

## CHAPTER 470

### THE WEIGHTS AND MEASURES ACT

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#### Section

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## WEIGHTS AND MEASURES

(19th February, 1917)

1/1917.  
 S.R.O. 22/1956.  
 23/1969.  
 10/1981.  
 15/1985.  
 18/1989.  
 S.I. 39/1989.

1. This Act may be cited as the Weights and Measures Act. **Short title.**
2. In this Act— **Interpretation.**  
 "weighing instrument" means scales with the weights belonging thereto, scale-beams, balances, spring balances, steelyards, weighing machines and other instruments for weighing, and any weighing instrument constructed also to calculate and indicate the price in money.
3. The standard measure of length, the standard measure of weight and the standard measure of capacity for liquids as well as for dry goods usually sold by such measure, shall be the same as the "Imperial standards" for weights and measures in the United Kingdom fixed by the Weights and Measures Act, 1878: **Standards of weights and measures to be the same as those of United Kingdom.**  
 Provided that the standard measure of capacity of a barrel used in buying or selling limes shall be twenty-six gallons.
4. The Comptroller of Customs shall import, or otherwise provide, one of each of the several weights and measures mentioned in the First Schedule, such several weights and measures to be authorized copies or models of the Imperial standard weights and measures at present in use in the United Kingdom, and the same shall be kept in the custody of the Comptroller of Customs, and shall be the authorized standards from which all weights and measures used in Antigua and Barbuda shall be derived. **Comptroller of Customs to keep authorized standards. First Schedule.**
5. Every Inspector of Weights and Measures shall be provided with copies of the standard weights and measures, **Inspectors to be provided with verified copies.**

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verified by the Comptroller of Customs or of such of them as may be requisite for the due performance of his duties.

**How articles shall be sold by weight.**

**6.** All articles sold by weight shall be sold by avoirdupois weight of sixteen ounces to the pound, or the various multiples or parts thereof, except gold, silver, platinum, diamonds or other precious stones, which may be sold by troy weight, and drugs, which, when sold by retail, may be sold by apothecaries' weight; and, whereas confusion has arisen as to the exact meaning of certain multiples of the pound weight, the weight denominated a stone shall consist of fourteen standard pounds avoirdupois, the weight denominated a hundredweight shall consist of eight such stones or one hundred and twelve pounds, and the weight denominated a ton shall consist of twenty such hundredweights.

**How articles shall be sold by measure.**

**7.** (1) All liquids usually sold by measure shall be sold by the "imperial standard gallon" or the various aliquot parts thereof, but this shall not be construed so as to prevent the sale of wines, malt and other fermented liquors by the cask or any liquors by the ordinary quart or half quart bottle. In the sale of such dry goods as are usually sold by measure of capacity, two Imperial standard gallons shall constitute a peck, eight such gallons a bushel, and eight such bushels a quarter.

(2) In the case of spirits or other liquids chargeable by measure contained in casks, it shall be lawful to ascertain the capacity and contents of such cask by gauge, according to the standard of the Imperial gallon fixed by this Act; and for the settlement of disputes or differences on the sale of rum and other spirits, the instrument to be used for ascertaining the strength of such spirits shall be the hydrometer called "Syke's hydrometer":

Provided that, in the case of any such spirits chargeable by measure contained in casks, it shall be lawful for the Cabinet by order to direct, that the capacity and contents of any such casks, for the purpose of ascertaining the amount to be charged thereon for excise or other duty, shall be ascertained by means of callipers with head and bung rods, and all other usual and necessary adjuncts, according to the standard of the Imperial gallon fixed by this Act, and, upon

such order being made, the use of the gauging rod shall be deemed, for the purposes aforesaid, to be abolished.

**8.** Whenever the Cabinet shall have directed the use of callipers, as in the said proviso mentioned, the Comptroller of Customs shall then import and keep in his custody one or more pairs of callipers, head and bung rods, and all other usual and necessary adjuncts, which shall be authorized copies or models of the instruments at present in use in the United Kingdom.

**Comptroller of Customs shall keep calliper standards when order made.**

**9.** The standard of length shall be the "Imperial standard yard," whereby all other measures of extension, whether the same be lineal, superficial, or solid shall be derived, computed and ascertained, and one-third part of the said yard shall be a foot, and the twelfth part of such foot an inch.

**Standard of length.**

**10.** All contracts, bargains, sales and dealings which shall be made after this Act comes in force, for any work to be done, or for any goods, wares, merchandise, or other thing to be sold, delivered, done or agreed for by weight or measure, shall be deemed, taken, and construed to be made according to the standard weights and measures ascertained by this Act.

