

LAWS OF SOUTHERN SUDAN

WEIGHTS AND MEASURES ACT, 2012

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LAWS OF SOUTH SUDAN

WEIGHTS AND MEASURES ACT, 2012

In accordance with the provisions of Article 55(2) (3b) read together with Article 85 (1) of the Transitional Constitution of the Republic of South Sudan, 2011, the National Legislative Assembly, with the Assent of the President of the Republic of South Sudan hereby enacts the following:

CHAPTER I PRELIMINARY

1. Title and Commencement.

This Act may be cited as the Weights and Measures Act, 2012 and shall commence on the date of signature by the President.

2. Purpose of Act.

The purpose of this Act is to provide for the application in South Sudan of International Units of Measurement (SI), sets out the units of measurement and defines weights and measures for use in trade.

3. Application.

This Act applies to the whole of South Sudan.

4. Interpretation.

In this Act, unless the context otherwise requires –

“approved” means approved by the Standards Council, or by any other person authorized by the Standards Council to carry out examinations, grant approval and issue certificates under this Act;

“base unit” means one of the international system (SI) units of measurement listed in the First Schedule;

“check-weighed”, in relation to any vehicle, means weighed with its load by means of a suitable weighing instrument and weighed again after it has been unloaded by means of the same or another suitable weighing instrument;

“container” includes any form of packaging of goods for sale as a single item, whether by completely or partly enclosing the goods or by attaching the goods to, or winding the goods round some other article and includes a wrapper or confining band;

“custodian” means the custodian of South Sudan primary standards referred to in section 15;

“derived” means derived from the base unit of measurement;

“Standards Council” means the National Bureau of Standards Council, established under the National Bureau of Standards Act 2012, responsible for executing the functions on grades and standards under this Act;

"Standards Bureau" means the National Bureau of Standards responsible for standards, metrology and weights and measures in South Sudan;

"error", in respect of a weighing instrument, includes deficiency in sensitiveness or discrimination;

"Executive Director", means the Executive Director in charge of the National Bureau of Standards;

"inspector" means a person appointed under section 50;

"inspection", in relation to a weight, measure, weighing or measuring instrument, means an examination of the weight, measure, weighing or measuring instrument by an inspector with the object of checking that it has not been modified after verification, its stamp is valid and that its errors, if any, do not exceed those permitted under this Act;

"International Bureau of Weights and Measures" means the body known as *Internationale des Poids et Mesures* established under the Convention du Metre, being the body responsible for the conservation of the prototypes of the international standards of weights and measures;

"international definition", in relation to any unit of measurement, means the definition of that unit recognized by the General Conference of Weights and Measures from time to time convened by the International Bureau of Weights and Measures;

"Minister" means the National Minister responsible for commerce and industry;

"Ministry" means the National Ministry responsible for commerce and industry;

"measuring instrument" includes every instrument for the measurement of length, weight, area, volume, capacity and gauge;

"pattern" means certain reproducible results and designs;

"pre-packed" means packaged or made up in advance, ready for sale in or on a container;

"primary standards" means standards of the metre and kilogram maintained as the South Sudan primary standards under section 13;

"primary reference standards" means standards which the Minister has procured and caused to be verified and authenticated as such under section 14;

"quantity" includes length, width, height, area, size, volume, capacity, weight and number;

"sale" includes an agreement to sell and an offer to sell, and an offer to sell shall be deemed to include the exposing of goods for sale, the furnishing of a quotation and any other act whatsoever by which willingness to enter into any transaction of sale is expressed;

"secondary standards" means copies of the South Sudan primary reference standards which the Minister has procured and caused to be verified and authenticated as such under section 15;

"secondary reference standards" means standards which the Minister has procured and caused to be verified and authenticated as such under section 16;

"stamp" means a mark for use as evidence of the passing of weights, measures, or weighing or measuring instruments as fit for use for trade, whether applied by impressing, casting, engraving, etching, branding or otherwise, and cognate expressions shall be construed accordingly;

"tare weight" means the weight of a vehicle or container when it is empty;

"testing equipment" means equipment maintained under section 17;

"verification", in relation to a weight, measure, weighing or measurement instrument, means the operations carried out by an inspector having the object of ascertaining and confirming that such weight, measure, weighing or measuring instrument entirely satisfies the requirements of this Act;

"weighing or measuring instrument" means an instrument for measuring in terms of length, area, volume, capacity, weight or number, whether or not the instrument is constructed to give an

indication of the measurement made or other information determined by reference to that measurement, and includes any article used as a weighing or measuring instrument;
"weighing or measuring equipment" includes a weight, measure or a weighing or measuring instrument; and
"working standards" means standards provided for under section 17.

CHAPTER II

UNITS OF MEASUREMENT

5. International System of Units (SI).

- (1) Every unit of weight and measure used in South Sudan shall be based upon the units of the International System of Units specified in the First Schedule.
- (2) The International System of Units, abbreviated as 'SI' shall consist of —
 - (a) the basic units set out in Part 1 of the First Schedule;
 - (b) the supplementary and derived units set out in Part 2 of the First Schedule; and
 - (c) the units which may be used in conjunction with the basic and supplementary and derived units set out in Part 4 of the First Schedule.
- (3) The Second Schedule shall have effect for defining the units of measurement specified in that Schedule for all purposes in South Sudan.

6. Measurement of Length.

The metre shall be the base unit of measurement of length by reference to which any measurement of length shall be made in South Sudan.

7. Measurement of Time.

The second shall be the base unit of measurement of time by reference to which any measurement of time shall be made in South Sudan; and it shall have the meaning assigned by an order made by the Minister, on advise of the Standards Council, being the meaning considered to reproduce in English the international definition of the second in force at the date of the making of the order.

8. Measurement of Electric Current.

The ampere shall be the base unit of measurement of electric current by reference to which any measurement of electric current shall be made in South Sudan; and it shall have the meaning assigned by an order made by the Minister, on advise of the Standards

Council, being the meaning considered to reproduce in English the international definition of the ampere at the date of the making of the order.

9. Measurement of Thermodynamic Temperature.

The kelvin shall be the base unit of measurement of thermodynamic temperature by reference to which any measurement of thermodynamic temperature shall be made in South Sudan; and it shall have the meaning assigned by an order made by the Minister, on advise of the Standards Council, being the meaning considered to reproduce in English the international definition of the kelvin at the date of the making of the order.

10. Measurement of Luminous Intensity.

The candela shall be the base unit of measurement of luminous intensity by reference to which any measurement of luminous intensity shall be made in South Sudan; and it shall have the meaning assigned by an order made by the Minister, on advise of the Standards Council, being the meaning considered to reproduce in English the international definition of the candela at the date of the making of the order.

11. Measurement of Amount of Substance.

The mole shall be the base unit of measurement of the amount of substance by reference to which any measurement of the amount of substance shall be made in South Sudan; and it shall have the meaning assigned by an order made by the Minister, on advise of the Standards Council, being the meaning considered to reproduce in English the international definition of the mole at the date of the making of the order.

12. Offence to use Unauthorized Units of Measurement.

A person who uses for trade any unit of measurement which is not authorized by this Act commits an offence.

