



Republic of Namibia
Annotated Statutes

Measuring Units and National Measuring Standards Act 76 of 1973 (RSA)

(RSA GG 3968)

brought into force in South Africa and South West Africa
on 5 July 1974 by RSA Proc. R.125/1974 (RSA GG 4326)
(see section 9 of Act)

APPLICABILITY TO SOUTH WEST AFRICA: Section 1 defines “Republic” to include “the territory of South West Africa”. Section 9 states “This Act and any amendment thereof shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel.”

TRANSFER TO SOUTH WEST AFRICA: The administration of this Act was transferred to South West Africa by the Executive Powers (Industries) Transfer Proclamation, AG 5 of 1978, dated 30 January 1978. The Act was not amended in South Africa prior to Namibian independence.

This Act is repealed by the Metrology Amendment Act 17 of 2005 (GG 3568), which has not yet come into force.

ACT

To provide for the systematic introduction into and use in the Republic and South West Africa of the measuring units of the International System of Units and certain other measuring units; for the designation of national measuring standards; and for matters connected therewith.

*(English text signed by the State President)
(Assented to 19th June, 1973)*

ARRANGEMENT OF SECTIONS

1. Definitions
2. Administration of Act
3. Units in the Republic
4. Expression of the magnitude of quantities by means of prescribed units, and designation of units by means of symbols
5. Equivalents of certain units
6. Establishment of advisory board, and consultation before issuing of notices
7. National measuring standards

Measuring Units and National Measuring Standards Act 76 of 1973 (RSA)

8. Offences and penalties
9. Application of Act in South West Africa
10. Act binding on State and administration of South West Africa
11. Short title and commencement

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:-

Definitions

1. In this Act, unless the context otherwise indicates -

“Minister” means the Minister of Economic Affairs;

“national measuring standard” means a measuring standard designated in terms of section 7 as a national measuring standard;

“quantity” means anything capable of being measured and of which the magnitude is capable of being expressed in terms of a unit;

“Republic” includes the territory of South West Africa;

“this Act” includes a notice issued thereunder;

“unit” means a measuring unit;

“use”, in relation to a unit, means the expression of the magnitude of any quantity by means of a unit.

Administration of Act

2. Subject to the control of the Minister -
 - (a) the provisions of this Act, excluding the provisions of section 6(1) and (2), shall be administered by the Secretary for Commerce or any officer in his Department authorized thereto by him; and
 - (b) the provisions of section 6(1) and (2) shall be administered by the Secretary for Industries or any officer in his Department authorized thereto by him.

Units in the Republic

3. The units in the Republic, the symbols therefor and the rules in connection with the use thereof shall be -

- (a) the units and the appropriate symbols and rules of the International System of Units (abbreviated as SI) as published from time to time by the Minister by notice in the *Gazette*; and
- (b) such other units, such symbols therefor and such rules in connection with the use thereof as the Minister may from time to time prescribe by notice in the *Gazette*.

Expression of the magnitude of quantities by means of prescribed units, and designation of units by means of symbols

Measuring Units and National Measuring Standards Act 76 of 1973 (RSA)

4. (1) The Minister may by notice in the *Gazette* prohibit -
- (a) the expression, in the circumstances or for the purposes or in connection with the matters and in respect of the goods or things specified in the notice, of the magnitude of quantities by means of any unit other than a unit so specified;
 - (b) the designation, in the circumstances or for the purposes or in connection with the matters and in respect of the goods or things specified in the notice, of any unit so specified by means of any symbol other than a symbol so specified.

(2) A notice under subsection (1) may be expressed to apply in a specified area only and may make provision for the granting of exemptions from the provisions thereof.

Equivalents of certain units

5. The Minister may by notice in the *Gazette* determine the equivalent of any unit, expressed in any other unit of the same quantity, and any equivalent so determined shall for all purposes be deemed to be the equivalent of the unit in question.

Establishment of advisory board, and consultation before issuing of notices

6. (1) The Minister may appoint a board to advise him on metrication.

(2) Any such board shall consist of so many persons as the Minister may deem fit, and they shall be persons who, in his opinion, are representative of persons concerned in commerce and industry and of the different other categories of persons who, in his opinion, have an interest in the matters contemplated in sections 3, 4 and 5.

(3) Before issuing any notice under section 3, 4 or 5 the Minister shall first consult a board mentioned in subsection (1) of this section. or, if no such board is in existence then, the Council of the South African Bureau of Standards mentioned in section 4 of the Standards Act, 1962 (Act No. 33 of 1962), and the Council for Scientific and Industrial Research mentioned in section 2 of the Scientific Research Council Act, 1962 (Act No. 32 of 1962).

[The Standards Act. 33 of 1962 has been replaced by the Standards Act 18 of 2005.
The Scientific Research Council Act 32 of 1962 was replaced by the Scientific Research Council Act 82 of 1984, replaced in turn by the Scientific Research Council Act 46 of 1988, which was replaced in Namibia by the Research, Science and Technology Act 23 of 2004.]

National measuring standards

7. (1) The Minister may by notice in the *Gazette* designate any measuring standard described therein by him, as a national measuring standard.

(2) The Council for Scientific and Industrial Research mentioned in section 2 of the Scientific Research Council Act, 1962 (Act No. 32 of 1962), shall -

- (a) keep and maintain all national measuring standards;
- (b) arrange for the comparison, from time to time, of the said measuring standards with the corresponding international measuring standards recognized as such and see to the correction thereof, if necessary;
- (c) keep and maintain the equipment necessary for bringing national measuring standards into being, and see to the procedures connected therewith.

Measuring Units and National Measuring Standards Act 76 of 1973 (RSA)

(3) The value of a national measuring standard in relation to the corresponding international measuring standard, shall be the value as determined from time to time by the said Council for Scientific and Industrial Research.

(4) The value of a national measuring standard, determined as contemplated in subsection (3), shall be deemed to be the most accurate value.

(5) A measuring standard which is not a national measuring standard shall for the purpose of measurement for the purposes of any law or any other legal purpose, be traceable to a national measuring standard or national measuring standards.

[The Scientific Research Council Act 32 of 1962 was replaced by the Scientific Research Council Act 82 of 1984, replaced in turn by the Scientific Research Council Act 46 of 1988, which was replaced in Namibia by the Research, Science and Technology Act 23 of 2004.]

Offences and penalties

8. Any person who contravenes the provisions of a notice under section 4 shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rand or to imprisonment for a period not exceeding six months.

Application of Act in South West Africa

9. This Act and any amendment thereof shall also apply in the territory of South West Africa, including the Eastern Caprivi Zipfel.

Act binding on State and administration of South West Africa

10. This Act shall also bind the State and the administration of the territory of South West Africa.

Short title and commencement

11. This Act shall be called the Measuring Units and National Measuring Standards Act, 1973, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.