

Metric Conversion

No. 16 of 1970

An Act to facilitate the adoption in Australia and in certain Territories of the Commonwealth of the Metric System of Measurement, and for that purpose to establish a Metric Conversion Board.

[Assented to 12 June 1970]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title.

1. This Act may be cited as the *Metric Conversion Act 1970*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Definitions.

3. In this Act, unless the contrary intention appears—

“Australia” includes all the Territories of the Commonwealth to which this Act extends;

“full time member” means a member, being the Chairman or the Executive Member, appointed as a full time member;

“member” means a member of the Board, and includes the Chairman, the Deputy Chairman and the Executive Member;

“the Board” means the Metric Conversion Board established by this Act;

“the Chairman” means the Chairman of the Board, and includes a person acting in the office of the Chairman;

“the Deputy Chairman” means the Deputy Chairman of the Board, and includes a person acting in the office of the Deputy Chairman;

“the Executive Member” means the Executive Member of the Board, and includes a person acting in the office of the Executive Member;

“the metric system of measurement” means measurement in terms of—

(a) the units comprised in the International System of Units for the time being approved by the General Conference on Weights and Measures;

(b) units decimally related to those units and for the time being so approved; and

- (c) such other units as the Minister declares, from time to time, by notice published in the *Gazette*, to be within the metric system.

4. This Act extends to all the Territories of the Commonwealth except the Territory of Papua and the Territory of New Guinea.

Extension to Territories.

5. The object of this Act is to bring about progressively the use of the metric system of measurement in Australia as the sole system of measurement of physical quantities.

Object of Act.

6. The Minister may, on behalf of the Commonwealth, do such things, make such arrangements and enter into such agreements as he thinks conducive to the attainment of the object of this Act.

Powers of Minister.

7. The Minister may, by instrument in writing, authorize the Board to exercise, subject to and in accordance with his directions, any of his powers under the last preceding section.

Minister may authorize Board to exercise powers.

8.—(1.) For the purposes of this Act, there is hereby constituted a board by the name of the Metric Conversion Board.

Establishment of Board.

(2.) The Board—

- (a) is a body corporate, with perpetual succession;
- (b) shall have a common seal;
- (c) is capable of acquiring, holding and disposing of real and personal property; and
- (d) may sue and be sued in its corporate name.

(3.) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Board affixed to a document and shall presume that it was duly affixed.

9.—(1.) The Board shall consist of a Chairman, a Deputy Chairman, an Executive Member and such number of other members as the Governor-General from time to time determines.

Constitution of Board.

(2.) The members of the Board shall be appointed by the Governor-General.

(3.) A member holds office for such period, not exceeding seven years, as is specified in the instrument of his appointment, and is eligible for re-appointment.

(4.) The Governor-General may, if he thinks fit, appoint the Chairman or the Executive Member as a full time member, or both as full time members.

(5.) The performance of the functions or the exercise of the powers of the Board is not affected by reason only of there being a vacancy or vacancies in the membership of the Board.

Oath or affirmation of allegiance.

10. A member shall, before entering on his duties or exercising any power under this Act, make, before a Justice of the Peace or a Commissioner for taking Affidavits, an oath or affirmation of allegiance in accordance with the form in the Schedule to the Constitution.

Leave of absence.

11. The Minister may grant leave of absence to a full time member upon such terms and conditions as the Minister determines.

Remuneration and allowances.

12.—(1.) The members shall be paid such remuneration as the Parliament provides, but until the first day of January, One thousand nine hundred and seventy-one, that remuneration shall be as is prescribed.

(2.) The members shall be paid such travelling or other allowances as are prescribed.

Dismissal.

13. The Governor-General may terminate the appointment of a member for misbehaviour or physical or mental incapacity.

Resignation of members.

14. A member may resign his office by writing under his hand delivered to the Governor-General but the resignation does not have effect until accepted by the Governor-General.

Vacation of office.

15.—(1.) If a member—

- (a) being a full time member, engages in paid employment outside the duties of his office without the approval of the Minister;
- (b) being a full time member, absents himself from duty for fourteen consecutive days, or for twenty-eight days in any twelve months, without leave agreed to by the Minister;
- (c) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit; or
- (d) fails to comply with his obligations under the next succeeding section,

the Governor-General shall, by notice in the *Gazette*, terminate his appointment.

(2.) The Minister shall not give an approval for the purposes of paragraph (a) of the last preceding sub-section unless he is satisfied that the paid employment will not interfere with the performance of the duties of the member under this Act.

Disclosure of interests in agreements, &c.