CHAPTER III

STANDARDS OF MEASUREMENT

13. South Sudan Primary Standards.

- (1) The Bureau of Standards shall procure and cause to be maintained standards of the metre and the kilogram which shall be the South Sudan primary standards by reference to which the accuracy of all other standards of those units and of any other unit of measurement directly related to any of those units shall be maintained.
- (2) Every standard procured under subsection (1) shall, before being brought into use, be verified by the International Bureau of Weights and Measures and thereafter shall be re-verified at such intervals and in such manner as may be prescribed; and

the certificate of verification or re-verification in respect of the standard shall be kept in the custody of the Executive Director.

- (3) On production of the certificate of verification or re-verification kept under subsection (2) in respect of a South Sudan primary standard, the standard shall be conclusively presumed for all purposes to be true and accurate, provided that the certificate is dated not earlier than ten years previous to the date of production thereof.
- (4) The South Sudan primary standards shall be kept at such place, and under such conditions, as the Minister may prescribe.
- (5) Judicial notice shall be taken of every South Sudan primary standard.

14. South Sudan Primary Reference Standards.

- (1) The Bureau of Standards shall procure and cause to be maintained copies of the South Sudan primary standards and the copies shall be designated the South Sudan primary reference standards.
- (2) Every South Sudan primary reference standard shall be verified by such authority and in such manner as may be prescribed.
- (3) Before the South Sudan primary standards re-verified in accordance with subsection (2) of section 12, the Bureau of Standards shall cause the South Sudan primary reference standards to be verified against the South Sudan primary standards, and such South Sudan primary reference standards shall be deemed to be the South Sudan primary standards during such time as the South Sudan primary standards are undergoing verification.
- (4) The South Sudan primary reference standards shall be kept at such place, and under such conditions, as the Minister may prescribe.
- (5) Judicial notice shall be taken of every South Sudan primary reference standard.

15. Secondary Standards to be Procured.

- (1) The Bureau of Standards shall procure such copies of the South Sudan primary reference standards, and shall provide for verifying the same, and shall cause such copies to be authenticated as secondary standards in such manner as the Minister may think proper.
- (2) A secondary standard of any measure of length or measure of capacity may be provided either as a separate standard or by means of divisions marked on a standard of a large measure; and may be either marked in whole or in part with

subdivisions representing any multiple or fractions of unit of measurement specified under the Second Schedule or have no such markings.

- (3) The secondary standards shall, at such time as the Minister may prescribe, be compared with the South Sudan primary reference standards in the presence of the custodians of the South Sudan primary reference standards, and when necessary shall be corrected and adjusted.
- (4) The secondary standards shall not be used elsewhere other than at the premises approved by the Standards Council for their custody.
- (5) The custodians of the South Sudan primary reference standards shall cause every weight or measure submitted to them for certification under this section to be compared with one or more of the South Sudan primary reference standards as may appear to them to be appropriate and, if that weight or measure is found correct and satisfies any other requirements of this Act, they shall issue a certificate to that effect which may include a statement of any error in the weight or measure.
- (6) A weight or measure shall not be used as a secondary standard unless there is for the time being in force a certificate of its fitness for the purpose.
- (7) A certificate issued under subsection (4) shall cease to have effect at the expiration of the period from the date of issue specified in the certificate in accordance with the provisions of this Act.
- (8) The Executive Director shall keep a record of all certificates issued under subsection (4).
- (9) Judicial notice shall be taken of every secondary standard.

16. Secondary Reference Standards.

- (1) The Minister shall provide secondary reference standards of such of the measures and weights set out in Part I of the Third Schedule as the Standards Council may from time to time recommend as being proper and sufficient for the purposes of this Act.
- (2) The Standards Council shall ascertain the accuracy of secondary reference standards by reference either directly or indirectly to secondary standards, at least once every year; and the standards may be used by an inspector for any purpose in connection with his or her duties.
- (3) A secondary reference standard measure of length or a measure of capacity may –

- (a) be provided either as separate standards or by means of divisions marked on a standard of a larger measure; and
 - (b) be either marked in whole or in part with subdivisions representing any multiples or fractions of a unit of measurement specified in the Second Schedule, or have no such markings.
- (4) Secondary reference standards may be replaced from time to time as the Minister may, on advice of the Standards Council, consider to be necessary or expedient.
- (5) A standard provided under this section shall, until the contrary is proved, be deemed to be true and accurate.

17. Working Standards and Testing Equipment.

- (1) The Standards Council shall provide for use by an inspector and cause to be maintained working standards of such of the measures and weights set out in the Third Schedule, such testing equipment, and such stamping equipment as the Executive Director may from time to time recommend as being proper and sufficient for the efficient discharge by an inspector of his or her duties under this Act; and a working standard measure of length or measure of capacity may –
- (a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and
 - (b) be either marked in whole or in part with subdivisions representing any multiples or fractions of a unit of measurement specified in the Second Schedule, or have no such markings.
- (2) Working standards and testing equipment shall be maintained in such manner as the Minister may prescribe.
- (3) The Minister may, on advice of the Standards Council, by order vary the Third Schedule by adding to or replacing any of the weights, measures or instruments specified in that Schedule as he or she may deem necessary.
- (4) A working standard provided under this section shall, until the contrary is proved, be deemed to be true and accurate.

18. Testing of Standards and Equipment of Other Institutions.

- (1) The Executive Director may, on the application of any person, government or institution, accept for testing as to accuracy or compliance with any specifications and for report –
- (a) any article used or proposed to be used as a standard of a unit of measurement of mass, length, capacity, area or volume;
 - (b) any weighing or measuring instrument;
 - (c) any other metrological equipment; and

- (d) any article for the use in the manner specified in paragraph (b) or (c), submitted by that person, government or institution for the purpose at such place as the Executive Director may direct.
- (2) The Executive Director may charge a prescribed fee in respect of any article or weighing or measuring instrument accepted by him or her under this section.

CHAPTER IV

WEIGHING AND MEASURING FOR TRADE

19. Meaning of Use for Trade.

- (1) For the purpose of this Part, the expression "use for trade" means use in connection with a transaction falling within subsection (2) where –
 - (a) the transaction is by reference to quantity or is a transaction for the purposes of which there is made or implied a statement of the quantity of goods to which the transaction relates; and
 - (b) the use is for the purpose of the determination or statement of that quantity.
- (2) A transaction shall be deemed to fall within the meaning of this section if it is a transaction –
 - (a) for the transferring or rendering of money or money's worth in consideration of money or money's worth; or
 - (b) for the making of a payment in respect of a toll or duty or other due;
 - (c) for the assessment of any work done, wages due or services rendered.
- (3) Use for trade does not include use in a case where –
 - (a) the determination or statement is a determination or statement of the quantity of goods required for dispatch to a destination outside South Sudan; and
 - (b) no transfer or rendering of money or money's worth is involved other than the passing of the title to the goods and the consideration for them.
- (4) A weighing or measuring instrument which is made available in South Sudan for use by the public, whether on payment or otherwise, shall be treated for the purposes of this Part as weighing or measuring equipment in use for trade, whether or not it would apart from this subsection be so treated.

