

WEIGHTS AND MEASURES DECREE 1974



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Decree No. 32

[See section 53 (2)]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

PART I—UNITS AND STANDARDS OF MEASUREMENT

1. The metre shall be the unit of measurement of length and the kilogramme shall be the unit of measurement of mass by reference to which any measurement involving a measurement of length or mass shall be made in Nigeria.

Units of
measure-
ment.

(2) Schedule 1 to this Decree shall have effect for defining for the purposes of measurements falling to be made in Nigeria the units of measurement in that Schedule; and for the purposes of any measurement of weight falling to be so made, the weight of any thing may be expressed, by reference to the units of measurement set out in Part V of that Schedule, in the same terms as its mass.

2.—(1) The Commissioner shall by an order cause to be provided, maintained or replaced standards of the metre and kilogramme which shall be the primary standards by reference to which, in Nigeria, all other standards of those units and of any other unit of measurement derived wholly or partly from any of those units shall be maintained.

Primary
standards

(2) The Commissioner shall within two years of the commencement of this Decree and thereafter at intervals of not more than ten years or as may appear to him expedient cause the value of each of the primary standards to be verified against the corresponding standards of the International Bureau of Weights and Measures in France.

(3) Until other provision is made by an order under subsection (1) of this section, the Nigeria Primary standards shall be—

(i) in the case of the metre, the bar described in Part I of Schedule 2 to this Decree, and

(ii) in the case of the kilogramme, the cylinder described in Part II of the said Schedule 2.

(4) Schedule 6 to this Decree shall, until revoked pursuant to section 52 (2) have effect for defining for the purpose of measurements the units of measurement in that Schedule.

3.—(1) The Commissioner shall maintain secondary and tertiary standards in accordance with the provisions of this section which shall be known collectively as “the Nigerian trade standards”.

Nigerian
trade
standards.

(2) The secondary standards shall consist of standards of all the measures set out in Parts I and IV and all the weights set out in Part V of Schedule 3 to this Decree (other than capacity measures of more than ten litres); and any such standard shall be constructed and, while it remains in use, from time to time at intervals not exceeding five years, have its value redetermined, by reference to such one or more of the Nigerian primary standards, as may appear to the Commissioner to be appropriate.

(3) The tertiary standards shall consist of such of the measures or weights set out in the said Parts I, IV and V as may from time to time appear to the Commissioner to be necessary or expedient; and any such standard shall be constructed and, while it remains in use, from time to time at intervals not exceeding two years, have its value redetermined, by reference to such one or more of the secondary standards as may appear to the Commissioner to be appropriate.

(4) The Nigerian trade standards shall be provided or replaced at the direction of the Commissioner from time to time as may appear to him necessary or expedient, and they shall be in such form and of such material, and be kept under such control in the Federal Ministry of Trade as the Commissioner may direct; and a secondary standard of any linear or capacity measure may as the Commissioner thinks fit—

(a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure, and

(b) either be marked in whole or in part with sub-divisions representing any smaller unit of measurement or multiples or fractions of such a unit or have no such marking.

(5) Any metric standard of any measure or weight provided under any enactment repealed by this Decree and in use as a secondary standard in the Federal Ministry of Trade immediately before the date of the commencement of this section, shall be deemed for the purposes of this Decree, to be a secondary standard provided under this section.

**Working
standards.**

4.—(1) The Commissioner shall provide for use by inspectors under this Decree and cause to be maintained or from time to time replaced such standards (hereafter in this Decree referred to as “working standards”) of such of the measures and weights set out in Schedule 3 to this Decree, together with such testing equipment and stamping equipment as he may from time to time approve or require as being proper and sufficient for the efficient discharge by inspectors of their functions under this Decree.

(2) Working standards and testing and stamping equipment provided under this section shall be of such material and form approved by the superintendent and except so far as may be necessary for the purposes of their use elsewhere, they shall be kept under such control as the superintendent may from time to time direct or approve; and a working standard of a linear or capacity measure shall as the superintendent may from time to time direct—

(a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure, and

(b) either be marked in whole or in part with sub-divisions representing any smaller unit of measurement or multiples or fraction of such a unit or have no such markings.

(3) The Commissioner shall by regulations make provision—

(a) for working standards to be from time to time tested by comparison with, and if necessary adjusted to within such limits of error as may be specified in the regulations by reference to other working standards more recently tested, or as the case may require, Nigerian trade standards;

(b) with respect to the testing, adjustment and limits of error of testing equipment provided under this section ;

and no article shall be used by an inspector as a working standard or as testing equipment unless the relevant requirements of those regulations are for the time being satisfied with respect thereto.

(4) Any metric working standard or testing or stamping equipment lawfully in use by inspectors immediately before the commencement of this section, shall be deemed for the purposes of this Decree, to have been provided under this section.

5. The superintendent may if he thinks fit, on the application of any authority or person and on payment of such fees as may be prescribed, accept for testing as to accuracy or for report or both—

(a) any article used or proposed to be used as a standard of a unit or measurement ;

(b) any weighing or measuring equipment.

Testing of other standards and equipment.

6.—(1) Subject to the provisions of this section, no person shall—

(a) use for trade any unit of measurement of length, area, volume, capacity, mass or weight which is not included in Schedule 1 to this Decree ;

(b) use for trade, or have in his possession for use for trade any linear, square, cubic or capacity measure which is not included in Schedule 3 to this Decree or any weight which is not so included.

Units of measurement, weights and measures lawful for use for trade.

(2) No person shall use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls, gold, silver or other precious metals or in articles made from gold or silver including gold or silver thread, lace or fringe.

(3) Save as may be prescribed—

(a) a linear measure specified in Part I of Schedule 3 to this Decree may be marked in whole or in part with divisions and sub-divisions representing any shorter length or lengths ;

(b) no capacity measure specified in Part IV of the said Schedule 3 shall be used for trade by means of any division or sub-division marked thereon as a capacity measure of any lesser quantity.

(4) Any person who contravenes any of the foregoing provisions of this section shall be guilty of an offence, and any measure or weight used, or in the possession of any person for use, in contravention of any of those provisions shall be liable to be forfeited.

(5) The Commissioner may from time to time by order amend Schedule 1 or 3 to this Decree—

(a) by adding to or removing from any of Parts I to V of the said Schedule 1 any unit of measurement of length, or area, of volume or capacity, or of mass or weight, as the case may be ;

(b) by adding to or removing from any of Parts I to IV of the said Schedule 3 any linear, square, cubic or capacity measure, as the case may be, or by adding to or removing from Part V of the said Schedule 3 any weight.

(6) Paragraph (a) of subsection (1) of this section shall not apply to the prescribing of, or to the dispensing of a prescription for, drugs, but the Federal Commissioner charged with responsibility for health and the Commissioner acting jointly may by order, which shall have effect notwithstanding anything in any other written law—

(a) prescribe what may be treated for the purposes of dealings with drugs as the equivalent of, or of any multiple or fraction of, any unit of measurement which is, or at the date of commencement of this section was, included in Schedule 1 to this Decree in terms of any other such unit ;

(b) require that any person carrying out any such dealing with drugs as is specified in the order under this subsection for the purposes of which the quantity of the drugs is expressed in terms of any such unit as aforesaid, shall carry out that dealing in terms of such equivalent quantity prescribed under paragraph (a) of this subsection as is so specified.

(7) Nothing in this section shall prevent the use during the transitional period, of imperial units on a container containing goods—

(a) where such imperial unit is placed side by side with its equivalent in metric ; and

(b) where the said unit is included in Schedule 6 to this Decree.

(8) In all matters relating to aviation and mineral oil, the provisions of this section shall be subject to any generally accepted international convention and usage for the time being.

Weighing or
measuring
equipment
for use for
trade.

7.—(1) The provisions of this section shall apply to the use for trade of weighing or measuring equipment of such classes or descriptions as may be prescribed, and regulations by virtue of this subsection may be made with respect to equipment whatever the nature of the measurement made thereby (including measurement in terms of number) and whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement.

