

MEASUREMENT UNITS AND MEASUREMENT STANDARDS BILL
(REFLECTING CLAUSES INCORPORATING PROPOSED AMENDMENTS)

National measurement standards

5. (1) The Minister may by notice in the *Gazette* designate any measurement standard described in the notice, as a national measurement standard.

(2) The value of a national measurement standard in relation to the SI units must—

- (a) be the value as determined by the National Metrology Institute;
- (b) be regarded as the most accurate value of that national measurement standard;
and
- (c) have stated uncertainties of measurement.

(3) A measurement standard which is not a national measurement standard must—

- (a) for the purposes of measurement for any legal purpose, be traceable to one or more national measurement standards;
- (b) be so traceable that the measurement standard is related to one or more national measurement standards as contemplated in paragraph (3)(a) through an unbroken chain of comparisons—
 - (i) stating appropriate uncertainties of measurement ; and

- (ii) carried out by a calibration laboratory accredited by the South African National Accreditation System (SANAS) or an accreditation body enabled in terms of the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act in that specific area of metrology.

(4) For the purposes of this section "**calibration laboratory**" means a body that performs a set of operations that establish, under specified conditions, the relationship between values of quantities indicated by a measuring instrument or measuring system, or values represented by a material measure or reference material, and corresponding values realised by standards, whatever their uncertainty.

Conditions of appointment of members of Board

13. (1) The conditions of appointment of members of the Board who are not employed by an organ of state are determined by the Minister.

(2) The conditions of appointment may include remuneration and allowances payable to the members of the Board as determined by the Minister after consultation with the Minister of Finance.

(3) Members who are employed by an organ of state are not entitled to remuneration and allowances but must be reimbursed by the National Metrology Institute for out of pocket expenses.

(4) Non-executive members of the Board are appointed part-time.

Employment contract and performance agreement

19. (1) The employment contract of the Chief Executive Officer must be in writing and must incorporate in an appropriate form the provisions of section 57 of the Public Finance Management Act.
- (2) The Board and the Chief Executive Officer must conclude a performance agreement for the Chief Executive Officer.
- (3) The performance agreement must include-
- (a) measurable performance objectives and targets that must be met, and the time frames within which those performance objectives and targets must be met;
 - (b) standards and procedures for evaluating performance and intervals for performance; and
 - (c) the consequences of substandard performance.

Offences

25. (1) Any person who knowingly—
- (a) makes or assist in making a report, return, notice or any other document to be sent to any other person, as required by this Act, that contains an untrue statement of a material fact;

(b) omits to state a material fact on any of the documents referred to in paragraph (a), that will be sent to any other person, as required by this Act, or

(c) misrepresents data or the symbol of the National Metrology Institute, is guilty of an offence.

(2) A person convicted of an offence under this section is liable to a fine or to imprisonment for a period not exceeding 24 months or to both a fine and such imprisonment.