts.
- **Reference Materials (Part 5)** – provides for the certification of reference materials, marks and certificates of reference materials, when certification ceases to have effect or may be cancelled or varied.

National Measurement Guidelines 2016 - This supplements the NMR 1999 and governs the way ALUMs may be combined.

Paper 3 – Measuring Instruments

Seeking views on whether there are better ways of ensuring that measuring instruments are fit-for-use; ways in which Australia's measurement framework can better support new technologies and innovation; and if the current measurement framework provides appropriate and usable options for measuring instruments used for legal purposes other than trade.

[Related National Measurement Act 1960 reference](#)

Using measuring instruments for trade (Part IV) – establishes a system for verifying measuring instruments; requires verification and accuracy of measuring instruments used for trade; establishes related offences.

General provisions on using measurement in trade (Part V) – regulates use of measurement in trade and requires all trade measurement to be a net measurement; sets out articles to be sold by measurement, the units for use in certain transactions, scale intervals for certain measuring instruments/transactions/articles, unreliable methods of measurement and the use of certain measuring instruments.

Paper 4 – Measurement-based Transactions

Seeking views on whether current requirements for units of measurement in trade should be more flexible; if current test methods for packaged goods are still suitable and in line with international best practice; whether offences are adequate to ensure confidence in all measurement-based trade transactions; and the need to prescribe how certain types of goods are sold.

[Related National Measurement Act 1960 reference](#)

General provisions on using measurement in trade (Part V) – see above description.

Articles packed in advance ready for sale (Part VI) – sets out requirements for ‘articles that are packed in advance ready for sale’ and methods for determining a shortfall.

Other articles (Part VII) – requirements for articles sold for a price determined by reference to the measurement of the article, but are not ‘articles packed in advance ready for sale’; establishes offences for shortfall sales and if a person charges for packaging.

National Trade Measurement Regulations 2009

Paper 5 – Third-Parties Arrangements

Seeking views on whether the current third-party arrangements are working efficiently and effectively; opportunities for improvement in the appointment and use of authorities; how arrangements for third parties could best support Australia’s measurement framework and technical measurement infrastructure.

[Related National Measurement Act 1960 reference](#)

Utility meter verifiers (Part XIII) – contains provisions for the appointment of utility meter verifiers and disciplinary action that may be taken against an appointed utility meter verifier.

Servicing licensees (Part X) – establishes a licensing system for the verifiers of measuring instruments and general conditions placed on all servicing licences.

Public weighbridges (Part XI) – establishes a licensing system for the operation of public weighbridges and general conditions placed on all public weighbridge licences.

Paper 6 – Compliance Arrangements

Seeking views on the adequacy of the current enforcement options and offence provisions, including whether additional administrative options and civil penalties are appropriate; the adequacy and suitability of current inspectors powers; and adoption of the *Regulatory Powers (Standards Provisions) Act 2014*.

[Related National Measurement Act 1960 reference](#)

Enforcement of Parts IV to VII (Part VIII) – contains mechanisms for enforcing the requirements in Parts IV to VII and sets up a system of infringement notices for contraventions of strict liability provisions.

Disciplinary action against servicing licensees and public weighbridge licensees (Part XII) – establishes disciplinary action options against servicing licensees and public weighbridge licensees; sets out grounds on which disciplinary action may be taken.

Trade measurement inspectors (Part IX) – includes provisions about trade measurement inspectors; provides for the appointment of inspectors; empowers inspectors to enter certain premises and inspect certain vehicles; imposes obligations on inspectors that must be complied with when exercising powers; sets out the rights and responsibilities of controllers when premises are being searched and contains provisions about warrants.