



# LESOTHO Government Gazette

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## LEGAL NOTICE NO. 70 OF 2013

**The Weights and Measures (Metrication) (Advisory Board)  
Regulations, 2013**

Pursuant to section 8(2)(x) of the Weights and Measures (Metrication) Order, 1970<sup>1</sup>, I,

**TEMEKI TŠOLO**

Minister of Trade and Industry, Cooperatives and Marketing, make the following regulations -

**Citation and commencement**

1. These Regulations may be cited as the Weights and Measures (Metrication) (Advisory Board) Regulations, 2013 and shall come into operation on the date of publication in the Gazette.

**Interpretation**

2. In these Regulations unless the context otherwise requires -

“Act” means the Weights and Measures (Metrication) Act, 1970;

“Board” means the Weights and Measures (Metrication) Advisory Board established under Regulations 3;

“Director” means the Director of the Department of Standards appointed as such in the Ministry of Trade and Industry, Cooperatives and Marketing;

“Metrology” means the Science of measurement; and

“Minister” means the Minister of Trade and Industry, Cooperatives and Marketing.

**Establishment of the Weights and Measures (Metrication) Advisory Board**

3. The Weights and Measures (Metrication) Advisory Board is established.

**Functions of the Weights and Measures (Metrication) Advisory Board**

4. (1) The main function of the Board shall be to advise the Minister of Trade and Industry on policy issues and various matters of metrology.

(2) Without prejudice to subsection (1), the Board shall -

- (a) advise the Minister on any matter falling within the scope of the Weights and Measures (Metrication) Act;
- (b) submit proposals to the Minister for new projects in the field of metrology;
- (c) arrange for proper liaison with governmental and associated organisations, commercial and industrial establishments and professional institutions;
- (d) consider and submit recommendations to the Minister on changes that might require legislative measures;
- (e) arrange for the proper planning of programmes for publicity and guidance;
- (f) report from time to time to the Minister on the progress in the field of metrology; and
- (g) undertake any activity that is deemed necessary for the successful fulfilment of the above functions.

**Composition and appointment of the Board**

5. (1) The Board shall comprise of -

- (a) the chairperson who shall be appointed by the Minister;
- (b) the deputy chairperson who shall be nominated by the members of the Board amongst themselves; and
- (c) four (4) other members recommended by the Director to the Minister who shall appoint them by notice published

in the Gazette, of whom one person must be nominated -

- (i) for appointment from the consumer's association by that association;
- (ii) the business sector; and
- (iii) the public and private sectors.

(2) The above representatives shall qualify to be appointed to the Board based on their knowledge, academic qualifications and experience on metrology issues.

(3) Before the appointment is made, the Minister must, in writing, request each of the associations referred to in subparagraphs (i), (ii), and (iii) to nominate, within 30 working days of receiving the request, a person for appointment to the Board. \*

(4) In the event that a nomination is not received by the Minister within the period requested, the Minister may appoint such person as the Minister thinks appropriate and a person appointed in accordance with this subsection is to hold office as if nominated as required by subsection 3.

#### **Tenure of office**

6. An appointed member of the Board shall hold office for a period of 3 years from the date appointment and shall be eligible for re-appointment.

#### **Director**

7. The Director shall serve the Board as the Secretary but has no voting right.

#### **Invitation to serve on the Board**

8. The Minister of Trade and Industry, Cooperatives and Marketing shall, through a public notice, invite suitable candidates to serve in the Weights and Measures (Metrication) Board and the Minister may use any form of media for this purpose. \*

### Meetings of the Board

9. (1) Ordinary meetings of the Board shall be held as often as the business of the Board requires but at least not less than 2 times a year and shall be called by the chairperson.
- (2) Extraordinary meetings may be convened by the chairperson with the endorsement of 3 or more voting members of the Board.
- (3) Notice for an ordinary meeting shall be given in writing to each member of the Board by hand, mail, facsimile or e-mail at least 7 days prior to the date of the meeting.
- (4) Notice of an extraordinary meeting shall be given in writing to each member of the Board not less than 48 hours before the date and time of the meeting, in the manner set out for ordinary meeting.
- (5) Notwithstanding subsection (3) and (4), a meeting may be held on short notice provided that at least 4 voting members of the Board waive, in writing the requirements to receive notice in respect of the meeting.
- (6) A notice of a meeting shall specify the date, time, venue and agenda of the proposed business of the meeting.
- (7) A quorum for a meeting is 4 members.
- (8) Decisions of Board shall be taken by simple majority.
- (9) A voting member has one vote.
- (10) In the event of an equality of votes the chairperson has a casting vote.
- (11) An urgent decision may be taken by the Board without a formal meeting if -
  - (a) a written draft resolution is circulated to all members of the Board; and
  - (b) at least 4 voting members of the Board consent in writ-

ing to the resolution.

(12) The Board shall cause accurate minutes of the proceedings at each meeting of the Board to be recorded and preserved.

(13) The Board shall, subject to these regulations, determine and regulate its own procedure.

#### **Termination of a member's appointment**

10. (1) The Minister may remove a member from the Board if the member -
- (a) is permanently incapable of performing his or her duties;
  - (b) has neglected his or her duties or has engaged in a misconduct;
  - (c) has been absent, without leave of the Board, from 2 consecutive meetings of the Board; or
  - (d) has been convicted of an indictable offence or an offence against these regulations.

#### **Vacation of office by a member of the Board**

11. (1) A Board member vacates his/her office if -
- (a) his or her appointment is terminated in accordance with these regulations;
  - (b) he or she is certified mentally unstable by a medical practitioner;
  - (c) he or she is declared insolvent by a court of law;
  - (d) he or she is convicted of an offence involving dishonesty and is sentenced to imprisonment without the option of a fine; and

(e) he or she dies or resigns by giving a signed notice of resignation to the Minister.

(2) A Board member may resign by giving 2 weeks notice to the Minister.

#### **Filling of vacancy**

12. (1) The Minister may appoint another person to act in the place of a member if the member vacates office.

(2) An acting member appointed under this section has the powers, duties and entitlements of a member.

#### **Allowances and expenses**

13. Board members may be paid allowances and reimbursed expenses incurred in connection with Board business as the Minister, in consultation with the Minister of Finance, may determine.

#### **Repeal**

14. The Weights and Measures (Metrication) Regulations, 1975<sup>2</sup> is repealed.

**DATED: 22/07/2013**

**TEMEKI TŠOLO**  
**MINISTER OF TRADE AND INDUSTRY, COOPERATIVES AND**  
**MARKETING**

#### **NOTE**

1. Order No. 22 of 1970
2. L.N. No. 10 of 1975