20. Units of Measurement, Weights and Measures Lawful For Use for Trade.

- (1) A person shall not–
 - (a) use for trade any weight or measure which is not authorized by this Act; or

- (b) use for trade, or have in his or her possession or control for use for trade any weight or measure of a denomination other than those specified in the Third Schedule.
- (2) A person shall not use the carat (metric) for trade except for the purposes of transactions in precious stones, pearls, precious metals or articles made precious from such stones, pearls, and precious metals.
- (3) Except as may be prescribed, no capacity measure specified in the Third Schedule shall be used for trade by means of any division or subdivision marked thereon as a capacity measure of any lesser quantity.
- (4) A person who contravenes this section commits an offence and any weight or measure used or in possession of any person for use for trade in contravention of those provisions shall be forfeited.

21. Offences for Use or Possession of Certain Weighing or Measuring Instruments.

A person who uses or has in his or her possession or control for use for trade a weighing or measuring instrument not constructed to indicate in terms of some weight or measure authorized by this Act commits an offence and the weighing or measuring instrument shall be forfeited.

22. Offences Relating to False or Unjust Weights, Measures or Weighing and Measuring Instruments.

A person who uses or has in his possession or control for use for trade any weight, measure, weighing or measuring instrument which is false or unjust shall be guilty of an offence and the weight, measure, weighing or measuring instrument shall be forfeited.

23. Offences Relating to Fraud in the Use of Weights, Measures or Weighing and Measuring Instruments.

Where a fraud is committed in the use of any weight or measure, weighing or measuring instrument, the person committing the fraud, commits an offence and the weight or measure, weighing or measuring instrument shall be forfeited; except so however that where the court is satisfied that the weight, measure or weighing or measuring instrument is the property of a person other than the person committing, or a person being a party to the commission of, the fraud, the court may waive the forfeiture.

24. Unjust Weight, Measure, Weighing or Measuring Instruments.

Every weight, measure or weighing or measuring instrument which has a greater error than the limit of error prescribed under this Act shall be deemed to be false or unjust for the purposes of this Act.

25. Offences for Sale of Incorrect Weight, Measure, Weighing or Measuring Instruments.

- (1) A person shall not make for sale or cause to be made for sale or sell or cause to be sold, any false or unjust weight, measure, weighing or measuring instrument, and no person shall sell or expose for sale any weight, measure weighing or measuring instrument, intended for use for trade unless the same bears a valid stamp of verification of a date not earlier than one year previous to such sale or exposure.
- (2) This section shall not apply to –
 - (a) a weighing or measuring instrument of a type which when made was not intended or designed for use for trade and which was then marked with the words "Not Legal for Trade Use" permanently and clearly on some conspicuous part of the weighing or measuring instrument; or
 - (b) a measure, weighing or measuring instrument which is required by this Act to be permanently installed at the place where it is to be used before it is verified.
- (3) A person who contravenes this section commits an offence and the weight, measure, weighing or measuring instrument in respect of which the offence is committed shall be forfeited.

26. Verification of Weights, Measures, Weighing or Measuring Instruments.

- (1) An inspector shall, not more often than once in every year call upon persons in any area having weights, measures, weighing or measuring instruments in use for trade to produce the same for the purpose of their being examined, verified, stamped or re-stamped at such time and place within that area as he may appoint.
- (2) For the purposes of subsection (1) there shall be published a notice in the Gazette and in a newspaper circulating within such area stating the time and place so appointed, such time not being earlier than fourteen days after the publication of the notice.
- (3) Where a weight, measure, weighing or measuring instrument, by reason of it being permanently fixed or of its heavy weight or delicate construction cannot be conveniently moved or where a weight, measure, weighing or measuring instrument is situated at a distance exceeding twenty kilometres from the nearest place appointed under subsection (1), it shall be sufficient for the purposes of this section if the person who has the same for use for trade notifies in writing its position to the inspector or some other officer authorized by the inspector to receive the notification at least three days in advance of the date the verification falls due.
- (4) An inspector shall attend with the working standards and testing equipment in his or her custody at the time and place notified under subsection (2) and upon payment of the prescribed fee, shall examine every weight, measure, weighing or

measuring instrument brought or submitted to him or her which is of a denomination or a pattern authorized by or under this Act, and shall compare or test it with the working standard and testing equipment and if he or she finds the weight, measure, weighing or measuring instrument to be accurate and correct, he or she shall stamp it with a stamp of verification in the prescribed manner.

- (5) Where a notification has been given under subsection (3) an inspector shall, upon payment of the prescribed fee, attend with the working standards and testing equipment in his or her custody at the place notified and shall test or examine and stamp any weight, measure, weighing or measuring instrument so notified in the same manner as if such weight, measure, weighing or measuring instrument had been brought or submitted to him or her.
- (6) In case of any measure, weighing or measuring instrument which is required by this Act to be verified only after it has been installed at the place where it is to be used for trade if after the same has been so verified and stamped it is dismantled and re-installed, whether in the same place or some other place, it shall not be used for trade after being so re-installed until it has been verified and stamped by an inspector.
- (7) Where any person knowingly uses, or causes or permits any other person to use any measure, weighing or measuring instrument in contravention of subsection (6) or knowing that the same is required by virtue of subsection(6) to be so re-verified disposes of it to some other person without informing him or her of that requirement he or she commits an offence.
- (8) Whenever an inspector verifies any weight, measure, weighing or measuring instrument and finds it correct, he shall issue to the person bringing or submitting the same to him a certificate in respect thereof in such form as may be prescribed.
- (9) Subject to subsection (3), a person who fails to comply with any notice published under subsection (2) commits an offence.

27. Offences in Connection With Obstruction of Inspector.

A person who refuses or fails to produce to an inspector a weight, measure, weighing or measuring instrument in his or her possession or custody or control for use for trade, where the inspector requires the production under this Act, or who obstructs or hinders or assaults an inspector in the performance of any duty or act imposed or authorized by this Act or who fails to comply with any reasonable request made by an inspector in the course of his or her duty under this Act, commits an offence.

28. Presumption Concerning Possession.

Where a weight, measure, weighing or measuring instrument is found in the possession or control of a person carrying on trade or is found on any premises, whether in a building or not and whether open or enclosed, which are used for trade, that person shall

be deemed for the purposes of this Act to have the weight, measure or weighing or measuring instrument in his or her possession for use for trade and the onus of proving the contrary shall be upon him or her.

