

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 285.

*Packaging.*

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), the administration of this Chapter was vested in the Minister for Labour, Commerce and Industry.

Accordingly, as at that date, except where a different intention appears, by note or in the text, references in and in relation to this Chapter to—

“the Minister”—should be read as references to the Minister for Labour, Commerce and Industry;

“the Departmental Head”—should be read as references to the Secretary for Labour, Commerce and Industry<sup>1</sup>;

“the Department”—should be read as references to the Department of Labour, Commerce and Industry<sup>2</sup>.

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<sup>1</sup> Previously the Secretary, Department of Labour and Industry.

<sup>2</sup> Previously the Department of Labour and Industry.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 285.

*Packaging Act.*

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 285.

*Packaging Act.*

Being an Act relating to the packing of, and to the marking of packages in which, certain articles are sold and the sale of those articles, and for related purposes.

PART I.—PRELIMINARY.

1. Interpretation.

(1) In this Act, unless the contrary intention appears—

“approved brand” means a brand approved under Section 7;

“article” includes any liquid, food, chattel, wares, merchandise and goods of every description normally sold by weight, measure or number (otherwise than singly), and includes a quantity of a substance;

“authorized officer” means—

(a) the Chief Inspector of Weights and Measures, a Deputy Chief Inspector of Weights and Measures or an inspector appointed under the *Weights and Measures Act*; or

(b) the Price Controller, a Deputy Price Controller or an authorized officer appointed under the *Prices Regulation Act*;

“brand” includes a mark, name, word, letter, numeral or symbol, and any combination of any of them, used as a brand;

“commencement date” means 1 January 1976 (being the date of commencement of the pre-Independence *Packaging Act 1974*);

“pack” includes anything by means of which an article is packed for sale as a single item or a number of articles are packed for sale as a single item, and includes—

(a) a wrapper or confining band; and

(b) a label attached to any pack; and

(c) a holder to which an article is attached for the purposes of sale;

“package” means an article together with the pack containing the article;

“packer” means a person who packs an article or authorizes, directs, causes, suffers or permits the packing of an article knowing or having reason to believe that it will be sold;

“permit” means a permit under Section 24;

“purchaser” includes a person purchasing as an agent for any other person and an intending purchaser or a person making enquiries with a view to possible purchase;

“the regulations” means any regulations made under this Act;

“sell” includes—

(a) offer or expose for sale; and

(b) keep or have in possession for sale; and

- (c) barter or exchange; and
- (d) deal in or agree to sell; and
- (e) send, forward or deliver for sale or on sale; and
- (f) authorize, direct, cause or permit any of the acts specified in Paragraphs (a) to (e);

"this Act" includes the regulations;

"vehicle" means any conveyance used on land, whether self-propelled or not.

(2) For the purposes of this Act—

- (a) a reference to the weight or measure of an article is a reference to the weight or measure of the article excluding the weight or measure of the pack containing the article; and
- (b) a reference to a pack containing an article includes a reference to a pack to which an article is attached or around which an article is wound or wrapped; and
- (c) a reference to an article contained in a pack includes a reference to an article that is attached to, wound around or wrapped around a pack; and
- (d) a reference to the measure of an article is, in the case of an article of a kind that is ordinarily sold by number, a reference to the quantity of the article expressed as a number; and
- (e) an article is pre-packed if it is packed in advance ready for sale.

**2. Application to State.**

This Act binds the State.

**3. Saving of customary packs and packages.**

Except as provided by the regulations, this Act does not apply to or in relation to local or customary packs or packages in use by natives<sup>1</sup> immediately before the commencement date.

**4. Saving of other laws.**

Except where otherwise specifically stated, this Act does not derogate any power granted under, or relieve a person from any liability or duty under, any other law.

**5. Exemption.**

The Minister may, by notice in the National Gazette, exempt on such terms and conditions as he thinks proper, any article or class of article, from all or any of the provisions of this Act.

**PART II.—ADMINISTRATION.**

**6. Powers of authorized officers.**

- (1) An authorized officer may, at all reasonable times—
  - (a) enter a building or place where—
    - (i) articles are packed for sale or pre-packed articles are sold; or

<sup>1</sup> See pre-Independence *Ordinances Interpretation Act 1949-1973*, Section 6(1) and *Interpretation Act*, Section 98(1).

- (ii) he has reasonable cause to believe that articles are packed for sale or pre-packed articles are sold; and
  - (b) stop any vehicle and inspect any pre-packed article in or on the vehicle; and
  - (c) inspect and weigh or measure, or remove for weighing or measuring, any article in respect of which he has reasonable grounds for suspecting that an offence against this Act has been committed; and
  - (d) seize and retain a pre-packed article in respect of which he has reason to believe that an offence against this Act has been committed.
- (2) A person who hinders or obstructs an authorized officer in the exercise of his powers or the performance of his functions under this Act is guilty of an offence.
- Penalty: A fine not exceeding K200.00.

PART III.—BRANDS.

7. Approval of brands.

The Minister may, on application under Section 8, approve a brand by notice in the National Gazette.

8. Application for approval of brand.

An application for approval of a brand shall be—

- (a) in the prescribed form; and
- (b) accompanied by the prescribed fee.

9. Notice of approval to contain certain particulars.

A notice under Section 7—

- (a) shall specify the owner of the brand; and
- (b) may contain such conditions as to the use of the brand as the Minister thinks proper.

10. Offences in relation to brands.

(1) A person who, not being the person to whom the approval was granted, or a person authorized by that person to mark the brand, marks on a package an approved brand is guilty of an offence.

(2) A person who uses an approved brand otherwise than in accordance with the conditions (if any) expressed in the approval given in relation to the brand is guilty of an offence.

(3) A person who marks on a package a brand that so nearly resembles an approved brand as to be likely to lead a person to believe that it is that brand, is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

PART IV.—PACKING OF ARTICLES.

11. Application of Part IV.

(1) This Part does not apply to or in relation to an article that is, otherwise than at the request of the purchaser, weighed or measured before or at the time of sale in the presence of the purchaser.

(2) For the purposes of Subsection (1), an article shall be deemed not to have been weighted or measured in the presence of the purchaser unless—

- (a) the weight or measure, or an indication of the weight or measure; and
- (b) the operation of the instrument weighing or measuring the article,

can be seen by the purchaser.

**12. Reference to packer, etc., on packages.**

(1) A packer who packs an article the package containing which is not marked in the prescribed manner with—

- (a) an approved brand, or the name and address of the person on whose behalf the article was packed; and
- (b) the name and address of the packer,

is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(2) In proceedings for an offence against Subsection (1), it is a defence if the person charged proves that the article in respect of which the proceedings relate was packed on premises for sale from those premises to a person for the purposes of consumption, and not for sale, by that person.

**13. Packing of certain articles in certain denominations.**

(1) In this section, “prescribed article” means an article to which this section is applied by the regulations.

(2) For the purposes of this section the Minister may, by notice in the National Gazette, appoint a day in respect of a prescribed article.

(3) On or after the day appointed under Subsection (2) in respect of a prescribed article, a packer who packs the article otherwise than in the denomination of the weight or measure prescribed in relation to it is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**14. Marking of true weight.**

(1) For the purposes of this section, the Minister may, by notice in the National Gazette, appoint a day in respect of the packing of an article.

(2) On or after the day appointed under Subsection (1), a packer who packs an article the pack containing which is not marked in the prescribed manner with a statement of the true weight or measure of the article is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**15. Incorrect weight or measure.**

(1) A packer who packs an article the weight or measure of which is less than its weight or measure as stated on the pack containing the article is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.