**Contracts, &c., by weight or measure to be in accordance with this Act.**

**11.** All weights, which shall be used after this Act comes into force, of the weight of one-fourth of a pound or upwards, shall have the weight of the same stamped or cast, on the top or side thereof in legible figures and letters, and all measures of capacity shall have their contents denominated, stamped, or marked on the outside of such measures in legible figures and letters.

**Weights and measures to be stamped.**

**12.** And whereas the use of weights made of soft materials affords facilities for fraud, no weight made of lead or pewter shall be stamped or used:

**Prohibition of weights of lead, &c., being used.**

Provided that nothing herein contained shall prevent the use of lead or pewter in the manufacture of weights, if they be wholly and substantially cased with brass, copper or iron, or shall prevent the insertion of such a plug of lead or pewter into weights, as shall be *bonâ jide* necessary for the purpose of adjusting them, and of affixing thereon the stamp hereinafter mentioned.

**Appointment of  
Inspectors and  
their duty.**

**13.** (1) The public Service Commission shall appoint one or more Inspectors of Weights and Measures, whose duty it shall be to examine all weights and measures whatsoever which shall be used for the purpose of buying and selling, or for the making of any charges on goods or merchandise, and who shall compare such weights and measures with one or more copies of the Imperial standard weights and measures provided under the authority of this Act, and, when found to correspond with such copies, shall stamp the same as correct in such manner as best to prevent fraud; and to verify and stamp as correct all weighing instruments which shall be used for the like purpose; and the fees to be paid to the Inspectors for such examination and stamping shall be according to the scale contained in the Second Schedule; the stamp above mentioned shall be such as directed or approved by the Minister and a copy of the same shall be placed in custody of the Comptroller of Customs along with the standard weights and measures, the cost of procuring such stamp to be defrayed by the Treasury.

**Second Schedule.**

**Second Schedule.**

(2) Nothing contained in this Act or in the Second Schedule shall enure to entitle any Inspector to payment of any fee for examining, or for examining, comparing and stamping any weighing instrument, weight or measure, where he shall not have both examined, compared and stamped such weighing instrument, weight or measure, or where he shall have stamped such weighing instrument, weight or measure unnecessarily.

(3) The Public Service Commission may at any time suspend or revoke any appointment made under this Act.

**Rules for  
attendance of  
Inspectors for  
verification of  
weights and  
measures.**

**14.** The Cabinet shall fix the times and places at which the Inspectors of Weights and Measures appointed under this Act are to attend to examine, verify and stamp all weights and measures and weighing instruments, and one of the Inspectors shall attend, with his copies of the standard weights and measures, at each time and place fixed, and shall examine every measure or weight which is of the same denomination as one of such standards, and is brought to him for the purpose of verification. The Inspector shall also enter in a book to be kept by him minutes of every such verification.

**15.** The Cabinet may make rules for regulating the comparison with the standards and the verification and stamping of weights and measures and weighing instruments in use in Antigua and Barbuda, and generally for regulating the duties under this Act of Inspectors. Such rules may impose fines not exceeding fifty dollars for the breach of any rule, to be recovered on summary conviction:

**Rules for regulating Inspectors' duties.**

Provided that such rules shall have no operation until they have been duly published, in such manner as the Cabinet shall think sufficient for giving notice thereof to all persons interested, and shall so direct on the face of such rules.

**16.** Every person keeping a shop, store, stall, yard, or other place wherein goods are sold, or exposed, or kept for sale, by weight or measure, shall bring to the Inspector at the times and places appointed by the Cabinet for verification, all weights and measures and weighing instruments used by such person, in such shop, store, yard, or other place as aforesaid, on the sale of goods:

**Weights and measures to be brought to Inspector at appointed place for verification.**

Provided that, in cases where a weighing instrument shall be attached to the premises, it shall not be incumbent on the owner to detach the same, or bring the same to the Inspector, but, in that case, the owner shall give a notice in writing to the Inspector, at such time and place as aforesaid, specifying in detail the situation of such weighing instrument and the nature thereof; and thereupon the Inspector shall visit such shop, store, yard, stall, or other place, with a view to verifying the said instrument. Any person neglecting to comply with the provisions of this section shall be liable to the same penalties, recoverable in the same manner, as is provided by section 21, in the case of person wilfully obstructing persons authorized to examine weights and measures.

**17.** An Inspector of Weights and Measures, upon the application of any person who may so require him, shall attend at the premises of such person for the purpose of examining and verifying the weights and measures and weighing instruments belonging to such applicant, provided that the Inspector shall not be bound to attend as aforesaid, except on payment to him of such reasonable expenses as shall be allowed in such case by the rules to be made under this Act.

**Inspector when required to attend at premises of applicant to verify weights and measures.**

Inspector to attend without fee.