29. Approval of Pattern of Weighing and Measuring Instruments for Trade.

- (1) Where a pattern of weighing or measuring instrument is submitted by any person to the Standards Council for approval in a manner prescribed by the Minister, the Executive Director shall, on payment by that person of such fee as may be prescribed, cause to be examined in such manner as he or she considers reasonable the suitability for use for trade of instruments of that pattern, having regard in particular to the principles, materials and methods used or proposed to be used in its construction.
- (2) Where the Executive Director is satisfied that such weighing or measuring instrument under subsection (1) is suitable for use for trade, he or she shall issue a certificate of approval of that pattern and may from time to time thereafter authorize such modifications thereof as he or she considers reasonable.
- (3) Where a person submits a pattern of a weighing or measuring instrument to the Executive Director under subsection (1) the Executive Director may require the person to deposit with him or her the weighing or measuring instrument or parts of that pattern or model of such weighing or measuring instrument together with drawings of such weighing or measuring instrument or parts thereof.
- (4) A certificate of approval granted under this section may be granted subject to such conditions as the Executive Director may specify in the certificate of approval; and if any person, knowing that: such a condition has been imposed with respect to any weighing or measuring instrument uses or causes or permits any other person to use the same in contravention of that condition he shall be guilty of an offence, and the weighing or measuring instrument shall be liable to be forfeited.
- (5) The Executive Director may at any time revoke a certificate of authorization granted under this section, and shall cause notice of any such revocation to be published in the Gazette.
- (6) Where any person knowing that the certificate of authorization has been revoked under subsection (5) , and except as may be permitted by any fresh certificate of authorization granted in respect thereof, uses for trade or has in his or her possession or control for such use, or causes or permits any other person so to use, any weighing or measuring instrument of the pattern or incorporating the modification in question, or disposes of any weighing or measuring instrument to any other person in a state in which it could be so used without informing that other person of the revocation, he or she commits an offence and the weighing or measuring instrument shall be liable to be forfeited.

- (7) The Executive Director may accept and adopt, with or without modifications, an approval issued by a competent authority in another country, of any pattern of a weighing or measuring instrument.
- (8) If any difference arises between an inspector and any other person as to the interpretation of any specification for the construction of prescribed weighing or measuring instruments under this Act, that difference shall, at the request of that other person, be referred to the Executive Director and whose decision thereon shall be final.

30. Prescribed Weighing or Measuring Instrument, etc.

- (1) The provisions of this section shall apply to the use for trade of weighing or measuring instruments of such class as may be prescribed.
- (2) A person shall not use an article for trade as a weighing or measuring instrument to which this section applies, or have any article in his or her possession for such use unless that article, or weighing or measuring instrument to which this section applies in which that article is incorporated or to the operation of which the use of that article is incidental, has been passed by an inspector as fit for such use and, except as otherwise expressly provided by or under this Act, bears a valid stamp of verification indicating that it has been so passed; and if any person contravenes this subsection, he or she commits an offence and any article in respect of which the offence was committed shall be forfeited.
- (3) Where a person submits a weighing or measuring instrument of a pattern in respect of which a certificate of approval granted under section 30 is for the time being in force, and an inspector is of the opinion that the weighing or measuring instrument is intended for trade for a particular purpose for which it is not suitable, he or she may refuse to pass or stamp it.

31. Exemption From Marking or Stamping.

The requirement of this Act in respect of marking and stamping shall not apply to any weight, measure or weighing or measuring instrument which is of delicate construction or too small to be marked or stamped in accordance with those requirements.

32. Rules Relating to Measuring For Trade.

The Minister may, on advice of the Standards Council, make rules generally for the better carrying out of the provisions of this Chapter, and in particular, but without prejudice to the generality of the foregoing, in respect to –

- (a) the material and principles of construction of weights, measures or weighing or measuring instruments for use for trade;
- (b) the examination and verification for use for trade and stamping of weights, measures or weighing or measuring instruments;

- (c) the prohibition of the stamping of weights, measures, or weighing or measuring instruments in such circumstances as may be specified in the rules;
- (d) the circumstances in which an inspector may remove or detain any weights, measures or weighing or measuring instruments for examination or verification;
- (e) the marking of any weights, measures or weighing or measuring instruments found unfit for use for trade;
- (f) the circumstances in which, conditions under which and manner in which stamps may be destroyed, obliterated or defaced;
- (g) the purpose for which particular types of weights, measures or weighing or measuring instruments may be used for trade;
- (h) the manner of erection or use of weighing or measuring instruments used for trade;
- (i) the condition in which and the manner in which weights, measures or weighing or measuring instruments shall be submitted for verification;
- (j) the standards of measure or weight of denomination other than those prescribed under this Act; the limits of error to be allowed on verification either generally or in respect of any trade;
- (k) the fees to be charged in respect of verification of weighing or measuring instrument and the adjusting of weights and measures;
- (l) the examination and licensing of persons engaging in or proposing to engage in the repairing or overhauling of weighing or measuring instruments whether or not for profit, and the fees to be charged for such examination and licences;
- (m) the manner in which the tare weight of road vehicles, or of road vehicles of any particular class or description is to be determined;
- (n) the identification of equipment of approved patterns;
- (o) the prescribing of any weighing or measuring instrument;
- (p) the form of certificates, licences, notices or other documents to be used or issued for the purposes, of this Act;
- (q) the examination, verification and stamping of weighing and measuring instruments used or in possession for use by any Department of the National Government or by any local authority for the purposes of, or in connection with the fixing of tolls, rates, taxes, or payment of any description;
- (r) the declaration, in relation to the specified base units, such other supplementary units, derived units and other units, as he or she may consider expedient for use in South Sudan;
- (s) the declaration of such equivalents, multiples or fractions of any unit of measurement in use in South Sudan;
- (t) the abbreviations of or symbols for the units of measurement in use in South Sudan, as he or she may consider expedient; and
- (u) the material, principle of construction and the metrological control of weights, measures or instruments other than those covered by paragraph (a), as the Executive Director may from time to time recommend.

CHAPTER V

REGULATION OF CERTAIN TRANSACTIONS IN GOODS

33. Rules Relating to Transactions in Particular Goods.

- (1) The Minister, on advice of the Standards Council, may make rules generally to regulate certain transactions in goods.
- (2) Notwithstanding the generality of subsection (1), the rules may provide that the goods in question –
 - (a) are sold only by quantity expressed in such manner as may be so specified;
 - (b) are pre-packed or are otherwise made up in or on a container for sale or for delivery after sale, only if the container is marked with such information as to the quantity of the goods as may be so specified;
 - (c) are pre-packed, or are otherwise made up for sale or for delivery after sale, only in or on a container of a size or capacity so specified;
 - (d) are sold, or are pre-packed, or are otherwise made up in or on a container for sale or for delivery after sale, or are made for sale, only in such quantities as may be so specified;
 - (e) are not sold without the quantity sold expressed in such manner as may be so specified being made known to the buyer at or before such time as may be so specified;
 - (f) are sold by means of, or are offered or exposed for sale in, a vending machine only if there is displayed on or in the machine –
 - (i) such information as to the quantity of the goods in question comprised in each item for sale by means of that machine as may be so specified; and
 - (ii) a statement of the name and address of the seller;
 - (g) are carried for reward only in pursuance of an agreement made by reference to the quantity of the goods in question expressed in such manner as may be so specified; and
 - (h) in such circumstances as may be so specified, have associated with them in such manner as may be so specified a document containing a statement of the quantity of the goods in question expressed in such manner, and a statement of such other particulars, if any, as may be so specified.