(2) An offence against Subsection (1) may be committed notwithstanding the fact that the pack containing the article is not, under this Act, required to be marked with a statement of the weight or measure of the article.

(3) For the purposes of this section, an article shall be deemed to be of the weight or measure stated on the pack containing the article if—

- (a) any deficiency of weight or measure does not exceed 5% of the stated weight or measure or, where the article is contained in a bottle the stated contents of which do not exceed 227.3ml<sup>1</sup> or 226.79g<sup>2</sup> per 7½% of the stated contents; and
- (b) there is no average deficiency in the contents of—
  - (i) 12 packs containing the article, selected at random by an authorized officer from amongst the packs containing the article on the premises of the packer; or
  - (ii) where there are less than 12 such packs—all the packs (being not fewer than six) on the premises.

(4) In any proceedings for an offence against Subsection (1), it is a defence if the person charged proves—

- (a) that the deficiency—
  - (i) arose after the packing of the article and was attributable wholly to factors for which reasonable allowance was made in stating the weight or measure of the article; or
  - (ii) was attributable wholly to the taking of measures reasonably necessary in order to avoid the commission of an offence in respect of a deficiency in the weight or measure of any other article; or
- (b) that the commission of the offence was due to a cause that the person charged could not reasonably have foreseen and for which he could not reasonably have made allowance, and that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

#### 16. Weight and marking of weight of certain articles.

(1) In this section—

“prescribed article” means an article to which this section is applied by the regulations;

“alternative expression” means an expression prescribed in relation to a prescribed article as an alternative to the expression “net weight when packed”.

(2) A packer who packs an article, other than a prescribed article, in a pack marked with the words “net weight when packed” or other words capable of bearing a like meaning, is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(3) A packer who packs an article, other than a prescribed article in relation to which there is prescribed an alternative expression or words capable of bearing a like meaning is guilty of an offence.

<sup>1</sup> Metricated editorially. The original measurement was 8 fl. oz.

<sup>2</sup> Metricated editorially. The original weight was 8 oz.

(4) For the purposes of this section, there may be prescribed in relation to each prescribed article a permissible deficiency expressed in parts per centum of the weight when packed of that article.

**17. Deficiency in weight of certain articles.**

(1) If at any time after the day on which it is packed an article to which Section 16 applies is found to be of deficient weight, the packer is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(2) For the purposes of this section, an article is of deficient weight if—

(a) there is a deficiency of weight of the article exceeding the percentage prescribed for the purposes of this section in relation to that article; or

(b) there is an average deficiency of weight in—

(i) 12 packs containing the article, selected at random by an authorized officer from amongst the articles on the premises where the article is; or

(ii) where there are less than 12 such packs—all the packs (being not fewer than six),

exceeding the permissible deficiency prescribed under Section 16 in relation to that article.

**18. Prohibited and restricted expressions.**

(1) For the purposes of this section—

“prohibited expression”—

(a) means any expression that directly or indirectly relates to or qualifies a unit of measure of physical quantity; and

(b) includes any expression prescribed as a prohibited expression for the purposes of this section;

“restricted expression”—

(a) means any expression other than a prohibited expression that directly or indirectly relates to the size of the pack containing the article, not being a statement required by or under this Act to be marked on the pack containing the article; and

(b) includes any expression prescribed as a restricted expression for the purposes of this section.

(2) Where a restricted expression is marked on a pack containing an article—

(a) there must be marked on every part of the pack on which the restricted expression appears a statement of the true weight or measure of the article as provided for in Section 14, whether or not the article is an article to which that section otherwise applies; and

(b) the restricted expression and the statement referred to in Paragraph (a) must be so placed that they may be clearly seen at the same time; and

(c) each of the letters or figures comprising the statement shall be—

(i) of a size not less than the minimum size prescribed in relation to a package of the size of the package concerned; and

- (ii) of a size not less than one-third of the size of the largest letter or figure contained in the restricted expression; and
- (iii) marked in a colour in distinct contrast to the colour of its background.

(3) A packer who packs an article in a pack that is—

- (a) marked with a prohibited expression; or
- (b) marked with a restricted expression in contravention of Subsection (2),

is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**19. Statements as to reduced price**

A packer who packs an article in a pack marked with any words stating or implying that the article is for sale at a price less than that of its ordinary or customary sale price is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**20. Misleading size or volume of pack.**

A packer who packs an article or articles in an opaque outer pack so that the volume of the outer pack exceeds the volume of the article or the aggregate of the volume of the articles, as the case may be—

- (a) in the case of an article or articles enclosed in an inner pack—by more than 35% of the volume of the outer pack; or
- (b) in any other case—by more than 25% of the volume of the outer pack,

is guilty of an offence

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**21. Marking an article with misleading price.**

(1) Where an article is intended to be sold at a stated price per unit of weight or measure, a person who marks the pack containing the article, or causes or allows it to be marked with a price greater than the price correctly computed from the true weight or measure of the article is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K100.00.

For a second or subsequent offence—a fine not exceeding K200.00.

(2) In proceedings for an offence against Subsection (1), it is a defence if the person charged proves—

- (a) that the commission of the offence was due to a cause that he could not reasonably have foreseen or for which he could not reasonably have made allowance; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of an offence in respect of the article to which the proceedings relate; and
- (c) that he purchased the article from another person and sold or delivered it in the same state as it was in when delivered to him.

PART V.—SALE OF ARTICLES.

**22. Selling an article not marked with an approved brand, etc.**

(1) A person who sells an article that was packed in contravention of Part IV. is guilty of an offence unless the sale of the article is authorized by a permit.

Penalty: For a first offence—a fine not exceeding K100.00.

For a second or subsequent offence—a fine not exceeding K200.00.

(2) In proceedings for an offence against Subsection (1), it is a defence if the person charged proves—

- (a) that the commission of the offence was due to a cause that he could not reasonably have foreseen or for which he could not reasonably have made allowance; and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of an offence in respect of the article to which the proceedings relate; and
- (c) that he purchased the article from another person and sold or delivered it in the same state as it was in when delivered to him.

**23. Selling article marked "net weight when packed".**

(1) A person who sells an article marked "net weight when packed" or with an alternative expression within the meaning of Section 16, or with any words capable of bearing a like meaning to either of those expressions, is guilty of an offence unless—

- (a) the sale of the article is authorized by a permit; or
- (b) the article—
  - (i) is an article to which Section 16 applies and in relation to which there is prescribed an alternative expression and the expression marked is an expression prescribed in relation to that article; and
  - (ii) is not of deficient weight within the meaning of Subsection (2).

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(2) For the purposes of this section, an article is of deficient weight if—

- (a) there is a deficiency of weight over and above the permissible deficiency of the article exceeding the percentage prescribed for the purposes of Section 17(2) (a) in relation to the article; or
- (b) there is an average deficiency in weight of—
  - (i) 12 such articles, selected at random by an authorized officer from amongst such articles on the premises of the seller; or
  - (ii) where there are less than 12 such articles—the total number of all the articles (being not fewer than six) on the premises, greater than the permissible deficiency prescribed in relation to that article for the purposes of Section 16(4).

**24. Permits**

(1) Where there has been a contravention of or failure to comply with any of the provisions of this Act with respect to the packing of any article or of the marking of a pack containing any article, and the Minister is satisfied that the sale of the article should be

permitted, he may, on application by a person, grant to the person a permit authorizing the sale of the article.

(2) A permit is subject to—

(a) such conditions as are specified in it with respect to—

(i) the number of individual articles the sale of which is authorized by the permit; and

(ii) the form and manner in which the weight or measure of the article contained in each pack shall be indicated; and

(iii) the weight or measure of the article contained in each pack; and

(b) such other conditions as the Minister thinks proper.