(2) No person shall use any article for trade as equipment to which this section applies, or have any article in his possession for such use, unless that article, or equipment to which this section applies in which that article is incorporated, or to the operation of which the use of that article is incidental, has been passed by an inspector as fit for such use and, except as otherwise expressly provided by or under this Decree, bears a stamp indicating that it has been so passed which remains undefaced otherwise than by reason of fair wear and tear. If any person contravenes this subsection he shall be guilty of an offence, and any article in respect of which the offence was committed shall be liable to be forfeited.

(3) Any person requiring any equipment to which this section applies to be passed as fit for use for trade shall submit the equipment to an inspector in such manner as the superintendent may direct and, subject to the provisions of this Decree and of any regulations made under section 47 thereof and to the payment by that person of the prescribed fee, the inspector shall—

(a) test the equipment by means of such working and other standards and testing equipment as he considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose ; and

(b) if the equipment submitted falls within the prescribed limits of error, give to the person submitting it a Certificate of Verification to the effect that it is passed as aforesaid ; and

(c) except as otherwise expressly provided by or under this Decree, cause it to be stamped with the prescribed stamp ;
and each inspector shall keep a record of every such test carried out by him.

(4) The requirements of subsections (2) and (3) of this section with respect to stamping and marking shall not apply to any weight or measure which is too small to be stamped or marked in accordance with those requirements.

(5) In the case of any weighing or measuring instrument which is required to be tested and passed after it has been installed in the place where it is to be used for trade, if after the instrument has been so passed it is removed and reinstalled whether in the same or some other place, it shall not be lawful to use it after such re-installation until it has been retested and passed by an inspector. Any person who, in contravention of this subsection, uses that instrument or causes or permits any other person to use it, shall be guilty of an offence and the instrument shall be liable to be forfeited.

(6) If an inspector is of opinion that a weighing or measuring instrument has a novel feature or is intended for use for trade for a particular purpose for which it is not suitable, he may refuse to pass or stamp it until the matter has been referred to the superintendent whose decision thereon shall be final.

(7) A weighing or measuring instrument constructed to read imperial units shall not be lawful for use during the transitional period unless it is adapted to weigh or measure in metric units ; or the products of such machine is given in metric terms. For this purpose a conversion factor necessary for the clear understanding of the quantity weighed or measured shall be prominently displayed in a permanent form on the instrument. If any person contravenes this subsection he shall be guilty of an offence.

8.—(1) For the purposes of this Decree, the Commissioner may make regulations with respect to—

(a) the materials and principle of construction of weighing or measuring equipment for use for trade ;

(b) the requirements for the inspection, verification and stamping or marking of weight, measure, weighing or measuring instruments ;

(c) the circumstances and the manner in which and the condition under which stamps may be obliterated or defaced, and any certificate of verification cancelled ;

(d) the purposes for which particular types of weighing or measuring equipment may be used for trade ;

(e) the abbreviation of or symbols for units of measurement which may be used for trade ;

(f) the limits of error to be allowed on verification and to be tolerated on inspection either generally or as respects any trade ; and

(g) the manner of erection or use of weighing or measuring equipment used for trade.

(2) If any difference arises between an inspector and any other person as to the interpretation of any regulations made under this section, that

Regulations
relating to
weighing or
measuring
for trade.

difference may with the consent of that other person and shall at the request of that other person be referred to the superintendent whose decision shall be final.

(3) Where in the circumstances of any particular case it appears to be impracticable or unnecessary that any requirement of any regulations made under this section should be complied with, the superintendent may, if he thinks fit, dispense with the observance of that requirement subject to compliance with such condition, if any, as he thinks fit to impose; and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this subsection he shall be guilty of an offence and the equipment shall be liable to be forfeited.

Keepers of
public
equipment
to hold
certificate.

9.—(1) No person shall attend to any weighing or measuring by means of weighing or measuring equipment available for use by the public being a weighing or measuring demanded by a member of the public and for which a charge is made, other than a weighing or measuring of a person, unless he holds a certificate from the superintendent that he has sufficient knowledge and skill for the proper performance of his duties.

(2) The superintendent may on application, grant a certificate to any person whom he considers has acquired sufficient knowledge and skill to carry out the functions of this section.

(3) Any person refused a certificate by the superintendent under this section may appeal against the refusal to the Commissioner whose decision thereon shall be final.

(4) Any person who contravenes, or who causes or permits any other person to contravene subsection (1) of this section shall be guilty of an offence.

Offences in
connection
with public
equipments.

10.—(1) This section shall apply where any article, vehicle, waggon or animal has been delivered for weighing or measuring by means of weighing or measuring equipment which is available for use by the public and is provided for the purpose of weighing and measuring articles, vehicle, waggon or animal.

(2) If any person appointed to attend to weighing or measuring by means of the equipment in question—

(a) without reasonable cause fails to carry out the weighing or measuring on demand; or

(b) carries out the weighing or measuring unfairly; or

(c) fails to deliver to the person demanding the weighing or measuring or to his agent a statement in writing of the weight or other measurement found; or

(d) fails to make a record of the weighing or measuring including all relevant particulars, and in the case of the weighing of a vehicle or waggon and of any load thereon as will identify the vehicle or waggon and that load, he shall be guilty of an offence.

(3) If in connection with any such equipment as aforesaid—

(a) any person appointed to attend to weighing or measuring by means of the equipment delivers a false statement of any weight or other measurement found or makes a false record of any weighing or measuring; or

(b) any person commits any fraud in connection with any, or any purported, weighing or measuring by means of that equipment, he shall be guilty of an offence.

(4) There shall be retained for a period of not less than two years records of any weighing or measuring officially made on weighing or measuring equipment available for use by the public, and an inspector, may require the production of such records for inspection at any time during the said period ; and accordingly—

(a) if a person attending any weighing or measuring equipment under this section fails to retain or produce any such record, he shall be guilty of an offence ;

(b) if any person wilfully destroys or defaces any such record before the expiration of two years from the date it was made, that person shall be guilty of an offence.

PART II.—ADMINISTRATION

11.—(1) Subject to subsections (2) and (3) of this section, there shall be appointed a fit person to be superintendent of weights and measures who shall be charged with the administration of this Decree, and such number of other fit persons as deputy superintendents and inspectors as may from time to time be required to assist the superintendent under this Decree, and to be subject to his direction and control.

Appointment of superintendent and other officers.

(2) The Commissioner, after consultation with the Military Governor or Administrator of a State, as the case may be, may create inspectorial districts and assign thereto such number of duly appointed inspectors as may be required.

(3) Where immediately before the commencement of this section—

(a) any person is the holder of an office designated in subsection (1) of this section, that person shall on the commencement of this section continue in office and be deemed for the purposes only of this Decree to have been appointed to his office under this section ;

(b) inspectorial districts are in existence in a State, they shall, on the commencement of this section, continue in existence and be deemed to have been created under this section.

(4) Where in the special circumstances of a particular case, the Commissioner is satisfied that any power delegated to any local council or local authority under the Act repealed by this Decree, is not being properly exercised or has been abused, the Commissioner may by order revoke that power.

12.—(1) The Commissioner shall from time to time provide such weighing instruments and measuring instruments for use by inspectors as he may consider necessary for the purposes of their duties under this Decree.

Provision of weighing and measuring instruments for use by inspectors.

(2) Weighing instruments and measuring instruments for use by inspectors shall be verified at such time and in such manner as the superintendent may in writing from time to time direct.

13.—(1) Subject to the provisions of this section, no inspector shall repair, alter or adjust any weight, measure, weighing instrument or measuring instrument.

Repair or adjustment of weights, etc.

(2) If the superintendent is satisfied that it is in the public interest that an inspector should be allowed to adjust weights, measures, weighing instruments and measuring instruments within the inspectorial district to

which he is assigned, the superintendent may authorise the inspector to act as an adjuster accordingly; and it shall be an offence for an inspector so authorised to adjust any weight, measure, weighing instrument or measuring instrument without payment of the prescribed fee.

Examination
of weights,
etc.

