

Article

CORPORATE & COMMERCIAL

Measuring Instruments Suitable for use in Trade

By Alex Bastian & Brett Thorneycroft

Do you sell or use a measuring instrument? If so, have you been approved by the National Measurement Institute (NMI) to do so?

Under the *National Measurement Act 1960 (Cth)*, every measuring instrument that is in use for trade, unless specifically exempted, must be approved for such use. This approval is referred to as a **“pattern approval”** and before a measuring instrument can be used in trade it must be approved by the Chief Metrologist in the pattern approval laboratory of the NMI.

Some examples of measuring instruments include, but are not limited to, the following:

- Liquid measuring instruments;
- Spirit dispensers;
- Milk tanks;
- Utility meters;
- Grain protein measuring instruments; and
- Fuel dispensers for motor vehicles.

A Certificate of Approval (**“Certificate”**) is issued for each instrument pattern after it has satisfactorily completed its approval testing and assessment. It is an offence for an instrument which is not of an approved pattern to be used for trade purposes. The Certificate attests that the pattern of a measuring instrument is suitable for trade, insofar as the sample measuring instrument has been examined by the NMI and has been found to comply with the Australian Pattern Approval Specifications. Once approved, the applicant has the rights to reproduce and becomes the “owner” of the Certificate.

A measuring instrument may only be marked with the pattern approval number by the owner of the Certificate or by somebody authorised by the owner. It is up to the owner as to the manner in which they approve others to be authorised to mark the pattern approval number on a measuring instrument. The Certificate can also be sold or assigned to another person.

Following the grant of a Certificate, any instrument that is made for trade must be manufactured in accordance with the relevant pattern and then verified before use. Verification is the process of testing each and every instrument to ensure that it operates correctly and is within its specified error limits. The verification is carried out by an NMI appointed servicing licensee with an appropriate licence class for the instrument that they are verifying.

There are, however, General Certificates which are issued to cover measuring instruments, which are capable of being manufactured to a common standard. In a General Certificate a set of design and/or installation parameters are specified. General Certificates are usually issued for categories of “simple measures” which are submitted directly for verification without examination by the NMI. A standard beer glass is an example of a measuring instrument which could be covered by a General Certificate.

Continued overleaf

The issue of measuring instruments used in trade is relevant to participants in industries such as agriculture, hospitality, motor vehicle and manufacturing, just to name a few.

If you are looking at having a measuring instrument approved or think you might be selling or using an unapproved measuring instrument then please contact one of our experienced practitioners below.



[MORE INFO](#)

Alex Bastian Senior Associate
p: +61 8 **8124 1910**
alex.bastian@dwfoxtucker.com.au



[MORE INFO](#)

Brett Thorneycroft Consultant
p: +61 8 **8124 1944**
brett.thorneycroft@dwfoxtucker.com.au

DW Fox Tucker Lawyers

L14, 100 King William Street, Adelaide, SA 5000

p: +61 8 **8124 1811** e: info@dwfoxtucker.com.au dwfoxtucker.com.au

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