(3) A person to whom a permit is granted shall, at such times as are fixed by the Minister, forward to the Departmental Head particulars, in a form approved by the Minister, of the sale of articles under the permit.

(4) A permit may after due enquiry and for good cause be revoked by the Minister by written notice.

#### 25. Offences in relation to sales under permits.

(1) A person who—

(a) sells under a permit an article to another person knowing or having reason to believe that the other person will sell the article; and

(b) fails to inform the other person in writing of the conditions of the permit,

is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(2) A person who—

(a) sells an article the sale of which is authorized by a permit, otherwise than in accordance with the conditions of the permit; or

(b) falsely represents that a permit has been granted or is in force in relation to the sale of any article,

is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

(3) In proceedings for an offence against Subsection (2)(a), it is a defence if the person charged proves—

(a) that the commission of the offence was due to a cause that he could not reasonably have foreseen or for which he could not reasonably have made allowance; and

(b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of an offence in respect of the article to which the proceedings relate; and

(c) that he purchased the article from another person and sold or delivered it in the same state as it was in when delivered to him.

**26. Invoice to accompany article sold elsewhere than at premises of seller.**

(1) Where an article sold by weight or measure is delivered to the purchaser at a place other than the premises of the seller, the seller must deliver with the article an invoice or delivery note showing the weight or measure of the article.

(2) Subsection (1) does not apply where—

- (a) the article sold is weighed or measured at the premises of the purchaser; or
- (b) the article sold is a pre-packed article that is marked in accordance with this Act.

(3) A person who delivers or sends to a purchaser an invoice or delivery note that states as the weight or measure of the article a weight or measure that is greater than the weight or measure of the article is guilty of an offence.

Penalty: For a first offence—a fine not exceeding K200.00.

For a second or subsequent offence—a fine not exceeding K400.00.

**PART VI.—MISCELLANEOUS.****27. Liability for acts of packer.**

(1) Where any person (in this section referred to as "the agent") acting, otherwise than as an employee, for or on behalf of another person (in this section referred to as "the principal")—

- (a) packs an article for sale; or
- (b) marks a pack containing an article; or
- (c) sells an article,

and commits an offence against this Act in relation to that packing, marking or sale, the principal is also guilty of the offence unless he proves—

- (d) that he had no knowledge of the commission of the offence; and
- (e) that he took all reasonable precautions and used all due diligence to avoid the commission of the offence.

(2) The principal may be convicted of an offence in accordance with Subsection (1) notwithstanding that the agent has not been proceeded against or has not been convicted of the offence.

(3) Subsection (1) does not prejudice or affect any liability imposed by or under this Act on any person by whom an offence against this Act is actually committed.

**28. Liability of employer for acts of employee.**

(1) Where any person as the employee of another person—

- (a) packs an article for sale; or
- (b) marks a pack containing an article; or
- (c) sells an article;

and commits an offence against this Act in relation to that packing, marking or sale, the employer is also guilty of the offence (whether or not the offence was committed without his authority or contrary to his orders or instructions), unless he proves—

- (d) that he had no knowledge of the commission of the offence; and
- (e) that he could not, by the exercise of due diligence, have prevented the commission of the offence.

(2) The employer may be convicted of an offence in accordance with Subsection (1) notwithstanding that the employee has not been proceeded against or has not been convicted of the offence.

(3) Subsection (1) does not affect any liability imposed by or under this Act on any person by whom an offence against this Act is actually committed.

**29. Offences by corporations.**

Where a corporation does any act or makes any omission that is an offence against this Act, every person who—

- (a) at the time of the act or omission was a director or member of the governing body of the corporation; or
- (b) was concerned in the management of the corporation, and who authorized or knowingly permitted the act or omission,

shall, for the purposes of this Act, be deemed to have committed the offence.

**30. Evidence.**

In proceedings in respect of an offence against this Act—

- (a) a marking on the pack containing an article indicating the name and address of a person as the person who packed the article is evidence that the article was packed by that person; and
- (b) a marking on the pack containing an article indicating the name and address of a person as the person for or on whose behalf the article was packed is evidence that the article was packed on behalf of that person; and
- (c) a marking on a pack containing an article indicating that the article was packed in a place is evidence that the article was packed in that place; and
- (d) the marking on the pack containing an article indicating a date as the date on which the article was packed is evidence that the article was packed on that date; and
- (e) a document purporting to be certified by the Departmental Head to be a copy of an approval of a brand under Section 7 is evidence of the approval and of the conditions (if any) subject to which it was granted, and the fact that the brand is marked on a pack containing an article is evidence that—
  - (i) the article was packed by or on behalf of the owner of the brand; and
  - (ii) the article was packed at the place (if any) the address of which is specified in the approval as the address indicated by the brand; and
  - (iii) the article was packed on the date (if any) indicated by the brand; and
- (f) a document purporting to be certified by the Departmental Head to be a copy of a permit is evidence of the grant of the permit and of the conditions (if any) subject to which it was granted; and
- (g) a document purporting to be signed by the Departmental Head stating that an approval under Section 7 or a permit has been cancelled is evidence of the matters stated in it.

**31. Regulations.**

(1) The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed,

or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular prescribing matters providing for and in relation to—

- (a) the form and manner in which packs required or permitted by a provision of this Act to be marked with any particulars, statement or approved brand shall or may be so marked; and
- (b) the denominations of weights or measures in which articles of any prescribed description shall or may be packed or sold; and
- (c) standard specifications of capacity for or in relation to packs used in the packing or sale of prescribed articles and distinctive marks for packs made to those specifications, and providing that any such articles, when packed, shall be sold only in prescribed packs made to those specifications and bearing the prescribed distinctive marks; and
- (d) requiring packs containing articles of a prescribed description to be marked with a statement of the sale price per unit of weight or measure of the articles; and
- (e) generally regulating and controlling the packing of articles or of articles of prescribed descriptions, and the marking of packs in which articles are contained; and
- (f) penalties of fines not exceeding K100.00 for offences against the regulations.

(2) The regulations—

- (a) may make different provision in respect of different classes of articles, packs and sales; and
- (b) may be of general or limited application; and
- (c) may differ in their effect with differences in time, place and circumstances.

(3) The regulations may provide for delegations or for the conferring of discretionary powers.



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 285

*Packaging Regulation.*

ARRANGEMENT OF SECTIONS.

1. Interpretation—

- "bottle"
- "cocoa"
- "coffee"
- "compressed or liquefied gas"
- "condensed milk and evaporated milk"
- "cream"
- "dried or dehydrated fruit"
- "dried or dehydrated mixed fruit"
- "drug"
- "flour"
- "fresh milk"
- "Imperial system"
- "liquid chemicals"
- "lubricating oil"
- "maximum dimension"
- "Metric system"
- "paint"
- "peas"
- "poultry"
- "poultry piece"
- "prescribed weighing machine"
- "resin"
- "salt"
- "solid detergents, laundry bleaches and household cleansers"
- "tobacco"
- "two-pack paint".

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 285

*Packaging Regulation*<sup>1</sup>.

MADE under the *Packaging Act*.