**18.** It shall be the duty of every Inspector of Weights and Measures to attend, without fee, for the purpose of examining, verifying and stamping weights and measures and weighing instruments at such places and at such times as the Cabinet shall by order appoint, or, in any particular instance, as the Minister may by order under his hand direct.

Power to enter premises and examine and seize weights and measures.

**19.** It shall be lawful for any Justice of the Peace, or any officer or non-commissioned officer of the police force, or any Inspector of Weights and Measures, at all reasonable times, to enter any shop, store, stall, yard or place whatsoever, wherein goods shall be exposed or kept for sale, and there to examine all weights, measures and weighing instruments, and to compare and try the same with the copies of the standard weights and measures required to be provided under this Act, and also to examine, and to compare and try, the weights and measures and weighing instruments used by any huckster, and forthwith to seize and detain any weight or measure or weighing instrument which they may find to be incorrect.

Penalty for counterfeiting stamp.

**20.** Any person who shall make, forge, or counterfeit, or knowingly aid or assist in counterfeiting, any stamp or mark which shall be used for the stamping or marking of any weight or measure or weighing instrument under this Act, shall be liable on summary conviction, to a penalty not exceeding one thousand dollars.

Penalty for obstructing examination, &c.

**21.** Any person who shall wilfully obstruct, hinder, resist, or in any way oppose any of the persons hereby authorized to examine such weights and measures and weighing instruments, in the execution of his office; or any person selling or retailing by measure, who shall refuse to produce his weights or measures or weighing instruments to be examined, shall be liable, on summary conviction, to a penalty not exceeding two hundred and fifty dollars.

Penalty for using unstamped weights or measures.

**22.** Any person who shall, in selling, use any weight or measure, or any aliquot part thereof, or any weighing instrument other than those authorised by this Act, or which has not been stamped as aforesaid, except as hereinafter excepted, or which shall be found light or otherwise



unjust, or who shall have in his possession any such light or unjust weighing instrument, weight or measure, for the purpose of use, or who shall have in his possession any weighing instrument which shall be incorrect or otherwise unjust, shall be liable, on summary conviction, to a penalty not exceeding five hundred dollars; and every such light, or unjust weighing instrument, weight and measure shall, on being discovered by any such Justice of the Peace, officer or non-commissioned officer of the police force, or Inspector of Weights and Measures, as aforesaid, be seized, and, on conviction of the person using or possessing the same, shall be forfeited and destroyed:

Provided that nothing herein contained shall extend to require any wooden or wicker measure used in the sale of lime or other articles of the like nature, or any glass, tin, or earthenware jug or drinking cup to be stamped, but any person buying by any vessel represented as containing the amount of any imperial measure, or of any multiple or part thereof, is hereby authorized to require the contents of such vessel to be ascertained by a comparison with a stamped measure, such stamped measure to be found and provided by the person who shall use such wooden or wicker measure, jug or cup as aforesaid, and, in case the person who shall use such last-mentioned measure or vessel shall refuse to make such comparison, or if, upon such comparison being made, such wooden or wicker measure, glass, tin or earthenware jug, or drinking cup shall be found deficient in quantity, the person who shall use the same shall, on conviction as aforesaid, be subject to the forfeiture and penalties hereinbefore imposed on any person using light, or unjust, weights or measures, to be in like manner recovered and enforced.

**23.** Every person who uses or has in his possession for use for trade any weight, measure or weighing instrument which is false or unjust shall be liable on summary conviction to a penalty not exceeding five hundred dollars. And any contract, bargain, sale or dealing made by the same shall be void and the weight, measure or weighing instrument shall be liable to be forfeited.

**False or unjust weights.**

**24.** No conviction under this Act shall take place unless information of the offence charged shall be given within thirty days of the offence being committed.

**Time limited for information.**

**Metric System of units.**

**25.** (1) Without prejudice to and notwithstanding any other provisions of this Act, it shall be lawful to use the metric system of units for the purposes of this Act.

**Third Schedule.**

(2) The weights specified in the Third Schedule are hereby declared to be metric weights.

(3) Each metric weight is hereby declared to be equivalent to that weight which, expressed in terms of avoirdupois weights, is specified in the said Schedule as the equivalent of such metric weight.

**Fourth Schedule.**

(4) The measures of capacity specified in the Fourth Schedule are hereby declared to be metric measures of capacity.

(5) Each metric measure of capacity is hereby declared to be of that capacity which expressed in terms of Imperial measures of capacity, is specified in the said Schedule as the equivalent of such metric measure.

**Fifth Schedule.**

(6) The measures of length specified in the Fifth Schedule are hereby declared to be metric measures of length.

(7) Each metric measure of length is hereby declared to be of the length which, expressed in terms of Imperial measures of length, is specified in the said Schedule as the equivalent of such metric measure.