34. Rules as to Information.

- (1) The Minister may, on advice of the Standards Council, make rules –
 - (a) prescribing the manner in which any container required to be marked with information may be marked;

- (b) prescribing the manner in which any information required by any such provision to be displayed on or in a vending machine is to be displayed;
- (c) prescribing the conditions which must be satisfied in marking with information as to the quantity of goods in the container or on which any goods are made up for sale where those goods are goods on a sale of which the quantity of the goods sold is required by any such provision to be made known to the buyer at or before a particular time;
- (d) prescribing the units of measurement to be used in marking any such container or machine with any information;
- (e) for securing, in the case of pre-packed goods, that the container is so marked as to enable the packer to be identified;
- (f) prescribing the method by which and conditions under which quantity is to be determined in connection with any information relating to quantity;
- (g) permitting, in the case of such goods and in such circumstances as may be specified in the rules, the weight of such articles used in making up the goods for sale as may be so specified to be included in the net weight of the goods for the purposes of this Act;
- (h) requiring persons who sell or who make, possess or carry for sale goods which they are prohibited from selling otherwise than by net weight or measure to provide for use of persons buying or proposing to buy such goods from them, the means of verifying or checking the net weight or measure of the goods;and
- (i) prohibiting the importation of make-up packages or vessels for sale in South Sudan which do not comply with the requirements of any rules made under this Act.

(2) A person who contravenes any rule under subsection (1) commits an offence.

35. Exemption from Rules on Information and Rules on Transaction in Certain Goods.

The Minister may, on advice of the Standards Council, by order grant, with respect of goods or sales of such descriptions as may be specified in the order, an exemption, either generally or in such circumstances as may be specified, from all or any of the requirements imposed by rules on information and rules on transaction in certain goods.

36. Offences Relating to Transactions in Goods.

- (1) Where any goods are required, when not pre-packed, to be sold only by quantity expressed in a particular manner or only in a particular quantity, a person commits an offence who -
 - (a) whether on his or her own behalf or on behalf of another person, offers or exposes for sale, sells or agrees to sell ; or
 - (b) causes or suffers any other person to offer or expose for sale, sell or agree to sell on his or her behalf,
 those goods otherwise than by quantity expressed in that manner or, as the case may be, otherwise than in that quantity.

- (2) A person commits an offence who –
- (a) whether on his or her own behalf or on behalf of another person, has in his or her possession for sale, sells or agrees to sell; or
 - (b) except in the course or carriage of the goods for reward, has in his or her possession for delivery after sale; or sign for sale or for delivery after sale, sell or agree to sell on behalf of the first-mentioned person, any goods to which subsection(3) applies, whether the sale is or is to be, by retail or otherwise.
- (3) This subsection applies to any goods –
- (a) which are required to be pre-packed only in particular quantities but are not so pre-packed;
 - (b) which are required to be otherwise made up in or on a container for sale or for delivery after sale only in particular quantities but are not so made up;
 - (c) which are required to be made for sale only in particular quantities but are not so made;
 - (d) which are required to be pre-packed only if the container is marked with particular information but are pre-packed otherwise than in or on a container so marked;
 - (e) which are required to be otherwise made up in or on a container for sale or for delivery after sale only if the container is marked with particular information but are so made up otherwise than in or on a container so marked;
 - (f) which are required to be pre-packed only in or on a container of a particular description but are not pre-packed in or on a container of that description; or
 - (g) which are required to be otherwise made up in or on a container for sale or delivery after sale only in or on a container of a particular description but are not so made up in or on a container of that description.
- (4) In the case of any sale where the quantity of the goods sold expressed in a particular manner is required to be made known to the buyer at or before a particular time and that quantity is not so made known, the person by whom, and any other person on whose behalf, the goods were sold shall be guilty of an offence.
- (5) Where any goods required to be sold by means of, or to be offered or exposed for sale in, a vending machine only if certain requirements are complied with are sold, offered or exposed for sale without those requirements being complied with, the seller or person causing the goods to be offered or exposed for sale shall be guilty of an offence.

37. Short Weight.

- (1) A person who, in selling or purporting to sell any goods by weight or other measurement or by number, delivers or causes to be delivered to the buyer –

- (a) a lesser quantity than that purported to be sold; or
 - (b) a lesser quantity than corresponds with the price charged, commits an offence.
- (2) For the purposes of this section a statement, whether oral or in writing, as to the weight of any goods shall be taken, unless otherwise expressed, to be a statement as to the net weight of the goods.

38. Misrepresentation.

A person who –

- (a) on or in connection with the sale or purchase of any goods;
- (b) in exposing or offering any goods for sale;
- (c) in purporting to make known to the buyer the quantity of any goods sold; or
- (d) in offering to purchase any goods,

makes any misrepresentation, whether oral or otherwise as to the quantity of the goods, or does any other act calculated to mislead a person buying or selling the goods as to the quantity of the goods, commits an offence.

39. Quantity Less Than Stated.

- (1) If, in the case of any goods pre-packed in or on a container marked with a statement in writing with respect to the quantity of the goods, the quantity of the goods is at any time found to be less than that stated-
- (a) a person who has those goods in his or her possession for sale commits an offence; and
 - (b) if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been sold by retail and delivered to a person nominated in that behalf by the buyer, any person by whom or on whose behalf those goods have been sold or agreed to be sold at any time while they were pre-packed in or on the container in question, commits an offence.

- (2) If –
- (a) in the case of a sale of or agreement to sell any goods which, not being pre-packed, are made up for sale or for delivery after sale in or on a container marked with a statement in writing with respect to the quantity of the goods; or

(b) in the case of any goods which, in connection with their sale or an agreement for their sale, have associated with them a document containing such a statement,

the quantity of the goods is at any time found to be less than that stated, then, if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been delivered to, or to a person nominated in that behalf by the buyer, and the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence.

- (3) Subsections (1) and (2) shall have effect notwithstanding that the quantity stated is expressed to be the quantity of the goods at a specified time falling before the time in question, or is expressed with some other qualification of whatever description, except where –
- (a) that quantity is so expressed in pursuance of an express requirement of this Act; or
 - (b) the goods, although falling within subsection (1) or subsection 2 (a) –
 - (i) are not required under this Act to be pre-packed or to be made up for sale or for delivery after sale in or on a container only if the container is marked indicating quantity of the goods; and
 - (ii) are not goods on a sale of which the quantity sold is required under any provision of this Act to be made known to the buyer at or before a particular time; or
 - (c) the goods, although falling within subsection (2) (b), are not required under this Act to have associated with them such a document as is mentioned in that provision.

40. Incorrect Statements.

Where goods required under this Act to be accompanied by a document containing particular statements, if that document is found to contain any such statement which is materially incorrect, a person who, knowing or having reasonable cause to suspect that statement to be materially incorrect, inserted it or caused it to be inserted in the document, or used the document for the purposes of this Act while that statement was contained in the document, commits an offence.

41. Offences Due to Default of Another Person.

Where the commission by any person of an offence in respect of any goods is due to the act or default of some other person not being a person under the control of the first mentioned person, the other person shall be guilty of an offence and may be charged with and convicted of the offence whether or not proceedings are taken against the first mentioned person.