14.—(1) The superintendent may from time to time require any inspector to attend with his working standards and other equipment (if any) at such time and place as the superintendent may direct. An inspector shall attend where so required and examine and if necessary, verify any weight or measure brought to him or otherwise made available for inspection by him in the locality. If the inspector is satisfied that any weight or measure when produced to or inspected by him is accurate, or is otherwise within the requirements as prescribed, he shall verify the same by means of a stamp, and shall issue to the person entitled a certificate of verification in the form set out in Schedule 4 to this Decree or to the like effect; and the certificate of verification shall, unless extended under this section, remain in force for a period of twelve months.

(2) Where any weight or measure by reason of its shape or size may not conveniently be brought to the inspector he may, if requested to do so, attend at the premises where the weight or measure is, and there examine and verify the weight or measure. If for any reason it is not possible for the inspector to attend such premises, and the owner or user of any weight or measure in such premises produces to the inspector a current certificate of verification under this section, the inspector may by endorsement on that certificate, extend its operation for not more than one further period not exceeding twelve months.

(3) The neglect or refusal by an inspector to deliver a certificate of verification under this section shall be an offence against this Decree and the inspector shall be liable on summary conviction to a fine of ₦10.

(4) For the purposes of this section, "weight or measure" includes any weighing instrument or measuring instrument; and for the avoidance of doubt a certificate of verification issued under any enactment repealed by this Decree shall in respect of any period unexpired on the commencement of this section continue in force for the unexpired period, as if it had been issued under this section.

Additional
functions by
inspectors.

15. Without prejudice to the powers and duties of inspectors under any other provision of this Decree, an inspector may, at the request of any person and subject to the payment by that person of such fee, if any, as may be prescribed, carry out and submit to that person a report on—

(a) a weighing or other measurement of any goods submitted for that purpose by that person at such place as the superintendent may direct or approve;

(b) a test of the accuracy of any weighing or measuring equipment so submitted.

General
powers of
inspection
and entry.

16.—(1) Subject to the production of his credentials if requested, an inspector may within the area for which he was appointed inspector—

(a) at all reasonable times—

(i) inspect and test any weighing or measuring equipment which is used for trade or which he has reasonable cause to believe may be so used, or which is in the possession of any person or upon any premises for such use;

(ii) inspect any goods to which any of the provisions of this Decree or any instrument made thereunder for the time being applies or which he has reasonable cause to believe to be such goods;

(iii) enter any premises at which he has reasonable cause to believe there is any such equipment or goods as aforesaid, not being premises used only as a private dwelling-house; and

(b) at any time seize and detain—

(i) any article which he has reasonable cause to believe is liable to forfeiture under this Decree;

(ii) any document displayed with any goods as evidence of price or quantity of the goods and which the inspector believes may be required in the course of proceedings under this Decree.

(2) If a magistrate on sworn information in writing is satisfied that there is reasonable ground to believe that any such equipment, goods or articles as are mentioned in subsection (1) of this section are on any premises, or that any offence under this Decree has been, is being or is likely to be committed on any premises, and that—

(a) admission to the premises has been refused, or a refusal is apprehended, and that notice of the intention to apply for a warrant has been given to the occupier; or

(b) an application for admission, or the giving of such a notice, would defeat the object of the entry, or that the case is one of urgency, or that the premises are unoccupied or the occupier temporarily absent,

the magistrate by warrant under his hand, which shall continue in force for a period of one month, may authorise an inspector to enter the premises, and if need be by force.

(3) Where an inspector enters any premises by virtue of a warrant under this section he may take with him such other persons and equipment as may appear to him necessary; and on leaving any such premises which at the time of entry were unoccupied or from which the occupier during such entry was temporarily absent, he shall leave them as effectively secured against trespassers as he found them.

(4) If any inspector or other person who enters any work-place by virtue of this section discloses to any person any information obtained by him in the work-place with regard to any manufacturing process or trade secret he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence.

(5) In the exercise of his powers under this section an inspector shall exercise them so that as far as is practicable he will not impede or obstruct work in progress.

(6) Nothing in this section shall authorise an inspector to stop any vehicle on a highway.

17.—(1) Any person who—

(a) wilfully obstructs any inspector acting in the execution of his duty under this Decree; or

(b) wilfully fails to comply with any requirement properly made of him by an inspector entering under section 16 of this Decree; or

(c) without reasonable cause fails to give to any inspector acting as aforesaid any other assistance or information which the inspector may reasonably require of him for the purposes of the performance by the

Obstruction of inspectors.

inspector of his functions under this Decree or any order or regulation made thereunder,
shall be guilty of an offence.

(2) If any person, in giving to an inspector any such information as is mentioned in the foregoing subsection, gives any information which he knows to be false, he shall be guilty of an offence.

(3) Nothing in this section shall be construed as requiring a person to answer any question or give any information if to do so might incriminate him.

Offences by
inspectors
and others.

18.—(1) Any inspector who—

(a) stamps any weight, measure, weighing instrument or measuring instrument without verifying it, as prescribed by this Decree; or

(b) unless authorised under this Decree is paid for the making, adjusting or selling of any weight, measure, weighing instrument or measuring instrument; or

(c) commits any breach of duty imposed on him under this Decree or otherwise misconducts himself in the execution of his office,
shall be guilty of an offence, and in addition to any other penalty imposed on conviction thereof, his appointment as an inspector may be terminated.

(2) Any person who without proper authority, acts or purports to act as an inspector whether for the purposes of subsection (1) or not, shall be guilty of an offence.

Fraud in use
of weights,
etc.

19. Where any fraud is wilfully committed in the use of any weight, measure, weighing instrument or measuring instrument for trade, the person committing such fraud, and every person party to such fraud, shall be guilty of an offence and such weight, measure, weighing instrument or measuring instrument shall be liable to forfeiture.

Refusal to
produce
weights, etc.
an offence.

20. Any person who refuses when requested by an inspector to produce to the inspector any weight, measure, weighing instrument or measuring instrument in his possession or custody or obstructs, or hinders any inspector in any examination under this Decree of any weight, measure, weighing instrument or measuring instrument, shall be guilty of an offence.

Importation,
etc. of un-
just weights
and
measures.

21.—(1) Any person who imports, makes or sells or causes to be imported, made or sold any unjust weight, measure, weighing instrument or measuring instrument, shall be guilty of an offence and shall be liable on summary conviction in respect of a first offence to a fine of not less than ₦100 and, in respect of a second or any subsequent offence to a fine of not less than ₦200 or more than ₦300 or to imprisonment for a term of twelve months.

(2) Any person who imports, makes or sells or causes to be imported, made or sold any weight, measure, weighing or measuring instrument or equipment which is not in metric units or specifications shall be guilty of an offence.

Forgery,
etc. of
stamp or
mark.

22.—(1) Any person who forges or counterfeits or causes to be forged or counterfeited or knowingly assists in forging or counterfeiting, any stamp or mark used for stamping or marking any weight, measure, weighing instrument or measuring instrument under this Decree, shall be guilty of an offence and shall on summary conviction be liable to a fine of not less than ₦100 or more than ₦200 or to imprisonment for a term of six months.

(2) Any person who wilfully destroys a seal, mark or stamp on or in a weighing or measuring instrument as evidence of passing as fit for use for trade or of rejection for such use, shall be guilty of an offence and such weighing or measuring instrument shall be liable to forfeiture.

23. Any person who knowingly sells, uses or disposes of any weight, measure, weighing instrument or measuring instrument with any forged or counterfeited stamp or mark thereon resembling or intended to resemble any stamp or mark used under this Decree, shall be guilty of an offence and such weighing or measuring instrument shall be liable to forfeiture.

Sale of weights, etc. with forged stamp.

24. Any person who with intent to defraud—

(a) alters any weight, measure, weighing instrument or measuring instrument stamped or marked in accordance with this Decree; or

Alteration of stamped or marked weight, etc.

(b) uses in any sale, contract, or other dealing any such altered weight, measure, weighing instrument or measuring instrument, shall be guilty of an offence.

25. Any person who sells any article by weight, measure, or number and delivers or causes to be delivered to the purchaser a less weight, measure, or number, as the case may be, than is purported to be sold or than corresponds with the price charged, shall be guilty of an offence.

Delivery on sale by false weight, etc.

