

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO
LEGAL METROLOGY BILL**

[B 34—2013]

*(As agreed to by the Portfolio Committee on Trade and Industry
(National Assembly))*

[B 34A—2013]

ISBN 978-1-77597-133-7

No. of copies printed 800

AMENDMENTS AGREED TO

LEGAL METROLOGY BILL

[B 34—2013]

ARRANGEMENT OF SECTIONS

1. On page 4, in line 4, after “Penalties” to insert “and effect of conviction of an offence”.

CLAUSE 1

1. On page 4, in line 34, after “instrument” to insert “, software”.
2. On page 4, in line 38, after “instrument” to insert “, software”.
3. On page 4, in line 53, after “instrument” to insert “in terms of section 27”.
4. On page 5, in line 9, to omit “, and includes” and to substitute “or”.
5. On page 5, in line 10, after “regulation” to insert “made in terms of section 15”.

CLAUSE 2

1. On page 6, in line 13, after “(d)” to omit “to”.
2. On page 6, in line 13, after “measure” to insert “or inaccurate measurement”.

CLAUSE 4

1. On page 6, in line 35, after “levels” to insert “on matters relating to legal metrology”.
2. On page 6, in line 39, after “supplied” to insert “in respect of legal metrology matters”.
3. On page 6, in line 47, after “to” to omit “the”.
4. On page 7, in line 2, after “them” to insert “in respect of legal metrology matters”.

CLAUSE 5

1. On page 7, in line 7, after “Act” to insert “, except the power to make regulations”.

CLAUSE 6

1. On page 7, in line 14, after “appoint” to omit “any person” and to substitute “an employee of the National Regulator or any organ of state,”.
2. On page 7, in line 15, after “qualifications” to insert “,”.

3. On page 7, from line 16, to omit subsection (2).
4. On page 7, in line 18, to omit “(3)” and to substitute “(2)”.

CLAUSE 8

1. On page 7, in line 27, after “appoint” to omit “any person” and to substitute “an employee of the National Regulator or any designated verification body,”.
2. On page 7, in line 28, after “competencies” to insert “,”.
3. On page 7, from line 30, to omit subsection (2).
4. On page 7, in line 32, to omit “(3)” and to substitute “(2)”.
5. On page 7, in line 33, to omit “the” and to substitute “this”.

CLAUSE 10

1. On page 7, in line 40, after “competencies” to insert “and who is employed by a designated repair body,”.

CLAUSE 11

1. On page 7, in line 46, after “person” to insert “,”.
2. On page 7, in line 47, after “service” to insert “,”.

CLAUSE 12

1. On page 8, in line 2, to omit “with a balance of interests”.

CLAUSE 18

1. On page 9, in line 56, after “origin” to insert “in such manner as the National Regulator may direct in writing”.

CLAUSE 20

1. On page 10, in line 35, after “or” to insert “may”.
2. On page 10, in line 35, after “inspection” to insert “,”.

CLAUSE 26

1. On page 13, in line 42, to omit “willfully” and to substitute “wilfully”.
2. On page 13, in line 46, after “27,” to insert “intentionally”.

CLAUSE 33

1. On page 16, in line 13, to omit “willfully” and to substitute “wilfully”.

2. On page 16, in line 14, after “quantity” to insert “or a measurement value”.
3. On page 16, from line 23, to omit subsection (3).

CLAUSE 36

1. On page 17, in line 13, to omit “prescribed manner on the packaging” and to substitute “manner prescribed for prepackages”.
2. On page 17, in line 20, to omit “prescribed manner on the package or product” and to substitute “manner prescribed for prepackages”.
3. On page 17, in line 22, to omit “by such person”.
4. On page 17, in line 22, to omit “and”.
5. On page 17, in line 23, to omit “otherwise” and to substitute “other”.

CLAUSE 37

1. On page 17, in line 52, to omit “and employed by a repair body”.

CLAUSE 38

1. On page 18, from line 36, to omit paragraph (l) and to substitute:
 - “(l) the control of the sale or import for sale, in accordance with any measurement unit, of any product used by the public, and the requirement that such product—
 - (i) may only be sold—
 - (aa) in specified containers;
 - (bb) by means of verified or subsequently verified measuring instruments;
 - (cc) in accordance with any measurement unit; or
 - (dd) by number; and
 - (ii) must be prepacked according to a particular scale of quantities, sizes or dimensions;”.

CLAUSE 39

1. On page 19, in line 24, after “**Penalties**” to insert “**and effect of conviction of an offence**”.
2. On page 19, in line 25, after “**39.**” to insert “(1)”.
3. On page 19, after line 26, to insert:
 - “(2) A person convicted of an offence under this Act becomes disqualified from performing any duty or function provided for in this Act and any applicable appointment, designation or registration must be deemed to be null and void from the date of being disqualified.”.

CLAUSE 41

1. On page 19, in line 44, to omit “evidence in any” and to substitute “required by a”.

CLAUSE 42

1. On page 20, in line 7, after “6” to insert “of the National Regulator for Compulsory Specifications Act”.
2. On page 20, in line 9, after “of” to insert “the”.

SCHEDULE 2

1. On page 22, in the third line of section 6(2), after “term” to insert “for one additional term of five years”.
2. On page 23, in the first line of section 11(1), to omit “appoint” and to substitute “establish”.
3. On page 23, in the second line of section 11(2), to omit “the members of”.
4. On page 24, in the first line of subsection (5), after “Any” to insert “specialist”.
5. On page 24, in the third line of subsection (5), after “the” to insert “specialist”.
6. On page 24, in subsection (6)(a), after “person;” to insert “and”.
7. On page 24, to omit subsection (6)(b) and (c), and to substitute:

“(b) have appropriate qualifications and competencies to perform effectively as a member of the specialist committee.”.
8. On page 24, in the fifth line of subsection (7)(a), after “personal” to insert “or”.
9. On page 24, in subsection (8)(a), after “the” to insert “specialist”.
10. On page 24, in the third line of subsection (9), after “the” to insert “specialist”.
11. On page 24, in the first line of the second subsection (9), to omit “(9)” and to substitute “(10)”.
12. On page 25, in the first line of subsection (10), to omit “(10)” and to substitute “(11)”.
13. On page 25, in the second line of section 12(1), to omit “with a balance of interests” and to substitute “[**with a balance of interests**]”.

Printed by Creda Communications

ISBN 978-1-77597-133-7