42. Warranty as a Defence.

- (1) Subject to this section, in any proceedings for an offence under this Act, being an offence relating to the quantity or pre-packing of any goods, it shall be a defence for the person charged to prove –
- (a) that he or she bought the goods from some other person –
 - (i) as being of the quantity which the person charged purported to sell or represented, or which was marked on any container or stated in any document to which the proceedings relate; or
 - (ii) as conforming with the statement marked on any container to which the proceedings relate;
 - (b) that he or she so bought the goods with a written warranty from that other person that they were of that quantity or, as the case may be, did confirm;

- (c) that at the time of the commission of the offence he or she did in fact believe the statement contained in the warranty to be accurate and had no reason to believe it to be inaccurate;
 - (d) if the warranty was given by a person who at the time he or she gave it was resident outside South Sudan, that the person charged had taken reasonable steps to check the accuracy of the statement contained in the warranty; and
 - (e) in the case of proceedings relating to the quantity of any goods, that he or she took all reasonable steps to ensure that, while in his or her possession, the quantity of the goods remained unchanged and, in the case of such or any other proceedings, that apart from any change in their quantity the goods were at the time of the commission of the offence in the same state as when he or she bought them.
- (2) A warranty shall not be a defence in any proceedings under subsection (1), unless, not later than seven days before the date of the hearing, the person charged has sent to the prosecutor a copy of the warranty with a notice stating that he intends to rely on it and specifying the name and address of the person from whom the warranty was received, and has also sent a like notice to that person.
- (3) Where the person charged is the employee of a person who, if he or she had been charged, would have been entitled to plead a warranty as a defence under subsection (1), that subsection shall have effect –
 - (a) with the substitution, for any reference (however expressed) in paragraphs (a), (b), (d) and (e) to the person charged, of a reference to his or her employer, and
 - (b) with the substitution for paragraph (c) of the following –

"(c) that at the time of the commission of the offence his or her employer did in fact believe the statement contained in the warranty to be accurate and the person charged had no reason to believe it to be inaccurate."
- (4) The person by whom the warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence.
- (5) If the person charged in any such proceedings as are mentioned in subsection (1) willfully attributes to any goods a warranty given in relation to any other goods, he or she commits an offence.
- (6) A person who, in respect of any goods sold by him in respect of which a warranty might be pleaded under this section, gives to the buyer a false warranty in writing commits an offence unless he or she proves that when he or she gave the warranty, he or she took all reasonable steps to ensure that the statements contained in it were, and would continue at all relevant times to be, accurate.
- (7) For the purposes of this section, any statement with respect to any goods which is contained in any document required under this Act to be associated with the

goods or in any invoice, and in the case of goods made up in or on a container for sale or for delivery after sale, any statement with respect to those goods with which that container is marked, shall be taken to be a written warranty of the accuracy of that statement.

43. Reasonable Precaution and Due Diligence.

- (1) In any proceedings for an offence under this Act, it shall be a defence for the person charged to prove that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (2) If in any case the defence provided by subsection (1) involves an allegation that the commission of the offence in question was due to an act or default of another person (not being a person under the control of the person charged) or due to reliance on information supplied by another person not being a person under his control, the person charged shall not, without the leave of the court, be entitled to rely on the defence unless, before the beginning of the period of seven days ending with the date when the hearing of the charge began, he or she served on the prosecutor a notice giving such information identifying or assisting in the identification of the other person as was then in his or her possession.

44. Subsequent Deficiency.

- (1) This subsection applies to any proceedings for an offence under this Act, by reason of quantity –
 - (a) of any goods made up for sale or for delivery after sale, (whether by way of pre-packing or otherwise) in or on a container marked with an indication of quantity;
 - (b) of any goods which, in connection with their sale or an agreement for their sale, have associated with them a document purporting to state the quantity of the goods; or
 - (c) of any goods required under this Act to be pre-packed, or to be otherwise made up in or on a container for sale or for delivery after sale, or to be made for sale, only in particular quantities, being less than that marked on the container or stated in the document in question or being less than the relevant particular quantity, as the case may be.
- (2) In any proceedings to which subsection (1) applies, it shall be a defence for the person charged to prove that the deficiency arose –
 - (a) in a case falling within paragraph (a) of sub-section (1) above, after the making up of the goods and the marking of the container;
 - (b) in a case falling within paragraph (b) of sub-section (1) above, after the preparation of the goods for delivery in pursuance of the sale or agreement and after the completion of the document;
 - (c) in a case falling within paragraph (c) of sub-section (1) above, after the making up or marking, as the case may be, of the goods for sale, and was

attributable wholly to factors for which reasonable allowance was made in stating the quantity of the goods in the marking of the document or in making up or marking the goods for sale, as the case may be.

- (3) If in any proceedings for an offence under this Act, being an offence in respect of any deficiency in the quantity of any goods sold, it is shown that between the sale and the discovery of the deficiency the goods were, with the consent of the buyer, subjected to treatment which could result in a reduction in the quantity of those goods for delivery to, or to any person nominated in that behalf by the buyer, the person charged shall not be found guilty of that offence unless it is shown that the deficiency cannot be accounted for by the subjecting of the goods to that treatment.

45. Selling by Quantity.

Where any goods are required under this Act to be sold only by quantity expressed in a particular manner –

- (a) it shall be a sufficient compliance with that requirement in the case of any sale of, or agreement to sell any such goods if the quantity of the goods expressed in the manner in question is made known to the buyer before the purchase price is agreed; and
- (b) a person shall not commit an offence in respect to the transaction in goods by reason of the exposing or offering for sale of such goods at any time if both the quantity of the goods expressed in the manner in question and the price at which they are exposed or offered for sale are made known at that time to any prospective buyer.

46. Making Quantity Known to a Person.

- (1) For the purposes of this Act and without prejudice to any other method of making known to a person the quantity of any goods expressed in a particular manner, that quantity shall be taken to be made known to that person –
 - (a) if the goods are weighed or otherwise measured or counted, as the case may require, in the presence of that person;
 - (b) if the goods are made up in or on a container marked with a statement in writing of the quantity of the goods expressed in the manner in question and the container is readily available for inspection by that person; or
 - (c) upon such a statement in writing being delivered to that person.
- (2) The Minister may by order provide that subsection (3) shall apply, in the case of such goods in such circumstances as are specified in the order, to any requirement so specified under this Act with respect to the making known to the buyer of the quantity by weight of the goods sold by retail.
- (3) In any case to which this subsection applies the requirement specified in the order shall be taken to be satisfied if the goods are bought at the premises at which the weighing instrument of such description as may be prescribed –

- (a) is kept available by the occupier of those premises for use without charge by any prospective buyer of such goods for the purposes of weighing for himself any such goods offered or exposed for sale by retail on those premises; and
- (b) is so kept available in a position on those premises which is suitable and convenient for such use of the weighing instrument; and
- (c) is reserved for use for that purpose at all times while those premises are open for retail transactions; and a notice of the availability of the weighing instrument for such use is displayed in a position on the premises where it may be readily seen by any prospective buyer.

47. Weighing in Presence of Person.

For the purposes of this Act, a person shall not be taken to weigh or otherwise measure or count any goods in the presence of any other person unless he or she causes any weighing instrument used for the purpose to be so placed or conducts the operation of weighing or otherwise measuring or counting the goods, as to permit that person a clear and unobstructed view of the weighing or measuring instrument if any, and of the operation, and of any indication of quantity given by any such instrument as the result of that operation.