26. Any person who, in connection with the sale or the exposing or offering for sale of anything makes any misrepresentation howsoever or does or omits any act, matter or thing calculated or likely to mislead the seller or purchaser or prospective seller or purchaser as the case may be, as to its weight or measure, or if sold or offered for sale by number, as to the number sold or offered for sale, shall be guilty of an offence.

Misrepresentation.

27.—(1) Subject to subsection (3) of this section, every person shall be guilty of an offence who—

Sale of bread not by net weight an offence.

(a) sells, offers, or exposes for sale any bread otherwise than by net weight; or

(b) sells or has in his possession for sale or delivery under a contract of sale any loaf of bread unless its net weight is 225 grammes or a multiple thereof.

(2) Every person selling or having in his possession for the purpose of sale or carrying to a purchaser for sale any bread, shall if so required by an inspector, permit the inspector to weigh the bread. Any person who contravenes this subsection shall be guilty of an offence.

(3) Nothing in this section shall apply—

(a) to rolls or pieces of bread not exceeding 225 grammes in weight; or

(b) to loaves supplied under contract where the contract provides for weighing of the bread on delivery.

(4) In this section—

“bread” means bread in any form other than bread-crumbs and includes the following, and any part of any of the following, that is to say, fancy loaves and milk loaves; and

“loaf” includes a roll and a bap and any pre-packed sliced loaf of bread shall be deemed to be a whole loaf of bread and the pre-packing of sliced bread in any quantity by net weight shall be deemed to be the making for sale of whole loaf, of bread of that net weight.

28.—(1) A person shall not sell or have in his possession for sale any pre-packed article whether or not contained in Schedule 8 to this Decree unless the wrapper or container bears thereon, or on a label securely attached thereto, a true statement in plain characters of the minimum net weight or measure of the article contained therein.

Sale of pre-packed goods.

(2) A person shall not sell or have in his possession for sale any pre-packed goods of any of the kinds set forth in Schedule 8 to this Decree unless the goods are made up for sale in the standard quantities specified in column 2 or 3 of that Schedule (according as the goods are packed in rigid containers of glass, plastic, metal or not).

(3) The indication of weight or measure required in this section to be marked on any pre-packed article for sale shall be conspicuously and legibly marked in the manner hereunder prescribed, that is to say—

- (a) it shall be printed, stamped or written in plain block characters; and
- (b) it shall be situated in a prominent position on the outside of the outermost wrapper or container or on a label securely attached thereto:

Provided that where the outermost wrapper or container is of a transparent nature, the whole indication of weight or measure may be marked on the next inner wrapper or container provided the said indication of weight or measure is as plainly and easily legible as if on the outer wrapper or container.

(4) An indication of weight or measure shall be—

(a) complete in itself, that is to say, the words or group of characters composing the marking shall be associated together so as to be read as a whole, and it shall not be modified by any words or figures as 'about', 'average', 'not more than' or any such similar word or expression; and

(b) marked on a plain background and in distinct contrast thereto, that is to say, the characters shall be dark on a light background or vice versa.

(5) A statement as to the weight or measure of pre-packed goods shall be deemed to be a statement as to the net weight or measure thereof unless otherwise specified.

(6) Denominations of weights or measures shall be either spelt in full or if abbreviated shall be expressed by one or other of the prescribed abbreviations.

(7) Any person who contravenes the provisions of this section shall be guilty of an offence.

(8) The Commissioner may by order from time to time amend, vary, add to or replace Schedule 8. Any order made under this section shall be subject to the approval of the Federal Executive Council.

(9) Before making any order under this section the Commissioner shall consult with and consider any representations with respect to the subject-matter of the order made to him by such organisations as appear to him to be representative of interests substantially affected by the order.

29.—(1) Subject to the provisions of this Decree as to the use of any indigenous weight or measure, any person who sells any butchers' meat or fresh fish otherwise than by net weight shall be guilty of an offence.

(2) Nothing in this section shall apply to the sale or offer for sale of fresh fish on any beach, river-side or any other water-side or to the sale or offer for sale anywhere of shell fish.

30. Subject to the provisions of this section, any person who for the purposes of any sale, contract or other dealing uses or has in his possession for use—

- (a) any weight, measure, weighing instrument or measuring instrument which is false or unjust; or

Sale of certain meat and fish not by net weight an offence.

Use of false or unjust weights, etc.

(b) any weight, measure, weighing instrument or measuring instrument not stamped or marked as required by this Decree, or in respect of which no certificate of verification is in force, shall be guilty of an offence.

31. Any person who sells goods by weight or measure for himself or on behalf of any other person in any warehouse, market, store or other public place and, when required by the person to whom the goods are delivered, refuses to weigh or measure the goods in the presence of the person to whom they are delivered, shall be guilty of an offence.

Refusal to weigh or measure goods delivered.

PART III.—MISCELLANEOUS AND GENERAL

32.—(1) Where there is a sale by weight or measure and the weighing or measurement is to be done by any weight or measure prohibited by this Decree, the sale shall be void.

Avoidance of sale.

(2) In this section, "sale" includes any contract or other transaction whatsoever.

33.—(1) Where an offence under this Decree committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, any such director or other person mentioned in this subsection as the case may be, as well as the body corporate shall be deemed to be guilty of that offence, and shall be liable to be proceeded against and punished accordingly.

Offences by bodies corporate.

(2) For the purposes of this section, the expression "director" in relation to any body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by the members thereof, means a member of that body corporate.

34. In any proceedings under this Decree in respect of an alleged deficiency in the weight of any article delivered to a purchaser it shall be a good defence in any prosecution if the defendant proves to the satisfaction of the court that the alleged deficiency was due to unavoidable evaporation or drainage, and that he took all reasonable care to avoid such deficiency.

Loss by evaporation, etc. as a defence in special cases.

35.—(1) Any person prosecuted for an offence under this Decree, on giving to the prosecution three clear days' notice of his requirement and with the leave of the court, shall be entitled to have brought before the court in the proceedings any other person to whose act or default the defendant alleges responsibility for the commission of the offence. If on proof of commission of the offence, the original defendant proves that its commission was due to the act or default of the other person brought before the court and that the original defendant took all reasonable care to avoid the commission of the offence by him or by any person under his control, he shall be acquitted and discharged; and the court, if it thinks fit, may enter a conviction against the other person brought before the court.

Offence by person other than defendant.

(2) Where it appears to any authority by or on whose behalf proceedings may be instituted that an offence under this Decree has been committed and that authority is reasonably satisfied that the offence was due to any act or default of some other person, the authority may cause proceedings to be taken against that other person alone; and in any such proceedings that other person may be charged with and may be convicted of that offence, notwithstanding the failure to prosecute the first mentioned person.

Exemption
for sale in
containers.

36. Unless otherwise prescribed by regulations under this Decree, nothing in this Decree shall—

(a) be construed to prohibit the sale, or subject any person to a penalty under this Decree for the sale of an article not being pre-packed in a container of any description where such container is not represented as containing any amount of metric measure; or

(b) subject any person to a penalty under this Decree for the possession of any such container where the court or an inspector, as the case may be, is satisfied that the container was not intended for use as a measure.

Saving for
civil
remedies.

37. The fact that any act or omission is an offence under this Decree for which a person may be prosecuted shall not affect any civil remedy to which a person aggrieved by the offence may be entitled.

Transac-
tions to be in
accordance
with Decree.

38.—(1) Unless otherwise prescribed by this Decree, every transaction of what nature soever in any State involving the use of any weight or measure not in accordance with this Decree shall be void, and any person who uses any such weight or measure shall be guilty of an offence against this Decree.

(2) All tolls and duties charged or collected according to weight or measure shall be charged and collected according to one of the weights or measures under this Decree or to some part or multiple thereof.

Power to
forfeit and
dispose of
certain
weights, etc.

39. Any weight, measure, weighing instrument or measuring instrument which is the subject matter of any proceeding leading to conviction for an offence under this Decree may, unless otherwise prescribed by this Decree, be forfeited and may be broken up or otherwise disposed of as the court may direct.

Use of
weights, etc.
in relation to
wages.