**Sixth Schedule.**

(8) The measures of surface specified in the Sixth Schedule are hereby declared to be metric measures of surface.

(9) Each metric measure of surface is hereby declared to contain that extent of surface, which expressed in terms of Imperial measures of surface, is specified in the said Schedule as the equivalent of such metric measure.

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## FIRST SCHEDULE

S. 4

## STANDARD WEIGHTS AND MEASURES

*Measure of Length.*

"Imperial Standard yard," graduated to parts of one-eighth part of an inch.

*Measures of Weight— "Avoirdupois."*

56 lbs., or half a hundredweight.	Half pound.
28 ditto, or one quarter of ditto.	One-fourth pound.
14 ditto. or stone.	Ounce.
7 ditto.	Half ounce.
4 ditto.	One-fourth ounce.
2 ditto.	Dram.
One pound.	

*Measures of Troy Weight.*

One pound.	Pennyweight.
One ounce.	Grain.

*Measures of Capacity.*

Bushel.	Pint.
Half bushel.	Half Pint.
Peck.	One-fourth of pint, or gill.
Gallon.	One-eighth of pint, or half gill.
Half Gallon.	One rod for gauging
Quart.	according to Imperial standard gallon.

*Measure of Specific Gravity.*

"Syke's hydrometer".

SECOND SCHEDULE

S. 13

FEES TO BE TAKEN BY INSPECTOR OF WEIGHTS AND MEASURES  
UNDER THIS ACT

For examining, comparing and stamping all weights:—

	\$
Each half hundredweight .....	5.00
Each quarter of a hundredweight .....	3.00
Each stone .....	2.00
Each weight under a stone to a pound inclusive .....	1.00
Each weight under a pound .....	.50
Each set of weights of a pound and under .....	2.00

For examining, comparing and stamping all wooden  
measures:—

	\$
Each bushel .....	5.00
Each half bushel .....	3.00
Each pack and all under .....	2.00
Each yard .....	2.00
Each gauging rod .....	3.00

For examining, comparing and stamping all measures of  
capacity of liquids made of copper or other metals:—

	\$
Each gallon .....	5.00
Each half gallon .....	3.00
Each quart and under .....	2.00
Each measure above a gallon, for each extra gallon . . .	.50

For verifying and stamping all weighing instruments:—

	\$
10 tons and over .....	20.00
Under 10 tons and above 1 ton .....	10.00
1 ton and above 5 cwt. ....	5.00
5 cwt. and above 1 cwt. ....	3.00
1 cwt. and above 56 lbs. ....	2.00

(This is exclusive of cost of carriage and lifting standard in  
each of the above cases).

	\$
56 lbs and above 14 lbs. ....	3.00
14 lbs. and above 1 lb. ....	2.00
1 lb and under .....	1.00

## THIRD SCHEDULE

S. 25

**Metric Weights**

<b>Denominations</b>	<b>Value in Grams</b>	<b>Equivalents</b>
Miller (or tonne)	1,000,000	0.9842 ton
Quintal	100,000	1.968 cwt
Myriagram	10,000	22.046 lb
Kilogram	1,000	2.2046223 lb or 15432.3564 grains
Hectogram	100	3,527 oz
Decagram	10	5,644 drams
Gramme	1	15,432 grains
Decigram	1/10	1.543 grains
Centigram	1/100	0.154 grains
Milligram	1/1000	0.015 grains

## FOURTH SCHEDULE

S. 25

**Metric Measures of Capacity**

<b>Denominations</b>	<b>Value in Cubic Metres</b>	<b>Equivalents</b>
Kilolitre or 1000 litres	1	220 gallons
Hectolitre or 100 litres	1/10	22.0 gallons
Decalitre or 10 litres	1/100	2.20 gallons
litre	1/1000	1.75980 pints
Decilitre or 1/10 litre	1/10000	0.176 pint
Centilitre or 1/100 litre	1/100000	0.070 gill

## FIFTH SCHEDULE

S. 25

**Metric Measures of Length**

<b>Denominations</b>	<b>Value in metres</b>	<b>Equivalents</b>
Myriametre	10,000	6.2137 miles
Kilometre	1,000	0.62137 miles
Hectometre	100	109.36 yards
Decametre	10	10.936 yards
Metre	1	39.370113 inches or 1.0936143 yards
Decimetre	1/10	3.937 inches
Centimetre	1/100	0.3937 inches
Millimetre	1/1000	0.03937 inches

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SIXTH SCHEDULE

S. 25

**Metric Measures of Surface**

<b>Denominations</b>	<b>Value in square metres</b>	<b>Equivalents</b>
Hectare or 100 ares	10,000	2.4711 acres
Decare or 120 ares	1,000	0.24711 acres
Are	100	119.60 square yards
Centiare or 1/100 are	1	1.1960 square yards

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