1. Interpretation.

(1) In this Regulation, unless the contrary intention appears—

“bottle” means a hollow vessel of glass, plastic or synthetic resin or similar material, other than a jar or a container of the tumbler or drinking-glass type;

“cocoa” includes cocoa powder and chocolate powder;

“coffee” includes coffee beans;

“compressed or liquefied gas” does not include liquefied petroleum gas;

“condensed milk and evaporated milk” includes flavoured condensed milk and flavoured evaporated milk;

“cream” does not include clotted cream;

“dried or dehydrated fruit” includes currants, raisins, sultanas and other dried grape products, dates, apples, pears, peaches, apricots, prunes, figs, glace and crystallized fruit and fruit peel;

“dried or dehydrated mixed fruit” includes dried or dehydrated mixed fruit, whether or not mixed with nuts;

“drug” means any substance used as a medicine or in the composition or preparation of a medicine, whether for internal or external use;

“flour” means all kinds of flour, including cornflour;

“fresh milk” includes flavoured milk;

“Imperial system” means the system of measurement in legal units of measurement related to the yard, pound or gallon;

“liquid chemicals” means all liquid chemicals, including solvents, packed for sale for pharmaceutical, laboratory or industrial use;

“lubricating oil” does not include any substance sold merely as an additive to a lubricating oil;

“maximum dimension”—

(a) in the case of a rectangular package, means the height, length or breadth whichever is the greatest; and

(b) in the case of a cylindrical, oval or conical package, means the height or the maximum diameter, whichever is the greater;

“Metric system” means the international system of measurement in legal units of measurement related to the metre, kilogram, litre or cubic metre;

“paint” includes enamel, but does not include a two-pack paint or artists' paints;

“peas” includes split peas;

<sup>1</sup> As weights and measures are shown in this Regulation both in the Imperial system and in the Metric system, editorial metrication has not been attempted.

"poultry" includes pigeons and pheasants, cooked and uncooked poultry and poultry pieces;

"poultry piece" means any portion detached from the carcase of a bird and any fractional part of a carcase of a bird;

"prescribed weighing machine" means a weighing instrument prescribed under the *Weights and Measures Act*;

"resin" includes a natural resin, synthetic resin and a polymeric material, other than paint;

"salt" includes flavoured salt;

"solid detergents, laundry bleaches and household cleansers" means any such substance in a powder, flake, granular or other similar form;

"tobacco" includes plug tobacco and twist tobacco;

"two-pack paint" means a paint, not being a neutral base paint—

(a) that is contained in a package that is marked with a statement that the contents of the package are to be used only in conjunction with another substance (whether that other substance is or is not a paint); and

(b) that is ordinarily so sold.

(2) Where in relation to any article a reference is made to weight or measure in terms of units of measurement of the Imperial system and is immediately followed by an alternative reference to weight or measure in terms of units of measurement of the Metric system, it is to be taken that the former reference applies in relation to any article packed in units of measurement of the Imperial system and the alternative reference applies in relation to that article packed in units of measurement of the Metric system.

## 2. Denominations in which certain articles to be packed.

(1) This section applies only in—

(a) the City of Port Moresby; and

(b) the City of Lae; and

(c) the Town of Rabaul.

(2) Subject to Subsection (3), Section 13 of the Act applies to each of the articles the description of which is specified in Column 1 of Schedule 2.

(3) Section 13 of the Act does not apply to or in relation to—

(a) an article referred to in Subsection (2) that is—

(i) packed in a package containing a quantity of the article less than the quantity specified in Column 2 of Schedule 2 opposite to the description of the article in Column 1; or

(ii) packed in a package containing more than the quantity specified in Column 3 of Schedule 2 opposite to the description of the article in Column 1; or

(b) coffee, or mixtures of coffee and chicory, in the form of liquid essences; or

(c) clotted cream; or

(d) ice-cream in the form of cakes or puddings, or in novelty shapes; or

- (e) maize oil, peanut oil, olive oil and any other edible vegetable oil sold otherwise than by volume; or
- (f) liquid household insecticides in aerosol form; or
- (g) a package containing a number of individual serves of any article, if—
  - (i) each serve is of a quantity less than the quantity specified in Column 2 of Schedule 2 opposite to the description of the article in Column 1 of that Schedule; and
  - (ii) the package is marked with—
    - (A) the number of individual serves of the article contained in it; and
    - (B) the total net weight or measure of its contents.

**3. Application for approval of brand.**

An application for the approval under Section 7 of the Act of a brand shall—

- (a) be in Form 1; and
- (b) be accompanied by a fee of K30.00.

**4. Marking of pre-packed articles.**

(1) A package in which an article is contained must be marked clearly and legibly with—

- (a) the approved brand, or the name and address, of the person on whose behalf the article was packed; and
- (b) the name and address of the packer.

(2) The true weight or measure of an article on the package containing the article must be—

- (a) on the main display portion of the package; and
- (b) on any other portion of the package likely to be displayed; and
- (c) clearly stamped or printed in a colour of a distinct contrast to the colour of their background; and
- (d) placed in close proximity to the brand or name and address, as the case may be; and
- (e) in the English language; and
- (f) clearly visible and easily read, and not obscured by other graphic matter.

(3) Subsection (2) (a) and (b) do not apply to—

- (a) toilet preparations packed in quantities not exceeding 2 oz or 75 g, or 2 fl oz or 75 ml—
  - (i) if the weight or measure of the article marked on the package containing the article may be readily seen and easily read by a purchaser when the article is exposed for sale; or
  - (ii) if the weight or measure so marked is associated with descriptive material or directions as to the use of the article; or

(b) articles to which Section 15(1) relates; or

(d) packages containing—

- (i) cake, fruit or vegetables; or
- (ii) a roll of ribbon, lace, elastic or other article of haberdashery.

#### 5. Statement of weight, etc.

The statement of weight or measure of a pre-packed article shall, in all cases except where the statement is in terms of area, number or volume, contain the word "net" in close proximity to that statement.

#### 6. Units of weights that may be marked on packages.

(1) Where an article to which Section 14 of the Act relates is packed for sale and the statement of weight of the article contained in the package—

(a) is expressed in terms of the Imperial system—

- (i) it shall be expressed in terms of the hundredweight, pound, ounce, gram or grain; and
- (ii) pounds may be expressed as decimal sub-multiples of a cental; and
- (iii) in the case of an article referred to in Section 15(1) ounces or parts of an ounce may be expressed as decimal sub-multiples but no sub-multiples shall relate to a quantity less than 0.01 of a pound; and
- (iv) a fraction of the pound or of the ounce may be expressed as decimal sub-multiples of the pound or of the ounce; and
- (v) in the case of an article the weight of which is expressed in terms of the ounce and—
  - (A) is less than 2 oz—the vulgar fractions  $\frac{1}{8}$ ,  $\frac{3}{8}$  and  $\frac{7}{8}$  of an ounce may be used; and
  - (B) is more than 2 oz—the vulgar fractions  $\frac{1}{4}$ ,  $\frac{1}{2}$  or  $\frac{3}{4}$  may be used; and

(b) is expressed in terms of the Metric system—

- (i) it shall be expressed in terms of the tonne, kilogram, gram or milligram; and
- (ii) a fraction of a unit shall be expressed as a decimal sub-multiple of that unit; and

(c) is expressed in terms of the Imperial System and the Metric system—

- (i) any fraction of a unit of weight of the Imperial system may be expressed as a decimal sub-multiple of that unit; and
- (ii) decimal sub-multiples of an ounce may be expressed in terms of hundredths of an ounce where the weight of the article is not greater than 4 oz, and in terms of tenths of an ounce where the weight of the article is greater than 4 oz but not more than 1 lb.

(2) A reference on a package to the weight or any part of the weight, of an article contained in the package, whether referring to a whole number or a decimal sub-multiple or to a combination of both—

(a) shall express a degree of accuracy to not more than three significant figures; and

- (b) shall have a zero or other numeral preceding the decimal point that indicates the sub-multiple.

