

WEIGHTS, MEASURES AND STANDARDS

Measuring Units and National Measuring Standards Act 76 of 1973, as amended in South Africa to January 1978

Summary: This Act ([RSA GG 3968](#)) converts measurement in South Africa to the metric system and designates national measuring standards. This Act is repealed by the Metrology Amendment Act 17 of 2005 ([GG 3568](#)), which has not yet come into force.

Applicability to SWA: 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 of administration to SWA: The administration of this Act was transferred to SWA by the Executive Powers (Industries) Transfer Proclamation (AG 5/1978), dated 30 January 1978. The Act was not amended in South Africa prior to Namibian independence.

Regulations: The Act makes no provision for regulations.

Trade Metrology Act 77 of 1973, as amended in South Africa to January 1978.

Summary: This Act ([RSA GG 3969](#)) regulates the use of weights and measures in trade.

Applicability to SWA: Section 45, before its repeal in post-independence Namibia, stated: “This Act and any amendment thereof shall apply also in the territory of South West Africa, including the Eastern Caprivi Zipfel.” Section 1 defined “Republic” and “statutory body” accordingly.

Transfer of administration to SWA: The administration of this Act was transferred to SWA by the Executive Powers (Industries) Transfer Proclamation (AG 5/1978), dated 30 January 1978. There was only one amendment to the Act in South Africa after the date of transfer and prior to Namibian independence – the *Trade Metrology Amendment Act 14 of 1984* ([RSA GG 9090](#)) – which was not made expressly applicable to SWA.

Amendments: The following pre-independence South African amendment was applicable to SWA –

- *Trade Metrology Amendment Act 34 of 1975* ([RSA GG 4697](#)).

Act 14/1995 ([GG 1129](#)) repeals sections 6 and 45, amends sections 1, 3, 8, 13, 18, 23, 24, 27 and 40, and substitutes sections 7 and 43 and certain terminology.

The Metrology Amendment Act 17 of 2005 ([GG 3568](#)), which has not yet come into force, makes substantial amendments to this Act.

Regulations: Regulations are authorised by section 42 of the Act. Pre-independence regulations have not been researched. No post-independence regulations have been promulgated.

Tariffs: A tariff of fees is contained in GN 75/1993 ([GG 681](#)).

Cases: *S v Blaauw's Transport (Pty) Ltd & Another* 2006 (2) NR 587 (HC).

***Accreditation Board of Namibia Act 8 of 2005**

Summary: This Act ([GG 3480](#)) establishes the Accreditation Board of Namibia and provides for the accreditation of laboratories providing testing and calibration, bodies which provide certain certification and inspection services and certifications of competence. The Act will be brought into force on a date set by the Minister by notice in the Government Gazette.

Amendments: The State-owned Enterprises Governance Act 2 of 2006 ([GG 3698](#)), which was brought into force on 1 November 2006 by Proc. 13/2006 ([GG 3733](#)) and later re-named the Public Enterprises Governance Act 2 of 2006, amends section 6, 7, 8, 13 and 15, and substitutes section 9.

Regulations: The Act makes no provision for regulations.

Standards Act 18 of 2005

Summary: This Act ([GG 3569](#)) provides for the promotion, regulation and maintenance of standardisation relating to the quality of commodities and establishes the Namibian Standards Institution and the Namibian Standards Council. This Act repeals the *Standards Act 33 of 1962* (RSA GG 207), which in turn repealed the *Standards Act 24 of 1945*. This Act was brought into force on 20 September 2013 by GN 248/2013 ([GG 5290](#)).

Regulations: Regulations and notices made in terms of the *Standards Act 24 of 1945* remained in force pursuant to section 31(2) of the *Standards Act 33 of 1962*, and those made or surviving under the *Standards Act 33 of 1962* remain in force pursuant to section 35 of this Act. However, pre-independence regulations have not been researched.

Standards Regulations made in terms of the current Act are contained in GN 249/2013 ([GG 5290](#)).

Cement Regulations made in terms of the current Act were initially set out in GN 259/2019 ([GG 6993](#)), which was repealed and replaced by GN 45/2020 ([GG 7125](#)).

Rules: Rules relating to fees for services rendered by the Namibian Standards Institution were initially contained in General Notice 95/2017 ([GG 6270](#)), which was repealed and replaced by General Notice 190/2018 ([GG 6599](#)), and again repealed and replaced by General Notice 440/2020 ([GG 7363](#)).

Notices: In General Notice 294/2014 ([GG 5537](#)), the Namibian Standards Institution declares marks of conformity, in terms of section 21(1) of the Act, which may be applied to any commodity, system or document falling within the scope of a Namibian Standard that has been issued under section 20 of the Act.

Specific Namibian Standards are announced and withdrawn from time to time, in General Notices which have not been recorded here.

Appointments: The appointment of members of the Namibian Standards Council is announced in GN 233/2010 ([GG 4584](#)).

Related international agreements: Note that the Act and the regulations in GN 249/2013 make reference to the Code of Good Practice for the Preparation, Adoption and Application of Standards contained in Annex 3 to the *Agreement on Technical Barriers to Trade (TBT), 1994*, which is part of the *Agreement Establishing the World Trade Organization (WTO) (Marrakesh Agreement), 1994*.

Namibian Time Act 9 of 2017

Summary: This Act ([GG 6449](#)) sets the standard time of Namibia at two hours in advance of the Greenwich Mean Time. It repeals the Namibian Time Act 3 of 1994 ([GG 811](#)), which provided for differentiations in the standard time of Namibia for the summer and winter periods.

INTERNATIONAL LAW

†*Agreement Establishing the World Trade Organization (WTO) (Marrakesh Agreement), 1994*
Protocol Amending the Marrakesh Agreement Establishing the World Trade Organisation (Agreement on Trade Facilitation), 2014

OTHER INTERNATIONAL DOCUMENTS

Memorandum of Understanding on Co-operation in Standardization, Quality Assurance, Accreditation and Metrology in SADC, 1999 (non-binding)