40. The provisions of this Decree and of any other enactment for the time being in force in Nigeria relating to weights, measures, weighing instruments or measuring instruments used for the purposes of any sale, contract or dealing shall extend to any weight, measure, weighing instrument or measuring instrument used in any factory or workshop for the purpose of checking or ascertaining the wages of any person employed therein in like manner as if they were used for the purpose of any sale, contract or dealing under this Decree.

Use of
marked or
stamped
weights, etc.

41. No weight, measure, weighing instrument or measuring instrument marked or stamped by an inspector under this Decree shall, during the currency of any certificate of verification given in respect thereof, be objected to unless the superintendent is satisfied on reasonable grounds that the certificate of verification was issued under a mistake of fact, or that the weight, measure, weighing instrument or measuring instrument when checked with the appropriate standard is incorrect.

Presump-
tion of
possession of
weights, etc.

42. Where any weight, measure, weighing instrument or measuring instrument is found in the possession of any person upon premises of any description used for trade, that person shall be deemed to be in possession of the weight, measure, weighing instrument or measuring instrument for use for trade until the contrary is proved.

Power to
make test
purchases.

43. In pursuance of the duties imposed on him by or in pursuance of this Decree, any inspector shall have power to make such purchases of goods as may appear expedient for the purpose of determining whether or not the provisions of this Decree are being complied with.

44. Unless otherwise prescribed for an offence under this Decree, it shall not be necessary on any prosecution to prove knowledge or intent; but where the prosecution is in respect of an offence of doing anything knowingly or with a specified intent, the onus of disproving that he did such thing knowingly or with such intent shall be on the defendant.

Onus of proof of knowledge, etc. in any offence.

45. Where there is a dispute between an inspector and any person as to the method of testing or verifying any weight, measure, weighing instrument or measuring instrument, the matter in dispute shall at the request of either party to the dispute be determined by the superintendent, whose decision thereon shall be final.

Reference of certain cases to superintendent.

46. Actions and other proceedings by an inspector for things done or omitted under this Decree shall be commenced within four months after the matter complained of was done or omitted and not later; and notice in writing of any such action or other proceeding with full particulars of the cause thereof, shall be given to the defendant seven days at least before the commencement of such action or proceeding.

Limitation of actions.

PART IV—SUPPLEMENTARY

47.—(1) The Commissioner may make regulations generally for the purposes of this Decree.

Regulations.

(2) Without prejudice to the general power conferred by subsection (1) of this section, it is hereby declared that regulations may be made for—

(a) prescribing the fees to be paid on the stamping, marking, verifying, repairing or adjusting of any weight, measure, weighing instrument or measuring instrument by an inspector;

(b) prescribing the tests to be applied for the purpose of ascertaining the accuracy and efficiency of weights, measures, weighing instruments and measuring instruments;

(c) standardising any indigenous weights or measures and providing for the inspection, testing and verification of such weights and measures, and prohibiting the use of any such weight or measure which is false or unjust;

(d) prescribing any district or other area in which any weight or measure other than metric weight or measure may continue to be used;

(e) prescribing the manner in which any container required to be marked under any provision of this Decree with information as to the quantity of the goods made up therein is to be so marked;

(f) prescribing articles not elsewhere included in this Decree which are not to be sold otherwise than by weight, measure or number.

48.—(1) The fees in Schedule 5 to this Decree shall be the prescribed fees for the purposes of this Decree.

Fees.

(2) The Commissioner may by order from time to time amend, vary, add to or replace Schedule 5. Any order made under this section shall be subject to the approval of the Federal Executive Council.

Penalties.

49.—(1) Any person guilty of an offence under any of the following provisions of this Decree, that is to say—

- (a) section 6 (4);
- (b) section 13 (2);
- (c) section 17 (1);
- (d) section 20,

shall be liable on summary conviction to a fine of ₦100.

(2) Any person guilty of an offence under any other provision of this Decree shall, unless otherwise prescribed, be liable on summary conviction to a fine of ₦200 or, in the case of a second or any subsequent offence under the same provision, to a fine of ₦300 or to imprisonment for twelve months.

1963 No. 20.

(3) Subject to the exercise by the Attorney-General of the Federation of his powers under any enactment (including the Constitution of the Federation), any proceedings under this Decree may be instituted by or on behalf of the superintendent or the Inspector-General of Police.

(4) All penalties imposed under this Decree shall, when recovered, be paid into the Consolidated Revenue Fund of the Federation.

Restriction
on operation
of Decree.

50.—(1) Nothing in this Decree shall—

(a) without the approval of the Commissioner apply to any instrument, measure or meter of any description used or installed or to be used or installed for the purpose of—

- (i) any dealing with land;
- (ii) the measurement of consumption of electricity, gas or water; or
- (iii) the hire of any taxi;

(b) in any case, be construed to permit or allow the use at one and the same time in any sale or computation by length or mass, of both imperial standards and metric standards.

(2) For the purposes of this section, “dealing with land” includes the survey or other measurement of land whether or not in respect of any sale, lease or mortgage thereof.

Interpreta-
tion.

51.—(1) In this Decree, unless the context otherwise requires—

“capacity measurement” means measurement in terms of a unit of measurement included in Part IV of Schedule 1 to this Decree;

“Commissioner” means the Federal Commissioner charged with responsibility for trade;

“container” includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to, or winding the goods round, some other article, and in particular includes a wrapper or confining band;

“food” includes drink, chewing gum or special products of a like nature and use, and articles or substances used as ingredients in the preparation of food or drink or of such products, but does not include—

- (a) water, live animals or birds,
- (b) fodder or feeding stuff for animals, birds or fish, or

(c) articles or substances used only as drugs, or medicine for internal or external use ;

"inspector" means an inspector of weights and measures appointed under this Decree or as the case may be, the superintendent or any deputy superintendent of weights and measures so appointed ;

"mark" includes label ;

"measuring instrument" includes any instrument for the measurement of length, capacity, area or volume ;

"occupier" in relation to any stall, vehicle, ship or aircraft or in relation to the use of any place for any purpose, means the person for the time being in charge of the stall, vehicle, ship or aircraft or, as the case may be, the person for the time being using that place for that purpose ;

"premises" includes any place and any stall, vehicle, ship or aircraft ;

"prescribed" means prescribed by this Decree or regulations made thereunder ;

"ship" includes any boat and any other description of vessel used in navigation ;

"stamp" means a mark for use as evidence of the passing of weighing or measuring equipment as fit for use for trade, whether applied by impressing, casting, engraving, etching, branding, or otherwise howsoever, and cognate expressions shall be construed accordingly ;

"State" means any state created in pursuance of the States (Creation and Transitional Provisions) Decree 1967 ; 1967 No. 14.

"superintendent" means the superintendent of weights and measures appointed under this Decree ;

"transitional period" means any period before an order of revocation by the Commissioner under the provisions of section 52 (2) of this Decree ;

"weighing and measuring equipment" means equipment for measuring in terms of length, area, volume, capacity, weight or number whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement ;

"weighing instrument" includes scales with the poises applied thereto, scale-beams, balances, spring balances, steelyards, platform machines, weighbridges, counter scales, automatic scales, self-indicating and semi-self indicating scales, person weighing machines and other instruments for weighing, including instruments constructed also to calculate and indicate the price in money.

(2) The expression "use for trade" means use in any State in connection with, or with a view to, a transaction for—

(a) the transferring or rendering^{*} of money or money's worth in consideration of money or money's worth ; or

(b) the making of a payment in respect of any toll or duty, where—

(i) the transaction is by reference to quantity in terms of measurement of length, area, volume, capacity or weight or in terms of number, or is a transaction for the purposes of which there is made or implied a statement of the quantity in such terms of goods to which the transaction relates ; and

(ii) the use is for the purpose of the determination or statement of that quantity,

but, except where the transaction is a retail transaction for the making of a payment in respect of a toll or duty leviable in Nigeria or in respect of carriage within or from Nigeria, does not include any case where the goods in respect of which the determination or statement of quantity is made are goods required for despatch to a destination outside Nigeria.

(3) The expression “pre-packed” means made up in advance ready for retail sale in or on a container ; and on any premises where articles of any description are so made up, or are kept or stored for sale after being so made up, any article of that description found made up in or on a container shall be deemed to be pre-packed unless the contrary is proved ; and it shall not be sufficient proof of the contrary to show that the container has not been marked in accordance with the requirements of this Decree or any instrument made thereunder with respect to the pre-packing of such articles.