#### 7. Units of volume that may be marked on packages.

(1) Where an article to which Section 14 of the Act relates is packed for sale by volume and is not of a kind that may be marked in terms of the cubic foot, in the statement of volume marked on the package containing the article—

(a) if the volume is expressed in terms of the Imperial system—

- (i) it shall be expressed in terms of the gallon, quart, pint, fluid ounce, fluid drachm, or minim; and
- (ii) in any case where it is expressed in terms of the gallon, no fraction other than  $\frac{1}{8}$ ,  $\frac{1}{4}$ ,  $\frac{1}{2}$  and  $\frac{3}{4}$  shall be used; and
- (iii) in any case where it is expressed in terms of the pint of fluid ounce, no fractions other than  $\frac{1}{8}$ ,  $\frac{1}{4}$ ,  $\frac{1}{2}$ ,  $\frac{3}{4}$  and  $\frac{7}{8}$  shall be used; and
- (iv) the fraction  $\frac{1}{2}$  shall not be used with a whole number; and
- (v) any fractions of a unit permitted to be marked may be expressed as decimal sub-multiples of that unit; and

(b) if the volume is expressed in terms of the Metric system, it shall be expressed in terms of the litre or millilitre.

(2) Fractions may be expressed as decimal sub-multiples of the gallon, pint or fluid ounce, as the case may be.

(3) A reference on a package to the volume, or any part of the volume, of an article contained in it, whether referring to a whole number of a decimal sub-multiple or to a combination of both—

(a) shall express a degree of accuracy to three significant figures; and

(b) shall have a zero or other numeral preceding the decimal point that indicates the sub-multiple.

#### 8. Statement of weight, etc., to be in terms of largest unit.

(1) Subject to Subsection (2), the statement of weight or measure on a package containing an article to which Section 14 of the Act relates shall be expressed in terms of the largest unit of weight or measure of the article.

(2) A statement of weight or measure may—

(a) if it is expressed in terms of the Imperial system, be expressed—

- (i) in terms of a unit no greater than the pound or the yard; and
- (ii) in terms of feet or inches; and
- (iii) in the case of quantities of less than one gallon—in terms of pints and fluid ounces; and

(b) if it is expressed in terms of the Metric system, be expressed—

- (i) in terms of the kilogram, litre or metre; and
- (ii) in terms of a unit specified in Column 1 of Schedule 3, if the weight or measure to be expressed is not greater than the weight or measure specified in Column 2 of that schedule opposite the reference to that unit; and
- (iii) in the case of paper lengths—in millimetres to the limit of 10 000 mm.

**9. Size of print in marks.**

(1) The statement of weight or measure marked on a package containing an article to which Section 14 of the Act applies shall, according to the maximum dimension of the package, be printed or stamped on the package in a print of a height not smaller than the height set out in Schedule 4 in relation to that dimension.

(2) The minimum height of print specified in Schedule 4 applies to all letters and figures other than fractions.

(3) The minimum height of print of the individual figures comprising a fraction shall be not less than one half of the minimum height specified in Schedule 4 for the size of print to be used in respect of a package of the appropriate maximum dimension.

(4) The minimum height of figures that are not stamped or printed in a distinct or contrasting colour to their background shall be not less than three times the minimum height set out in Schedule 4.

(5) The marking of a weight or measure printed by a prescribed weighing machine including the word "net" shall be deemed to comply with this section if it is printed not less than 3 mm in height irrespective of the size of the package.

**10. Manner of stating weight or measure in case of certain articles.**

(1) The statement of weight or measure marked on a package containing an article referred to in Column 1 of Schedule 5 shall be expressed in the terms set out in Column 2 of that Schedule opposite the reference to that article.

(2) In the case of—

(a) condensed milk and evaporated milk; and

(b) linseed oil and other vegetable oils in quantities of more than  $\frac{1}{2}$  gal or 3 litres; and

(c) liquid chemicals; and

(d) resins; and

(e) yoghurt,

the package containing the article—

(f) may be marked with a statement of the quantity of the article expressed in terms of weight and an additional statement of that quantity expressed in terms of volume; but

(g) may not be marked with a statement of the quantity expressed partly in terms of weight and partly in terms of volume.

**11. Prohibition of statements in certain terms.**

(1) Subject to Subsections (2) and (3), the statement of weight or measure on a package containing a prescribed article shall not be expressed—

(a) in terms of two denominations of weight or measure between which the weight or measure of the article falls; or

(b) in terms of minimum or approximate or average weight or measure.

(2) A statement marked on a package of the weight of dressed poultry (other than cooked poultry and poultry pieces)—

(a) may be expressed in terms of minimum weight being a minimum weight specified in Column 2 of Schedule 6; and



- (b) if expressed in terms of minimum weight, shall be marked with the size number, being the number set out in Column 1 of Schedule 6 opposite to the reference to the relevant minimum weight in Column 2 of that Schedule; and
- (c) each figure of the size number referred to in Paragraph (b) shall be not less than 10 mm high.

(3) A statement of the weight of a number of eggs contained in a package may be expressed in terms of the minimum weight of each egg contained in the package or of two denominations of weight between which the weight of each egg falls.

**12. Statement of dimensions of hemmed fabric, etc.**

A statement of the dimensions of a sheet of hemmed fabric marked on a package containing that article shall be expressed in terms of the finished size of the article.

**13. Thickness, etc., to be marked.**

Where a statement of the measure of an article marked on a package may be expressed in terms of length, and the width or thickness, or both, of the article have a direct relationship to the value of the article, the width or thickness, or width and thickness, shall also be marked on the package.

**14. Special provisions for certain articles.**

The statement of quantity of aluminium foil, waxed paper, facial tissues or toilet paper may be expressed in terms of the number of sheets of stated dimensions of the article contained in the package.

**15. Marking of price per pound, etc.**

(1) Subject to Subsection (2), a package containing meat, natural cheese, dressed poultry, fish (including crustacea), unsliced bacon, ham or small-goods shall, before being exposed for sale, be marked with a statement of the price per pound, per kilogram or per 100 g of the article contained in the package.

(2) A statement of the price per pound or per kilogram is not required on a package containing—

- (a) frozen fish; or
- (b) dressed poultry, the statement of the weight of which is expressed as a minimum weight; or
- (c) natural cheese, when packed in a net weight of—
  - (i) 4 oz, 6 oz, 8 oz, 12 oz, 1 lb, or 1½ lb, or of a multiple of 1 lb; or
  - (ii) 100 g, 125 g, 200 g, 250 g, 375 g or 500 g, or of a multiple of 500 g; or
- (d) frankfurts, minced meat, sausage meat, sausages, saveloys, sliced cooked meat, or sliced bacon, when packed in a net weight of—
  - (i) 2 oz, 4 oz, 6 oz, 8 oz, 12 oz, 1 lb, or 1½ lb, or of a multiple of 1 lb; or
  - (ii) 50 g, 100 g, 125 g, 200 g, 250 g, 375 g or 500 g, or of a multiple of 500 g; or
- (e) any other article, if a statement of the price per pound, per kilogram or per 100 g of the article is indicated by prominent letters, or letters and figures, of height of not less than 10mm placed on or immediately adjacent to a tray or

other receptacle in or on which packages containing the article are displayed;  
or

- (f) any article packed to a net weight of one pound or one kilogram or an integral multiple of one pound or one kilogram.

**16. Size of letters to indicate price per pound, etc.**

(1) Where a package is marked with a statement of the price per pound or per kilogram of the article contained in the package, the statement shall be, according to the maximum dimensions of the package, in letters or figures of a height not smaller than the height set out in Schedule 7.