16.—(1.) A member who, otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than twenty-five persons, is directly or indirectly interested in an arrangement or agreement made or entered into, or proposed to be

made or entered into, by the Board on behalf of the Commonwealth shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

(2.) A disclosure under the last preceding sub-section shall be recorded in the minutes of the Board, and the member—

- (a) shall not take part after the disclosure in any deliberation or decision of the Board with respect to the arrangement or agreement; and
- (b) shall be disregarded for the purposes of constituting a quorum of the Board for any such deliberation or decision.

17. Where, immediately before his appointment under this Act, a full time member was an officer of the Public Service of the Commonwealth—

Preservation of rights.

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service under this Act shall be taken into account as if it were service in the Public Service of the Commonwealth; and
- (c) the *Officers' Rights Declaration Act* 1928–1969 applies as if this Act and this section had been specified in the Schedule to that Act.

18. The *Commonwealth Employees' Compensation Act* 1930–1969 applies to the members as if they were employees within the meaning of that Act.

Application of Commonwealth Employees' Compensation Act.

19. For the purposes of sub-sections (3A.) and (4.) of section 4 of the *Superannuation Act* 1922–1969, a full time member shall be deemed to be required, by the terms of his appointment, to give the whole of his time to the duties of his office.

Application of Superannuation Act.

20.—(1.) Where a member is, or is expected to be, absent, or there is a vacancy in the office of a member, the Governor-General may appoint a person (including another member) to act in the office of the member during the absence or until the filling of the vacancy.

Person acting as member.

(2.) The Governor-General may at any time terminate an appointment under this section.

(3.) Sections 10, 12, 14, 16 and 18 of this Act apply in relation to a person appointed under this section in like manner as they apply in relation to the member in whose office he is acting.

(4.) A person appointed to act in the office of a member has all the powers and functions under this Act of that member.

(5.) For the purposes of this section, a member acting in the office of another member shall be deemed to be absent with the consent of the Minister.

21.—(1.) Subject to this section, meetings of the Board shall be held at such times and places as the Board from time to time determines.

Meetings of the Board.

(2.) The Minister or the Chairman may convene a meeting of the Board.

(3.) In the event of the absence of the Chairman or of a vacancy in his office, the Deputy Chairman may convene a meeting of the Board.

(4.) In the event of—

(a) the absence of the Chairman or a vacancy in his office; and

(b) the absence of the Deputy Chairman or a vacancy in his office, the Executive Member may convene a meeting of the Board.

(5.) The Chairman shall preside at all meetings of the Board at which he is present.

(6.) In the event of the absence of the Chairman from a meeting of the Board, the Deputy Chairman shall preside at the meeting.

(7.) In the event of the absence of both the Chairman and the Deputy Chairman from a meeting of the Board, the Executive Member shall preside at the meeting.

(8.) In the event of the absence of the Chairman, the Deputy Chairman and the Executive Member from a meeting of the Board, the members present shall appoint one of their number to preside at the meeting.

(9.) At a meeting of the Board, four members constitute a quorum.

(10.) A question arising at a meeting of the Board shall be decided by a majority of the votes of the members present and, for this purpose, the member presiding at the meeting is entitled to a deliberative vote and also, in the event of an equality of votes, to a casting vote.

Functions of Board.

22. The functions of the Board are—

(a) to make recommendations to the Minister with respect to the exercise by the Minister of his powers under section 6 of this Act;

(b) to exercise any power that it is authorized under section 7 of this Act to exercise; and

(c) such other functions related to the attainment of the object of this Act as the Minister determines.

Powers of Board.

23. The Board has power to do all things necessary or convenient to be done in connexion with, or as incidental to, the performance of its functions and, in particular, and without limiting the generality of the foregoing, the Board may engage persons to advise the Board upon any matter related to the functions of the Board.

Reports.

24.—(1.) The Board shall furnish to the Minister such reports relating to its operations as the Minister requires.

(2.) Subject to this section, the Board shall, as soon as practicable after each thirtieth day of June, furnish to the Minister, for presentation to each House of the Parliament, a report of its operations during the year ended on that date.

(3.) The first report of the Board under this section shall be furnished as soon as practicable after the thirtieth day of June, One thousand nine hundred and seventy-one, and shall relate to the period from the first appointment of members of the Board to that thirtieth day of June.

(4.) The Minister shall cause the report of the Board, together with a report by the Minister on the operation of this Act during the period to which the report of the Board relates, to be laid before each House of the Parliament within fifteen sitting days of that House after the receipt by the Minister of the report of the Board.

25. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act. **Regulations.**