(4) Unless the context otherwise requires, any reference in this Decree to any person, other than a reference to an inspector, shall be construed as a reference to that person or some other person acting on his behalf in the matter in question.

(5) A statement as to the weight or measure of a pre-packed article shall, unless otherwise specified thereon, be deemed to be a statement of the net weight or measure of such article.

Application
of imperial
units for the
time being.

52.—(1) For the purposes of trade, or any other transaction in Nigeria, the units of measurement of imperial units and imperial measures and weights set out in Schedules 6 and 7 to this Decree respectively, shall, subject to this Decree, apply along with metric units of measurement until they are revoked.

(2) The Commissioner may from time to time by order revoke the whole or any part of Schedules 6 and 7 to this Decree in respect of any trade or sector of the economy, as may be specified in the order, and accordingly the units of measurement set out in the said Schedules or the part thereof revoked, shall cease to apply in Nigeria when the order is made.

Citation,
commence-
ment and
repeal.

53.—(1) This Decree may be cited as the Weights and Measures Decree 1974.

(2) This Decree shall come into operation on a day to be appointed by the Commissioner by notice in the *Gazette* and the Commissioner may appoint different days for different sections of this Decree, or may apply all or any of the provisions of this Decree to any State or part thereof ; and subject thereto, the Weights and Measures Act 1962 shall stand repealed.

SCHEDULES

SCHEDULE 1

Section 1 (2)

DEFINITIONS OF METRIC UNITS OF MEASUREMENT

PART 1

Measurement of Length

Kilometre	..	..	..	1,000 metres
Metre	...	..	..	shall have the meaning from time to time assigned by order by the Commissioner being the meaning appearing to the Commissioner to reproduce in English the international definition of the metre in force at the date of the making of the order.

1

Decimetre	$\frac{1}{10}$ metre
-----------	----	----	----	----------------------

10

1

Centimetre	$\frac{1}{100}$ metre
------------	----	----	----	-----------------------

100

1

Millimetre	$\frac{1}{1,000}$ metre
------------	----	----	----	-------------------------

1,000

PART II

Measurement of area

Hectare	..	..	..	100 ares
Dekare	..	..	..	10 ares
Are	..	..	..	100 square metres
Square Metre	..	..	..	a superficial area equal to that of a square, each side of which measures one metre.

1

Square Decimetre	$\frac{1}{100}$ square metre
------------------	----	----	----	------------------------------

100

1

Square Centimetre	$\frac{1}{10,000}$ square metre
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100

1

Square Millimetre	$\frac{1}{1,000,000}$ square metre
-------------------	----	----	----	------------------------------------

100

PART III

Measurement of volume

Cubic Metre	a volume equal to that of a cube each edge of which measures one metre.
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1

Cubic Decimetre	$\frac{1}{1,000}$ cubic metre
-----------------	----	----	----	-------------------------------

1,000

1

Cubic Centimetre	$\frac{1}{1,000,000}$ cubic metre
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1,000

SCHEDULE 1—continued

PART III—continued

Cubic Millimetre	1	cubic centimetre
			1,000	

PART IV

Measurement of Capacity

Hectolitre	..	..	..	100 litres
Litre	..	..	..	shall have the meaning from time to time assigned by order by the Commissioner being the meaning appearing to the Commissioner to reproduce in English the international definition of the litre in force at the date of the making of the order.

Decilitre..	1	litre
			10	

Centilitre	1	litre
			100	

Millilitre..	1	litre
			1,000	

PART V

Measurement of mass or weight

Metric ton (tonne)	..	..	..	1,000 kilogrammes
Quintal	..	..	..	100 kilogrammes
Kilogramme	..	..	..	shall have the meaning from time to time assigned by order by the Commissioner being the meaning appearing to the Commissioner to reproduce in English the international definition of the kilogramme in force at the date of the making of the order.

Hectogramme	1	kilogramme
			10	

Gramme..	1	kilogramme
			1,000	

Carat (metric)	1	gramme
			5	

Milligramme	1	gramme
			1,000	

SCHEDULE 1—*continued*

PART VI

Measurement of Electricity

1. The following units of measurement, that is to say—
 - (a) the AMPERE (as the unit of measurement of electrical current);
 - (b) the OHM (as the unit of measurement of electrical resistance);
 - (c) the VOLT (as the unit of measurement of difference of electrical potential); and

- (d) the WATT (as the unit of measurement of electrical power),

shall have the meanings from time to time respectively assigned by order by the Commissioner, being the meanings appearing to the Commissioner to reproduce in English the international definition of the ampere, ohm, volt or watt, as the case may be, in force at the date of the making of the order.

2. Kilowatt : 1,000 watts.

Megawatt : one million watts.

SCHEDULE 2

Section 2 (3)

EXISTING NIGERIAN PRIMARY STANDARDS

PART I

Description of Nigerian Primary Standard of the Metre

The Nigerian copy of the Prototype metre, being a bar of nickel steel of "H"—section about 103 centimetres in length and 24 millimetres square in overall section marked "SIP GENEVE No. 12202 20°C NI 58%." The upper surface of the web of the "H" is chromed and highly polished and is engraved with a main scale of fine transverse lines 1 centimetre apart, numbered "0" to "100", the spaces between these lines being further divided by shorter transverse lines 1 millimetre apart. This scale is cut by two longitudinal fine lines parallel to the axis of the bar. The length of the Nigerian Primary Standard Metre shall be measured between those two fine transverse lines of the main scale which are marked "0" and "100", the plane of measurement to be co-incidental with the upper surface of the web of the "H" and the line of measurement to be half way between the two fine longitudinal lines and parallel thereto. Measurement shall be made at a temperature of 20° Celsius, the bar being supported on rollers approximately 1 centimetre in diameter at the points indicated by the arrows on one flank of the bar.

PART II

Description of Nigerian Primary Standard of the Kilogramme

The Nigerian copy of the prototype kilogramme being a solid cylinder of non-magnetic stainless steel of height equal to its diameter being approximately 5.5 centimetres each, marked "FNI 1 kg."

SCHEDULE 3

Sections 3 (2) and 4 (1)

METRIC MEASURES AND WEIGHTS LAWFUL FOR USE FOR TRADE

PART I

Linear measures

Measures of—

20 metres	1 metre
10 metres	1 decimetre
metres	1 centimetre
metres	

PART II

Square measures

Measures of, or of any multiple of, 1 square decimetre.

PART III

Cubic measures

Measures of, or of any multiple of, 1 cubic decimetre.

PART IV

Capacity measures

Measures of—

any multiple of 10 litres	100 millilitres
10 litres	50 millilitres
5 litres	25 millilitres
$2\frac{1}{2}$ litres	20 millilitres
2 litres	10 millilitres
1 litre	5 millilitres
500 millilitres	2 millilitres
250 millilitres	1 millilitre
200 millilitres	

PART V

Weights

Weights of—

20 kilogrammes	2 grammes
10 kilogrammes	1 gramme
5 kilogrammes	500 milligrammes
2 kilogrammes	400 milligrammes
1 kilogramme	300 milligrammes
500 grammes	200 milligrammes
200 grammes	100 milligrammes
100 grammes	50 milligrammes
50 grammes	20 milligrammes
20 grammes	10 milligrammes
10 grammes	5 milligrammes
5 grammes	2 milligrammes
4 grammes	1 milligramme
3 grammes	

SCHEDULE 4

Sections 7(3)(b) and 14 (1)

FORM OF CERTIFICATE OF VERIFICATION

I hereby certify that the following weights and measures (or weighing instruments or measuring instruments) namely.....

.....submitted to me by.....
of.....

.....were this day stamped by me as having been examined and found correct by me.

This certificate unless extended by endorsement hereon by an inspector shall cease to have effect twelve months after the date hereof.

DATED at.....this.....day of.....19.....