(2) The marking of the price per pound, per kilogram or per 100 g printed by a ticket-printing weighing machine shall be deemed to comply with this section if the letters and figures signifying the price are not less than 3 mm high.

**17. Statement of weight in terms of number of packages to ton, etc.**

(1) When the number of identical packages to the ton or tonne does not exceed 45, the weight of an article contained in the package may be marked by reference to the number of packages of the article to the ton or tonne.

(2) The weight of an article in a package marked by reference to the number of packages to the ton or tonne shall be calculated by dividing one ton or one tonne, as the case may be, by the number of packages specified in the reference.

**18. Articles contained in inner and outer packages.**

(1) Where a pre-packed article—

(a) is contained in an outer and inner package; and

(b) is an article of a type usually sold in the inner package after removal of the outer package,

the statement of weight or measure required shall be marked as prescribed on both the inner and outer packages.

(2) Where two or more articles are packed together for sale in one package without the removal of the outer package, the statement of weight or measure of each article shall be marked on the outer package.

(3) Where two or more articles specified in Column 1 of Schedule 2 each of which is of a quantity less than the quantity specified in Column 2 of that Schedule opposite to the description of the article, the outer package shall be marked with a statement of the number of individual articles contained in the package, and the total net weight or measure of the articles.

**19. Net weight when packed.**

The articles to which Section 16 of the Act applies are :—

Bar soaps

Cotton wool

Flax

Glauber salts

Jute

Manilla

Mushrooms (fresh)

Oven baked animal biscuits

Sisal

Soap flakes

Soap powders (excluding detergent powders)

Tobacco

Washing soda

Whole hams,

when packed in other than hermetically sealed containers.

**20. Restricted expressions.**

Any expression, not being a prohibited expression, marked on a package containing a pre-packed article is a restricted expression for the purpose of Section 18 of the Act if it consists of or includes any of the following words :—

King

Giant

Jumbo

Queen

Longfellow

Family

Hi-boy

Huge

Gigantic

Colossal

Economy

Bigger

Extra

Large

Long.

**21. Goods exempted from prescribed markings.**

(1) Section 12 of the Act does not apply to the articles specified in Schedule 8 in the circumstances set out in that Schedule.

(2) Restricted expressions may not be used in the marking of articles specified in Schedule 8.

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**Packaging**

**SCHEDULE 1.**

**PAPUA NEW GUINEA.  
Packaging Act.**

Reg., Sec. 3.

Form 1.

**APPLICATION FOR APPROVED BRAND.**

To the Departmental Head,

I apply for approval of a brand under the *Packaging Act*.

Name of applicant:

Address of applicant:

Description of brand:

I enclose the sum of K30.00.

(Signature of Applicant.)

Dated 19 .

**SCHEDULE 2.**

Reg., Sec. 2, 18.

**DENOMINATIONS IN WHICH CERTAIN ARTICLES TO BE PACKED.**

Item No.	Column 1	Column 2	Column 3	Column 4
1.	Butter, margarine, mixtures of butter and margarines and other articles of a like nature; cooking fats; dripping; lard; vegetable shortening	1 oz or 30 g	4 lb or 2 kg	4 oz, 8 oz, 12 oz, 1 lb, 1½ lb, integral multiples of 1 lb; or 125 g, 250 g, 375 g, 500 g, 1 kg, 1.5 kg, 2 kg.
2.	Sugar (white 1A crystalline)	1 oz or 30 g	10 lb or 5 kg	8 oz, 12 oz, 1 lb, 1½ lb, integral multiples of 1 lb; or 500 g, 1 kg, integral multiples of 1 kg.
3.	Tea (not including instant tea)	3 oz or 100 g	10 lb or 5 kg	4 oz, 8 oz, 1 lb, integral multiples of 1 lb; or 125 g, 250 g, 500 g, integral multiples of 500 g.
4.	Cereal breakfast foods; oatmeal; rolled oats; similar foods	3 oz or 100 g	4 lb or 2 kg	4 oz, 6 oz, 8 oz, 10 oz, 12 oz, 1 lb, 1½ lb, integral multiples of 1 lb; or 175 g, 200 g, 250 g, 300 g, 375 g, 500 g, 750 g, 1 kg, 1.5 kg, 2 kg.
5.	Powdered milk; flavoured powdered milk	3 oz or 100 g	4 lb or 2 kg	4 oz, 6 oz, 8 oz, 12 oz, 14 oz, 1 lb, 1½ lb, 2 lb, 2½ lb, integral multiples of 1 lb; or 100 g, 125 g, 150 g, 200 g, 250 g, 300 g, 375 g, 500 g, 750 g, 1 kg, 1.25 kg, 1.5 kg, 2 kg.

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Item No.	Column 1	Column 2	Column 3	Column 4
6.	Coffee; coffee powders; coffee substitutes; ground coffee; mixtures of coffee and chicory; instant tea	1 oz or 25 g	4 lb or 2 kg	1 oz, 2 oz, 4 oz, 6 oz, 8 oz, 10 oz, 12 oz, 14 oz, 1 lb, integral multiples of 1 lb; or 25 g, 50 g, 75 g, 100 g, 150 g, 200 g, 250 g, 300 g, 375 g, 500 g, 1 kg, 1.5 kg, 2 kg.
7.	Dried or dehydrated fruit; dehydrated or dried mixed fruit	3 oz or 100 g	4 lb or 2 kg	4 oz, 6 oz, 8 oz, 12 oz, 1 lb, 1½ lb, 2 lb, integral multiples of 1 lb; or 100 g, 125 g, 150 g, 200 g, 250 g, 375 g, 500 g, 750 g, 1 kg, 1.5 kg, 2 kg.
8.	Ground pepper made from the product of the black pepper vine ( <i>Piper nigrum</i> )	¼ oz or 10 g	1 lb or 500 g	¼ oz, ½ oz, 1 oz, 1½ oz, 2 oz, 3 oz, 4 oz, 8 oz, 12 oz, 1 lb or 10 g, 20 g, 30 g, 40 g, 50 g, 75 g, 100 g, 200 g, 300 g, 500 g.
9.	Frozen vegetables	Nil	4 lb or 2 kg	4 oz, 6 oz, 8 oz, 10 oz, 12 oz, 1 lb, 1½ lb, integral multiples of 1 lb; or 125 g, 200 g, 250 g, 375 g, 500 g, 750 g, 1 kg, 1.5 kg, 2 kg.
10.	Fresh milk, including aseptically packaged milk (commonly known as U.H.T. milk) and blended milk	5 fl oz or 150 ml	1 gal or 5 l	½ pt, ¾ pt, 1 pt, 1 qt, ½ gal, ¾ qt, 1 gal; or 200 ml, 250 ml, 300 ml, 500 ml, 600 ml, 1 l, integral multiples of 1 l.
11.	Fresh cream, cream mixtures; cream substitutes	2 fl oz or 50 ml	1 qt or 1 l	½ pt, ¾ pt, 1 pt, 1 qt; or 150 ml, 200 ml, 300 ml, 600 ml, 1 l.
12.	Ice cream; fruit ice; milk ice; ice cream substitute	1 pt or 300 ml	2 gal or 10 l	½ pt, 15 fl oz, 1 pt, 1½ pt, 1 qt, 3 qt, integral multiples of 1 qt; or 500 ml, 750 ml, 1 l, 1.25 l, 1.5 l, 2 l, 2.5 l, 3 l, and integral multiples of 1 l.
13.	Laundry soap; soap flakes; soap powders; solid detergents.	3 oz or 100 g	4 lb or 2 kg	4 oz, 8 oz, 12 oz, 1 lb, 1½ lb, 1½ lb, integral multiples of ½ lb; or 125 g, 200 g, 250 g, 375 g, 500 g, 750 g, 1 kg, 1.25 kg, 1.5 kg, 2 kg, except for soap powder in packages of the same dimensions as those used for 500 g of detergent which may be in 600 g.
14.	Liquid detergents	8 fl oz or 250 ml	1 gal or 5 l	½ pt, ¾ pt, 1 pt, 26 fl oz, 1½ pt, 1 qt, 3 qt, ½ gal, ¾ gal, 1 gal; or 250 ml, 375 ml, 500 ml, 750 ml, 1 l, 1.25 l, 1.5 l, 2 l, 2.5 l, integral multiples of 1 l.

