



REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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# STAATSKOERANT

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PRESIDENT'S OFFICE

KANTOOR VAN DIE PRESIDENT

No. 1758.

1 November 1996

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

No. 58 of 1996: Trade Metrology Amendment Act, 1996.

No. 1758.

1 November 1996

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 58 van 1996: Wysigingswet op Handelsmetrologie, 1996.

**GENERAL EXPLANATORY NOTE:**

- [                    ]    Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

**ACT**

To amend the Trade Metrology Act, 1973, so as to authorise the Minister of Trade and Industry to assign to provincial governments the carrying out of certain functions specified in that Act; to authorise the president of the SABS to disclose certain information in order to prevent the consumer from being misled or to inform the public of the names of persons who do not comply with any provision of that Act; and to provide for matters connected therewith.

*(English text signed by the President.)*  
*(Assented to 24 October 1996.)*

**B**E IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

**Amendment of section 3 of Act 77 of 1973, as amended by section 3 of Act 15 of 1990 and substituted section 2 of Act 17 of 1993**

1. Section 3 of the Trade Metrology Act, 1973 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (4) of the following subsection: 5

“(4) No person shall act as an inspector, unless he or she is employed by and acts on behalf of the South African Bureau of Standards, [or] any statutory body contemplated in section 7(1) or is employed by and acts on behalf of any provincial government.” 10

**Amendment of section 7 of Act 77 of 1973, as substituted by section 7 of Act 15 of 1990 and section 5 of Act 17 of 1993**

2. Section 7 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 15

“(1) The Minister may, after consultation with the SABS Council, assign in writing to any statutory body or provincial government the carrying out, subject to such conditions and requirements as may be prescribed by regulation, of any function specified in this Act.”

**Insertion of section 45 in Act 77 of 1973**

3. The following section is hereby inserted in the principal Act after section 44:

**“Disclosure of certain information to protect consumer**

45. (1) The President may, if he or she is of the opinion that it is necessary in the public interest and to protect the consumer, reveal in any manner—

(a) any information which in his or her opinion is necessary to prevent the public from being misled concerning any aspect regulated by this Act; or

(b) the name of a person who in his or her opinion does not comply with any provision of this Act.

(2) The disclosure referred to in subsection (1) may relate also to the trade name and trade mark of a commodity.”

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**Short title and commencement**

4. This Act shall be called the Trade Metrology Amendment Act, 1996, and shall come into operation on a date fixed by the President by proclamation in the *Gazette*. 15