(Signature).....
Inspector of Weights and Measures

SCHEDULE 5

Section 48

TABLE OF FEES

A. MEASURES OF LENGTH :—	₹ k
Not exceeding 3 metres (or 10 ft. if an imperial measure) each measure	0. 50
Above 3 metres or 10 ft. (if imperial measure) each measure ..	1. 00
Where a measure of length is provided with both metric and imperial scales a fee shall be payable in respect of each scale.	
B. MEASURES OF CAPACITY :—	
Not exceeding 5 litres (or one gallon if an imperial measure) each measure	0. 50
Above 5 litres (or one gallon if an imperial measure) for the first 5 litres (or one gallon if an imperial measure)	0. 50
for each additional 5 litres (or one gallon if an imperial measure)	0. 25
C. WEIGHTS :—	
Not exceeding 2kg. (50lb if an imperial weight) each weight ..	0. 10
Above 2kg. (5lb if an imperial weight) each weight	0. 25
Troy, apothecaries and grain weights, each weight	0. 25
D. WEIGHING INSTRUMENTS :—	
(i) All types except instruments specified in D (ii) and (iii) below :—	
Not exceeding 10kg. (20lb if imperial)	0. 50
Above 10kg. (20lb if imperial) but not exceeding 100kg. (2 cwt if imperial)	1. 00
Above 100kg. (2 cwt if imperial) but not exceeding 250kg. (5 cwt if imperial)	1. 50
Above 250kg. (5 cwt if imperial) but not exceeding 500kg. (10 cwt if imperial)	2. 00
Above 500kg. (10 cwt if imperial) but not exceeding 1 tonne (1 ton if imperial)	3. 00
Above 1 tonne (1 ton if imperial) but not exceeding 5 tonnes (5 tons if imperial)	6. 00
Above 5 tonnes (5 tons if imperial) but not exceeding 10 tonnes (10 tons if imperial)	16. 00
Above 10 tonnes (10 tons if imperial)	20. 00

SCHEDULE 5—continued

The fee payable where an instrument is provided with both imperial and metric graduations shall be an amount equal to one and a half times the fee appropriate to the maximum capacity of the machines and where two or more weigh tables or platforms are connected to one indicating mechanism, a fee shall be payable in respect of each weigh table or platform.

(ii) Automatic machines and totalising machines :	₦ k
Not exceeding 10kg. (20lb if imperial) each machine ..	4.00
Exceeding 10kg. (20lb if imperial)	8.00
(iii) Egg grading machines : Each machine	5.00

E. MEASURING INSTRUMENTS USED FOR THE MEASUREMENT OF LIQUID FUEL AND LUBRICATING OIL :—

(i) Piston type each instrument	4.00
(ii) Container type (including batteries of can or barrel fillers) :	
Each container of capacity not exceeding 20 litres (5 gallons if imperial)	1.00
Each container of capacity above 20 litres (5 gallons if imperial)	3.00
for each subdivision of a container	1.00
(iii) Flowmeter type :	
Each instrument	7.00
Calibrated tanks and tank wagons :	
Each calibrated unit or compartment of capacity not exceeding, 1,500 litres (300 gallons if imperial)	7.00
Each calibrated unit or compartment above 1,500 litres (300 gallons if imperial)	10.00

F. ADJUSTING FEES :—

(i) Weights :	
Weights of 5kg. (or 14lb if an imperial weight and above) each weight	0.50
Weights below 5kg. (or below 14lb if an imperial weight) each weight	0.20
(ii) Measures of Capacity :	
Not exceeding one litre (or 1 gallon if an imperial measure) ..	0.25
Above 5 litres (or 1 gallon if an imperial measure)	0.50
(iii) Weighing instruments :	
Balancing, each instrument	0.25
Adjustment of sliding poise weights, each poise weight ..	1.00
Adjusting poise weights (other than sliding poise) each poise weight	0.50
Fitting of stamping plug or seal	0.50
(iv) Measuring instruments used for liquid fuel and lubricating oil :	
Adjustment of measure delivered, each instrument	1.00

SCHEDULE 6

Sections 2 (4) and 52 (1)

DEFINITIONS OF UNITS OF MEASUREMENT IMPERIAL UNITS

PART I

Measurement of length

Mile	1,760 yards
Furlong	220 yards
Chain	22 yards
Yard	0.9144 metre
Foot	$\frac{1}{3}$ yard
Inch	$\frac{1}{36}$ yard

PART II

Measurement of area

Square mile	640 acres
Acre	4,840 square yards
Rood	1,210 square yards
Square Yard	a superficial area equal to that of a square each side of which measures one yard.
Square foot	$\frac{1}{9}$ square yard
Square inch	$\frac{1}{144}$ square foot

PART III

Measurement of volume

Cubic Yard	a volume equal to that of a cube each edge of which measures one yard.
Cubic foot	$\frac{1}{27}$ cubic yard
Cubic inch	$\frac{1}{1,728}$ cubic foot

SCHEDULE 6—continued

PART IV

Measurement of capacity

Bushel	..	..	..	8 gallons
Peck	..	..	..	2 gallons
Gallon	..	..	..	the space occupied by 10 pounds weight of distilled water of density 0.998859 gramme per millilitre weighed in air of density 0.001217 gramme per millilitre against weights of density 8.136 grammes per millilitre.
Quart	..	..	..	$\frac{1}{4}$ gallon
Pint	..	..	..	$\frac{1}{2}$ quart
Gill	..	..	..	$\frac{1}{4}$ pint
Fluid ounce	..	..	..	$\frac{1}{20}$ pint
Fluid drachm	..	..	..	$\frac{1}{8}$ fluid ounce
Minim	..	..	..	$\frac{1}{60}$ fluid ounce

PART V

Measurement of mass or weight

Ton	..	..	..	2,240 pounds
Hundredweight	..	..	..	112 pounds
Cental	..	..	..	100 pounds
Quarter	..	..	..	28 pounds
Stone	..	..	..	14 pounds
Pound	..	..	..	0.4539237 kilogramme
Ounce	..	..	..	$\frac{1}{16}$ pound
Dram	..	..	..	$\frac{1}{16}$ ounce
Grain	..	..	..	$\frac{1}{7,000}$ pound
Ounce troy..	..	..	..	480 grains
Pennyweight	..	..	..	24 grains
Ounce apothecaries	..	..	..	480 grains
Drachm	..	..	..	$\frac{1}{8}$ ounce apothecaries
Scruple	..	..	..	$\frac{1}{3}$ drachm

SCHEDULE 7

Section 52

IMPERIAL MEASURES AND WEIGHTS LAWFUL FOR USE FOR TRADE

PART I

Linear measures

Measures of—

100 feet	5 feet
66 feet	4 feet
50 feet	1 yard
33 feet	2 feet
20 feet	1 foot
10 feet	6 inches
8 feet	1 inch
6 feet	

PART II

Square measures

Measures of, or of any multiple of, 1 square foot

PART III

*Cubic measures*Measures of, or of any multiple of, $\frac{1}{4}$ cubic yard.

PART IV

Capacity measures

1. Measures of—

any multiple of 1 gallon

1 gallon	1 gill
$\frac{1}{2}$ gallon	4 fluid ounces
1 quart	$\frac{1}{2}$ gill
1 pint	$\frac{2}{3}$ gill
$\frac{1}{2}$ pint	$\frac{1}{3}$ gill
8 fluid ounces	$\frac{1}{4}$ gill
$\frac{1}{3}$ pint	$\frac{1}{5}$ gill
6 fluid ounces	$\frac{1}{6}$ gill