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Item No.	Column 1	Column 2	Column 3	Column 4
15. Maize oil; peanut oil; olive oil; other edible vegetable oils		8 fl oz or 200 ml	1 gal or 5 l	$\frac{1}{2}$ pt, 13 fl oz, 1 pt, 26 fl oz, 1 qt, $\frac{1}{2}$ gal, 1 gal; or 200 ml, 300 ml, 500 ml, 750 ml, 1 l, integral multiples of 1 l
16. Liquid household insecticides		4 fl oz or 100 ml	1 gal or 5 l	4 fl oz, 8 fl oz, 16 fl oz, 1 pt, 32 fl oz, 1 qt, $\frac{1}{2}$ gal, 1 gal; or 100 ml, 200 ml, 250 ml, 500 ml, 750 ml, 1 l, integral multiples of 1 l
17. Rice		3 oz or 100 g	60 lb or 2 kg	8 oz, 12 oz, 1 lb, 1 $\frac{1}{2}$ lb, and multiples of 1 lb; or 250 g, 375 g, 500 g, 750 g, 1 kg, 2 kg.
18. Pasta and pasta products (excluding cannelloni and lasagna)		3 oz or 100 g	14 lb or 2 kg	4 oz, 6 oz, 8 oz, 12 oz, 1 lb, 1 $\frac{1}{2}$ lb, and multiples of 1 lb; or 250 g, 375 g, 500 g, 750 g, 1 kg, 1.5 kg, 2 kg.
19. Paints; varnishes		250 ml	10 l	250 ml, 500 ml, 1 l, 2 l, 4 l, 10 l
20. Biscuits (for human consumption)		100 g	1 kg	100 g, 125 g, 150 g, 200 g, 250 g, 375 g, 500 g, 750 g, 1 kg.
21. Confectionery		200 g	2 kg	200 g, 250 g, 300 g, 375 g, 500 g, 750 g, 1 kg, integral multiples of 250 g to 2 kg.
22. Nuts (coated or not coated)		200 g	2 kg	200 g, 250 g, 300 g, 375 g, 500 g, 600 g, 750 g, 1 kg, integral multiples of 250 g to 2 kg.
23. Potato chips; popcorn; pretzels; extruded cereals; similar snack products.		25 g	1 kg	50 g, 75 g, 100 g, 125 g, 150 g, 175 g, 200 g, 250 g, 375 g, 500 g, 750 g, 1 kg.

## SCHEDULE 3

Reg., Sec. 8.

## LIMITS ON USE OF CERTAIN UNITS IN STATEMENTS OF WEIGHT OR MEASURE ON PACKAGES

Column 1 Unit of measurement.	Column 2 Limits applicable to unit of measurement.
Weight— milligram	2 000 mg
gram	2 000 g
Volume (liquids)— millilitre	2 000 ml
volume (solids)— cubic centimetre	2 000 cm <sup>3</sup>
Length— millimetre	2 000 mm
centimetre	2 000 cm

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SCHEDULE 4.

Reg., Sec. 9.

PRINT SIZES FOR STATEMENTS OF WEIGHT OR MEASURE ON PACKAGES.

Maximum dimension of package (other than a bottle).	Minimum height of print.
80 mm or under	2.0 mm
Over 80 mm but not over 160 mm	2.5 mm
Over 160 mm but not over 260 mm	3.3 mm
Over 260 mm	4.8 mm

  

Maximum dimension of bottle.	Minimum height of print.
120 mm or under	2.0 mm
Over 120 mm but not over 230 mm	2.5 mm
Over 230 mm but not over 360 mm	3.3 mm
Over 360 mm	4.8 mm

## SCHEDULE 5.

Reg., Sec. 10.

## MANNER OF STATEMENT OF WEIGHT AND MEASURE IN RELATION TO CERTAIN ARTICLES.

Column 1 Nature of article	Column 2. Marking to be in terms of—
Acids in liquid form	Weight or volume
Adhesives—semi-solid	Weight or volume
Aerosol products	Weight
Clotted cream	Weight or volume
Compressed or liquefied gases	Weight, or equivalent volume (cubic feet, cubic metres or litres) at stated temperature and pressure
Condensed milk and evaporated milk	Weight or volume
Cream and cream substitutes	Volume
Drugs in liquid form	Weight or volume
Fencing wire	Length
Flavouring essences	Weight or volume, if the quantity packed equals or exceeds 1 lb or 500 g
Fresh fruit and vegetables	Weight or number
Heavy residual fuel oil, industrial diesel fuel and furnace oil	Weight or volume
Honey, malt extract, golden syrup and treacle	Weight
Ice cream and other frozen confections	Volume
Linseed oil and other vegetable oils	Volume up to and including $\frac{1}{2}$ gal or 3 $\frac{1}{2}$ l weight or volume over $\frac{1}{2}$ gal or 3 l
Liquefied petroleum gas	Weight
Liquid chemicals	Weight or volume
Paint (other than paste paint), varnish and varnish stains	Volume
Paste paint	Weight
Perfume compounds	Weight or volume, if the quantity packed equals or exceeds 1 lb or 500 g
Perlite	Volume
Printer's ink	Weight or volume
Resins	Weight or volume
Skin cream, in jars	Weight or volume
Tomato sauce	Volume
Toothpaste	Weight
Yoghurt	Weight.



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SCHEDULE 6.

Reg., Sec. 11.

MARKING OF SIZE NUMBERS ON PACKAGES CONTAINING DRESSED POULTRY.

Column 1.	Column 2.	Column 1.	Column 2.
Size number.	Minimum net weight in grams to which size number is applicable.	Size number.	Minimum net weight in grams to which size number is applicable.
1	100	45	4 500
2	200	46	4 600
3	300	47	4 700
4	400	48	4 800
5	500	49	4 900
6	600	50	5 000
7	700	51	5 100
8	800	52	5 200
9	900	53	5 300
10	1 000	54	5 400
11	1 100	55	5 500
12	1 200	56	5 600
13	1 300	57	5 700
14	1 400	58	5 800
15	1 500	59	5 900
16	1 600	60	6 000
17	1 700	61	6 100
18	1 800	62	6 200
19	1 900	63	6 300
20	2 000	64	6 400
21	2 100	65	6 500
22	2 200	66	6 600
23	2 300	67	6 700
24	2 400	68	6 800
25	2 500	69	6 900
26	2 600	70	7 000
27	2 700	71	7 100
28	2 800	72	7 200
29	2 900	73	7 300
30	3 000	74	7 400
31	3 100	75	7 500
32	3 200	76	7 600
33	3 300	77	7 700
34	3 400	78	7 800
35	3 500	79	7 900
36	3 600	80	8 000
37	3 700	81	8 100
38	3 800	82	8 200
39	3 900	83	8 300
40	4 000	84	8 400
41	4 100	85	8 500
42	4 200	86	8 600
43	4 300	87	8 700
44	4 400	88	8 800

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Column 1.	Column 2.	Column 1.	Column 2.
Size number.	Minimum net weight in grams to which size number is applicable.	Size number.	Minimum net weight in grams to which size number is applicable.
89	8 900	115	11 500
90	9 000	116	11 600
91	9 100	117	11 700
92	9 200	118	11 800
93	9 300	119	11 900
94	9 400	120	12 000
95	9 500	121	12 100
96	9 600	122	12 200
97	9 700	123	12 300
98	9 800	124	12 400
99	9 900	125	12 500
100	10 000	126	12 600
101	10 100	127	12 700
102	10 200	128	12 800
103	10 300	129	12 900
104	10 400	130	13 000
105	10 500	131	13 100
106	10 600	132	13 200
107	10 700	133	13 300
108	10 800	134	13 400
109	10 900	135	13 500
110	11 000	136	13 600
111	11 100	137	13 700
112	11 200	138	13 800
113	11 300	139	13 900
114	11 400	140	14 000

SCHEDULE 7.