CHAPTER VI

ADMINISTRATION

48. Administration by the National Bureau of Standards.

- (1) The National Bureau of Standards shall be responsible for the administration and enforcement generally, of the provisions of this Act, subject to the general and special directions of the Minister.
- (2) The provisions on appointment, designation, delegation of powers of officers applicable under the National Bureau of Standards Act, 2012 shall apply to this Act.
- (3) The Executive Director appointed under the National Bureau of Standards Act 2012 shall be responsible to the Standards Council and the Minister for the custody and maintenance of secondary standards, secondary reference standards and working standards provided under this Act and generally for the operation of the arrangements made to give effect to the purposes of this Act, and the general supervision of inspectors.

49. Appointment of Inspectors.

- (1) The Minister may, on the recommendation of the Standards Council, by notice in the Gazette and mass media, appoint such number of inspectors for the purposes of

this Act, on such terms and conditions as may be specified in their instruments of appointment.

- (2) The inspectors appointed under sub section (1) shall be persons qualified to handle any of the functions under this Act and may be appointed from outside the Bureau of Standards.
- (3) Every inspector shall be furnished with a certificate of authority signed by the Minister stating that he or she is authorized to act as an inspector for the purposes of this Act.
- (4) An inspector shall produce the certificate of authority when required to do so in the exercise of his or her powers under this Act.
- (5) An inspector shall discharge his or her functions and duties, and exercise his or her powers, subject to the direction and control of the Executive Director.

CHAPTER VII

POWERS OF OFFICERS AND INSPECTORS

50. Power of Entry and Seizure.

- (1) An inspector may at any reasonable time inspect and test all weights, measures or weighing or measuring instruments which are used or are in any person's possession, or upon any premises for the purposes of trade, and may cause such weights, measures or weighing or measuring instruments to be compared with the working standards, and may apply such test as may be necessary to determine the accuracy thereof, and may seize and detain such of the weights, measures or weighing or measuring instruments as are liable to forfeiture under this Act.
- (2) For the purposes of subsection (1), an inspector may –
 - (a) enter any shop, factory, store or warehouse, stall, yard or other premises wherein he or she has reasonable cause to believe that there are any weights, measures, weighing or measuring instruments which he or she is authorized under this Act to inspect or where any goods are bought, sold, exposed, pre-packed or kept for sale, or weighed or measured for sale or for conveyance or carriage or for any other trade purpose;
 - (b) inspect and weigh or otherwise measure or count any goods on any premises or at any place where goods are bought, sold or exposed for sale, and may stop any vehicle or person carrying goods for sale or delivery to a purchaser;
 - (c) may enter any premises where goods have been delivered to a purchaser in order to ascertain that the provisions of this Act have been complied with, and for any such purpose may use any weighing or measuring

instrument which complies with the provisions of this Act and which may be upon such premises; and

- (d) may require the production of any documents or records appertaining to the quantity or gauge of such goods and such reasonable assistance from any person present and having an interest in those goods as may be necessary.

51. Power to Require Recall of Weighing or Measuring Instrument.

- (1) Where a person has supplied any weighing or measuring instrument which is, or which the inspector has reason to believe is, in contravention of this Act, the inspector may require the person to effect a recall of any weighing or measuring instrument supplied by him or her.
- (2) A person who fails to comply with a requirement of the inspector, made under subsection (1) commits an offence.

52. Power to Make Test Purchases.

- (1) An inspector may make such test purchases of goods as may appear expedient for the purposes of determining whether or not the provisions of this Act are being complied with; and the expenses incurred in making any such purchase shall be met from public funds.
- (2) An inspector may, in connection with the investigation of any alleged offence arising out of a test purchase involving payment with money, search any person for the money; or enter and search premises, or search any box or receptacle and the contents thereof at the place at which such test purchase has been made, and may seize the money so found and retain any change received for the purchase as evidence of the transaction.
- (3) Any goods purchased under subsection (1) in respect of which no court proceedings are instituted shall be disposed of in such a manner as the Minister may, on advice of the Standards Council, prescribe.

53. Powers of Arrest, Search and Seizure.

- (1) In addition to any other powers conferred by this Act, an inspector shall have the following powers –
 - (a) stop and detain, or may arrest without warrant, any person suspected of an offence under this Act or being in possession of any goods, or any weight, measure or weighing or measuring instrument in respect of which he or she has reason to believe that such an offence has been committed and may search any person so stopped and detained or arrested;
 - (b) seize and detain any goods or thing, or any weight, measure or weighing or measuring instrument in respect of which he or she has reason to

believe that an offence under this Act has been committed or which he or she has reason to believe to be evidence of such an offence.

- (2) A person shall not be arrested under this section unless the person –
 - (a) obstructs or hinders the inspector;
 - (b) it appears to the inspector, is likely to fail to answer to a summons;
 - (c) refuses to give his name and address to the inspector and to produce to him or her satisfactory evidence of his or her identity; or
 - (d) gives a name and address which the inspector has reason to believe to be false.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

54. Disposal of Seized Goods.

- (1) Where a vehicle, instrument, goods or money has been seized under this Act, the same may be retained for a period not exceeding three months or, if within that period, proceedings are commenced for any offence under this Act, until the final determination of those proceedings.
- (2) Where any goods are seized and detained under this Act, they shall be returned, less any portion which has been reasonably utilized for the purpose of any tests, to the person from whom they were seized within a period of three months after the date of seizure unless within such period a person is charged with an offence under this Act and such offence was committed in relation to or in connection with such goods.
- (3) Where any perishable goods have been seized under any provision of this Act, the inspector who has seized the goods shall forthwith report to a magistrate the fact of the seizure and if the magistrate is satisfied that the goods are perishable, he or she may authorize the inspector to dispose of the goods as the magistrate may think fit.
- (4) Where any proceedings are taken for any offence under this Act, the court by or before which the alleged offender is tried may make such order as to the forfeiture of the goods in respect of which such offence was committed or as to the disposal of any goods or money seized in connection therewith as the court shall see fit.
- (5) In this section "goods" shall be construed as including the proceeds of the sale of any goods, where such goods have been sold under subsection (3).

55. Offences by Corporations.

Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent and connivance of, or due to the negligence of a director, manager, secretary or any other officer of the body, that director, manager, secretary or any other officer commits the like offence and is liable to a like penalty.

56. General Penalties.

- (1) A person found guilty of a contravention of any provision of this Act for which no penalty is expressly provided shall be liable on conviction to a fine not exceeding SSP10,000 or to imprisonment for a term not exceeding 12 months or to both.
- (2) Where any person has been convicted of an offence under this Act, the court may, in addition to any other penalty to which the convicted person may be liable, make such order as the court considers reasonable to prevent the person from continuing to deal with or in the same goods or articles in respect of which the offence was committed.

57. Fees and Charges Collected By the Bureau of Standards.

All fees, charges and moneys collected under this Act by the Bureau of Standards shall be paid into the National Revenue Fund.