2. Measures of—

1 bushel
 $\frac{1}{2}$ bushel
1 peck

3. Measures of—

4 fluid drachms	30 minims
2 fluid drachms	10 minims
1 fluid drachm	

SCHEDULE 8

Section 28

STANDARD METRIC QUANTITIES FOR PRE-PACKED GOODS

Description of goods	Quantity, when packed in rigid primary con- tainers of glass, plastic, or metal (2)	Quantity, when packed in containers other than those specified in the second column (3)
(1)		
1. Bacon and sausages	100g., 200g., 300g., 400g., 500g., 1kg., thereafter by steps of 1kg.	100g., 200g., 250g., 300g., 350g., 400g., 500g., 1kg., thereafter by steps of 1kg.
2. Barley	—	100g., 250., 500g., 1kg., thereafter by steps of 1kg., to 50kg., 80kg.
3. Beans and peas ..	—	250g., 500g., 1kg., there- after by steps of 1kg. to 10kg., 90kg.
4. Beer	27cl., 50cl., 60cl. ..	—
5. Biscuits	100g., 150g., 200g., 300g., 400g., 500g., 1kg., thereafter by steps of 500g.,	100g., 200g., 300g., 400g., 500g., 1kg., therefore by steps of 500g.
6. Bread	—	225g and multiples thereof.
7. Butter	100g., 200g., 227g., 300g., 500g., 1kg. thereafter by steps of 1kg.	250g., 500g., 1kg.
8. Cassava and Yam flour	—	500g., 1kg., 2kg., 3kg., 4kg., 5kg., 60kg.
9. Cement	—	50kg.
10. Cocoa powder ..	100g., thereafter in steps of 100g. up to 1kg., thereafter by steps of 1kg.	100g., 250g., 500., 1kg., thereafter by steps of 1kg.
11. Coffee, tea (other than tea in chests), chicory mixture	100g., 200g., 250g., 500g., 1kg., there- after by steps of 250g.	100g., 250g., 500g., 1kg., thereafter by steps of 1kg.
12. Custard powder ..	100g., 250g., 300g., 500g., thereafter by steps of 250g., up to 2kg., thereafter by steps of 1kg.	100g., 250g., 500g., 1kg. thereafter by steps of 1kg., 30kg.
13. Cream (Edible) ..	100ml., thereafter by steps of 100ml., to 1 litre, 2kg., 4kg., 8kg., 18kg.	100ml., thereafter by steps of 100ml., to 1 litre.

SCHEDULE 8—continued

STANDARD METRIC QUANTITIES FOR PRE-PACKED GOODS

Description of goods	Quantity, when packed in rigid primary con- tainers of glass, plastic, or metal	Quantity, when packed in containers other than those specified in the second column
(1)	(2)	(3)
14. Cream (Cosmetics)	100g., thereafter in steps of 25g.	—
15. Edible Oil	100ml. thereafter by steps of 100ml. to 1 litre, thereafter in steps of 1 litre to 5 litres. 2kg., 4kg., 8kg., 18kg., 40kg.	100ml. thereafter by steps of 100ml. to 1 litre.
16. Flour of oats, rice, beans, soya beans, rye self raising flour	100g., 250g., 500g., 1kg. thereafter by steps of 1kg.	100g., 250g., 1kg.
17. Food Drinks (e.g. Ovaltine, Bourn- vita)	100g. 225g., 450g., 900g., 2,250g.	—
18. Liquid fuel	250ml., 500ml., 1 litre to 20 litres in steps of 1 litre, then by steps of 5 litres to 100 litres, thereafter by steps of 10 litres.	—
19. Liquid fungicides and insecticides	250ml., 500ml., 1 litre, thereafter by steps of 1 litre.	250ml., 500ml., 1 litre thereafter by steps of 1 litre.
20. Liquid polish	100ml., then by steps of 100ml., to 500ml. 1 litre, thereafter by steps of 1 litre.	100ml., then by steps of 100ml., to 500ml., 1 litre, thereafter by steps of 1 litre.
21. Liquid soap, liquid detergent (not ex- ceeding 5 litres)	100ml., then by steps of 100ml. to 1 litre, thereafter by steps of 1 litre.	100ml., then by steps of 100ml., to 500ml., 1 litre, thereafter by steps of 1 litre.
22. Livestock Feeds	—	50kg.
23. Lubricating oil ex- cluding greases (exceeding 200ml. not exceeding 20 litres)	250ml., 500ml., 1 litre thereafter by steps of 1 litre to 20 litres	250ml., 500ml.
24. Maize flour	—	1kg., thereafter by steps of 1kg., to 10kg. 20kg. 50kg., 90kg.

SCHEDULE 8—continued

STANDARD METRIC QUANTITIES FOR PRE-PACKED GOODS

<i>Description of goods</i> (1)	<i>Quantity, when packed in rigid primary con- tainers of glass, plastic, or metal</i> (2)	<i>Quantity, when packed in containers other than those specified in the second column</i> (3)
25. Maize grain ..	—	1kg. thereafter by steps of 1kg. to 10kg. 20kg., 50kg., 90kg.
26. Maize bran ..	—	50kg. thereafter by steps of 5kg.
27. Margarine, mixture of butter and margarine and tomato products	100g by steps of 25g. to 1kg. thereafter by steps of 250g. up to 5kg.	100g., 250g., 1kg.
28. Milk (not exceeding 5 litres) excluding evaporated or condensed milk	200ml., 250ml., 500ml., 1 litre, thereafter by steps of 1 litre, except tinned milk in 100ml., 200ml., 300ml., 400ml., 500ml.	
29. Milk powder including milk food and milk food substitutes for feeding infants	200g., 250g., 450g., 500g., 1kg., thereafter by steps of 1kg.	100g., 250g., 500g., 1kg., thereafter by steps of 1kg.
30. Millet ..	—	80kg.
31. Paint and distemper	125ml., 250ml., 500ml., 1 litre, 2 litres, 4 litres, 20 litres, 500g., 1kg., 3kg., 6kg., 10kg., 25kg., 50kg.	500g., 1kg.
32. Rice ..	—	250g., 500g., 1kg., 3kg., 4kg., 5kg., 10kg., 20kg., 50kg., 100kg.,
33. Rice Bran ..	—	50kg. thereafter by steps of 5kg.
34. Rice paddy ..	—	75kg.
35. Salt ..	100g., 250g., 500g., 1kg., 2kg.	100g., 250g., 500g., 1kg., 2kg., 20kg., 25kg., 40kg., 50kg., 100kg.
36. Soaps (including detergent powder and Scourer)	—	100g., 150g., 200g., 250g., 300g., 400g., 500g., 800g., 1kg., 1.25kg., 1.5kg., 2kg., 2.25kg.

SCHEDULE 8—continued

STANDARD METRIC QUANTITIES FOR PRE-PACKED GOODS

<i>Description of goods</i>	<i>Quantity, when packed in rigid primary con- tainers of glass, plastic, or metal</i>	<i>Quantity, when packed in containers other than those specified in the second column</i>
(1)	(2)	(3)
37. Soft drinks and mineral water	10cl. thereafter by steps of 1cl. to 1 litre	—
38. Shoe polish ..	15ml., 30ml., 40ml., 100ml.	—
39. Solid polish (other than shoe polish)	100g., then by steps of 100g., to 1kg. thereafter by steps of 1kg.	—
40. Spices	100g., 200g., 300g., 400g., 500g., 1kg. thereafter by steps of 1kg.	100g., 200g., 300g., 400g., 500g., 1kg. thereafter by steps of 1kg.
41. Squashes and fruit juices	10cl. thereafter by steps of 1cl. to 1 litre	—
42. Stout	30cl., 60cl.	
43. Sweets (sugar confectionery)	100g., 250g., 500g., 1kg., thereafter by steps of 1kg.	100g., 250g., 500g., 1kg. thereafter by steps of 1kg.
44. Sugar	—	100g., 250g., 500g., 1kg., thereafter by steps of 1kg. to 10kg., 50kg., 100kg.
45. Sunflower seed ..	—	40kg.
46. Toilet paper ..	—	200, 300 sheets per roll, 140 to 100 sq. cm per sheet.
47. Tomato Products— See item 27.		
48. Wheat flour and wheat grain	—	250g., 500g., 1kg. thereafter by steps of 1kg. to 10kg., 20kg., 50kg., 90kg.
49. Yeast	100g., 500g., 1kg., 2.5kg., 25kg.	—

Note.—Packaged goods under 50 grammes shall be prepacked only if the quantity is in whole number of grammes. Packaged products between 50 grammes and 100 grammes shall be lawful only if in quantities which are multiples of 5 grammes.

MADE at Lagos this 30th day of September 1974.

GENERAL Y. GOWON,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

*(This note does not form part of the above Decree
but is intended to explain its purport)*

The Decree repeals the Weights and Measures Act 1962 and re-enacts that Act with numerous additional provisions to facilitate the change-over to the metric system.