Reg., Sec. 16.

PRINT SIZES FOR STATEMENTS OF WEIGHT OR MEASURE PER POUND, OR PER KILOGRAM.

Maximum dimension of package.	Minimum height of letters and figures.
80 mm or under	2.0 mm
Over 80 mm but not over 160 mm	2.5 mm
Over 160 mm but not over 260 mm	3.3 mm
Over 260 mm	4.8 mm

## SCHEDULE 8.

Act, Sec. 12.  
Reg., Sec. 21.

## GOODS EXEMPTED FROM SECTION 12 OF THE ACT.

## TEXTILE GOODS.

- (a) Textiles, wearing apparel, and other similar articles that are not packed for sale by weight, measure or number and are not ordinarily so sold.
- (b) Textiles that are—
  - (i) packed for sale by weight and are sold in packages each containing more than 10 lb or 4 kg; or
  - (ii) packed for sale by length and are sold in packages each containing more than 30 yd or 25 m; or
  - (iii) packed for sale by area and are sold in packages each containing more than 30 sq yd or 25 m<sup>2</sup>.

## FOOD GOODS.

- (a) Wheat, maize, oats, chaff, potatoes and similar agricultural produce sold by weight in sacks of more than 60 lb or 25 kg gross weight.
- (b) Confectionery, nuts, popcorn, potato crisps and savouries that are—
  - (i) packed on premises for sale on the premises if the package is displayed for sale on the premises in a receptacle that bears a prominent statement in letters, figures and symbols not less than 10 mm in height of the weight and of the price of the contents of the package, and if—
    - (A) the net weight of the package does not exceed 8 oz or 250 g; or
    - (B) the sale price of the contents does not exceed 40 t; or
  - (ii) packed in or with another article if the value of the combined articles is substantially represented by that other article.
- (c) Easter eggs, Easter caskets and confectionery in novelty shapes.
- (d) Confectionery (other than chocolate moulded in slab, block or bar form with or without added matter), dried fruit, nuts, popcorn, potato crisps and savouries packed in a quantity less than 2 oz or 50 g gross weight.
- (e) Chocolate moulded in slab, block or bar form (with or without added matter) packed in a quantity less than 1/2 oz or 15 g gross weight.
- (f) Honey in the comb in original frames.
- (g) Bales of hay.
- (h) Kippers.
- (i) Pies or pasties made for use as individual serves the weight of which is less than 8 oz or 250 g.
- (j) Cakes, sponges and puddings, packed singly in a quantity less than 4 oz or 125 g gross weight.
- (k) Alcoholic liquors packed in quantities of more than 2 gal or 10 l
- (l) Wines labelled before 1 November 1969.

## MEDICINAL AND TOILET GOODS.

- (a) Therapeutic goods within the meaning of the *Drugs Act* being—
  - (i) goods compounded or made to the order of the purchaser, or of a medical practitioner, dentist or veterinary surgeon; or
  - (ii) goods, the sale or supply of which to the public is prohibited by law except on the written prescription of a medical practitioner, dentist or veterinary surgeon.
- (b) Medical or toilet preparations in cake or tablet form packed for sale for use for washing or as a personal deodorant.

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- (c) Toilet preparations in compacts, and refills or such preparations.
- (d) Single-application hair dyes or hair bleaches, or single-application home permanent hair waving kits.
- (e) Vaccine packed in a quantity less than 25 ml, or a single dose of any substance packed in a vial or ampule for sale for use as an injection.

## HARDWARE GOODS.

- (a) Articles of hardware that are not packed for sale by weight, measure or number, and are not ordinarily so sold.
- (b) Two or more articles of hardware packed to the order of the purchaser for use as components in building or engineering construction work and are accompanied, at the time of delivery to or at the direction of the purchaser, by an invoice that specifies the number and description of each article in the package.

## GENERAL GOODS.

- (a) Articles ordinarily sold by number that are packed in quantities less than nine in a package made wholly or partly of transparent material so that when the package is exposed for sale the number of articles contained in the package is readily apparent to a purchaser.
- (b) Articles the weight of which exceed 175 lb or 75 kg each, or the volume of which exceeds 40 gal or 150 l each.
- (c) Articles packed in quantities less than  $\frac{1}{2}$  oz or 15 g or  $\frac{1}{2}$  fl oz or 15 ml, other than drugs, pepper and other spices, herbs, instant tea, tobacco, dried vegetables and freeze-dried vegetables.
- (d) Fire extinguisher refills.
- (e) Rolls of polythene and rubber separation films that are so marked in terms of nominal weight, length and width as to comply with Australian Standard Code ASK120-1965.
- (f) Photographic film and photographic printing paper.
- (g) Bags of clay.
- (h) Fish bait other than prawns.
- (i) Rolls of wall paper.
- (j) Garden compost, tan bark, farmyard manure, peatmoss or leaf mould.
- (k) Pre-packed articles that are the subject of a permit issued by the Minister under Section 5<sup>1</sup> of the Act and are sold in accordance with the conditions and restrictions (if any) of the permit.

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<sup>1</sup> Section 5 of the Act provides for exemptions, Section 24 of the Act deals with permits.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 285.

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APPENDIXES.

APPENDIX 1.

SOURCE OF THE PACKAGING ACT.

Part A.—Previous Legislation.

*Packaging Act 1974 (No. 26 of 1974).*

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	1	17	17
2	2	18	18
3	4	19	19
4	3	20	20
5	5	21	21
6	6	22	22
7	7	23	23
8	8	24	24
9	9	25	25
10	10	26	26
11	11	27	27
12	12	28	28
13	13	29	29
14	14	30	30
15	15	31	31
16	16		

<sup>1</sup> Unless otherwise indicated, references are to the Act set out in Part A.

## APPENDIX 2.

## SOURCE OF THE PACKAGING REGULATION.

## Part A.—Previous Legislation.

Packaging Regulation 1975 (Statutory Instrument No. 53 of 1975).

## Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .	Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	1	17	17
2	2	18	18
3	3	19	19
4	4	20	20
5	5	21	21
6	6		
7	7	Schedules—	Schedules—
8	8 (in part)	Schedule 1	Schedule 1
9	9 (in part)	Form 1	Form 1
10	10 (in part)	Schedule 2	Schedule 2
11	11	Schedule 3	Sec. 8 (in part)
12	12	Schedule 4	Sec. 9 (in part)
13	13	Schedule 5	Sec. 10 (in part)
14	14	Schedule 6	Schedule 3
15	15	Schedule 7	Sec. 16 (in part)
16	16 (in part)	Schedule 8	Schedule 4

<sup>1</sup> Unless otherwise indicated, references are to the regulations set out in Part A.