58. Regulations.

The Minister may, on advice of the Standards Council, make regulations generally for carrying out the purposes and provisions of this Act and, in particular, may make regulations —

- (a) to provide for the qualifications and other requirements for inspectors;
- (c) to provide for the conditions and duration of appointment of inspectors;
- (d) to provide for the practice and conduct of inspectors;
- (e) to regulate the manufacture, import or supply of any weighing or measuring instrument;
- (f) to require the registration of weighing or measuring instrument and persons involved in the manufacture, import or supply of any weighing or measuring instrument;
- (g) to provide for the manner of verification of South Sudan primary standards and primary reference standards;
- (i) to provide for the manner of maintaining working standards;
- (j) to prescribe fees and charges for any purpose of this Act; and
- (k) to prescribe anything which is to be or may be prescribed under this Act.

59. Power to Amend Schedules.

The Minister may, on the recommendation of the Standards Council, by notification in the *Gazette*, amend the Schedules to this Act.

FIRST SCHEDULE

Part I

The International System of Units is based on the following 7 basic units:

| <i>Unit</i> | <i>Symbol</i> | <i>Quantity</i> |
|-------------|---------------|---------------------------|
| Metre | M | length |
| Kilogramme | Kg | mass |
| Second | S | time |
| Ampere | A | electric current |
| Kelvin | K | Thermodynamic temperature |
| Candela | Cd | luminous intensity |
| Mole | Mol | Amount of Substance |

Part II

The following are the supplementary and derived units of the International System (SI) of Units:

| <i>Unit</i> | <i>Symbol</i> | <i>Quantity</i> |
|-------------|---------------|--|
| Hertz | Hz | frequency |
| Newton | N | force |
| Joule | J | work, energy, quantity of heat |
| Watt | W | power |
| Coulomb | C | quantity of electricity, electric charge |
| Volt | V | electric tension, potential |

| | | |
|-----------|-----|--|
| | | difference, electromotive force |
| Farad | F | electric capacitance |
| Ohm | © | electric resistance |
| Weber | Wb | flux of magnetic induction, magnetic flux |
| Tesla | T | magnetic flux density, magnetic induction |
| Henry | H | inductance |
| Lumen | Lm | luminous flux |
| Lux | Lx | illumination |
| Radian | Rad | plane angle |
| steradian | Sr | solid angle. |

Part III

Conversion of Imperial Standard Units to Equivalent SI Units:

| <i>Imperial Standard Unit</i> | <i>SI Unit</i> |
|---------------------------------------|---|
| 1 yard | = 0.9144 metre exactly |
| 1 pound | = 0.453 592 37 kilogramme exactly |
| 1 gallon | = 4.54609 litres approximately = 4.54609 cubic decimetres approximately. |

Part IV

| <i>Unit</i> | <i>Symbol</i> | <i>Quantity</i> |
|-----------------------|---------------|------------------------------------|
| Hectare | Ha | area |
| Metric Tonne | T | mass |
| Litre | L | volume |
| centigrade or Celsius | °C | temperature, temperature interval. |

SECOND SCHEDULE

Definitions of Units of Measurement (Metric Units)

Part I

Measurement of Length

| | | |
|------------|---|---|
| Kilometre | = | 1000 metres |
| Metre | = | The metre as defined under the Convention of the Metre 1875 |
| Decimetre | = | 1/10 metre |
| Centimetre | = | 1/100 metre |
| Millimetre | = | 1/1000 metre. |

Part II

Measurement of Area

| | | |
|-------------------|---|--|
| Hectare | = | 100 ares |
| Dekare | = | 10 ares |
| Are | = | 100 square metres |
| Square metre | = | A superficial area equal to that of a square each side of which measures one metre |
| Square decimeter | = | 1/100 square metre |
| Square centimeter | = | 1/100 square decimeter |
| Square millimeter | = | 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 decimeter | = | 1/1000 cubic metre |
| Cubic centimeter | = | 1/1000 cubic decimeter |

Part IV

Measurement of Capacity

| | | |
|------------|---|--------------------|
| Hectolitre | = | 100 litres |
| Litre | = | 1/1000 cubic metre |
| Decilitre | = | 1/10 litre |
| Centilitre | = | 1/100 litre |
| Millilitre | = | 1/1000 litre. |

Part V

Measurement of Mass or Weight

| | | |
|----------------|---|--|
| Metric ton | = | 1000 kilograms |
| Quintal | = | 100 kilograms |
| Kilogram | = | The kilogram as defined under the Convention of the Metre 1875 |
| Hectogram | = | 1/10 kilogram |
| Gram | = | 1/1000 kilogram |
| Carat (metric) | = | 1/5 gram |

Milligram = 1/1000 gram.

THIRD SCHEDULE

Measures and Weights (Metric System)

Part I

Linear Measure

Measures of —

| | |
|-----------------|-----------------|
| 20 metres | 100 millimetres |
| 10 metres | 50 millimetres |
| 2 metres | 20 millimetres |
| 1 metre | 10 millimetres |
| 500 millimetres | 1 decimetre |
| 200 millimetres | 1 centimetre. |

Part II

Measures of Volume

Measures of —

| | |
|---|-----------------|
| any multiple of 1 cubic decimetre in cubic form | 100 millilitres |
| 10 litres | 50 millilitres |
| 5 litres | 20 millilitres |
| 2 litres | 10 millilitres |
| 1 litre | 5 millilitres |
| 500 millilitres | 2 millilitres |
| 200 millilitres | 1 millilitre. |

Part III

Weights

1. Weights of —

| | |
|----------------|-----------------|
| 1000 kilograms | 4 grams |
| 500 kilograms | 3 grams |
| 250 kilograms | 2 grams |
| 100 kilograms | 1 gram |
| 50 kilograms | 500 milligrams |
| 20 kilograms | 400 milligrams |
| 15 kilograms | 300 milligrams |
| 10 kilograms | 200 milligrams |
| 5 kilograms | 150 milligrams |
| 2 kilograms | 0.5 milligrams |
| 1 kilogram | 0.2 milligrams |
| 15 grams | 0.1 milligrams. |

2. Weights of —

| | | |
|-----------------|--------|---------------------|
| 500 (metric) | carats | 1 carat (metric) |
| 200 (metric) | carats | 0.5 carat (metric) |
| 100 (metric) | carats | 0.25 carat (metric) |
| 50 | carats | 0.2 carat (metric) |

(metric)

20 carats 0.1 carat (metric)
(metric)

10 carats 0.05 carat (metric)
(metric)

5 carats (metric) 0.02 carat (metric)

2 carats (metric) 0.01 carat (metric).

ASSENT OF THE PRESIDENT OF THE REPUBLIC OF SOUTH SUDAN

In accordance with the provision of Article 85 (1) of the Transitional Constitution of the Republic South Sudan, 2011, I, Gen. Salva Kiir Mayardit, President of the Republic of South Sudan, hereby Assent to the Weights and Measures Act, 2012 and sign it into law.

Signed under my hand in Juba, this 9th-----day of the month of MARCH in the year 2012.

A handwritten signature in black ink, consisting of a large, stylized 'S' shape with a horizontal line through the middle, and the initials 'SK' and '14' written below it.

**Gen. Salva Kiir Mayardit
President
Republic of South Sudan
RSS/ Juba.**