

# MINUTES

## COMPTE RENDU

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### Forty-Fifth Meeting of the International Committee of Legal Metrology

(Including the 4 corrections as per Resolution no. 1 of the 46th CIML Meeting)

Orlando, Florida (United States)  
21–24 September 2010

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ORGANISATION INTERNATIONALE  
DE MÉTROLOGIE LÉGALE

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INTERNATIONAL ORGANIZATION  
OF LEGAL METROLOGY





# **International Organization of Legal Metrology**

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**Forty-Fifth Meeting of the International  
Committee of Legal Metrology:**

**Orlando, Florida, United States**

**21–24 September 2010**

The International Committee of Legal Metrology was convened by its President,  
Mr. Alan E. Johnston, and met from 21–24 September 2010  
at the DoubleTree Hotel, Orlando, Florida, United States.





## Contents

Attendance list.....	9
Opening speeches.....	15
Roll call.....	22
Approval of the Agenda.....	22
1 Approval of the minutes of the 44th CIML Meeting.....	22
2 Report of the CIML President.....	22
3 Liaisons.....	25
3.1 Report of the BIML Director.....	25
3.2 Presentations given by liaison organizations.....	34
3.3 Report on the Round Table with Regional Bodies.....	42
4 CIML Presidency.....	44
4.1 Presentation of the candidates to the CIML Presidency.....	44
4.2 Presentation of the candidates to the CIML Vice-Presidency.....	50
5 Member States and Corresponding Members.....	55
5.1 New Member States and Corresponding Members and perspectives.....	55
5.2 Outstanding arrears of Member States and Corresponding Members.....	56
6 Developing countries.....	59
6.1 Report of the Facilitator on Developing Country Matters.....	59
6.2 Award for excellent achievements.....	63
7 BIML activities.....	64
7.1 General report.....	64
7.2 Other BIML issues.....	68
8 Technical activities.....	70
8.1 Items for information.....	72
8.2 Items for approval.....	75
8.3 OIML Certificate System, MAA and other future systems.....	84
8.4 Revision of the Directives for Technical Work.....	87
9 Financial matters.....	97
9.1 Comments on the 2008 and 2009 accounts.....	97
9.2 Financial and management audit.....	98
9.3 OIML pension system.....	99
10 Human resource matters.....	102
10.1 Election of a CIML President.....	102
10.2 Election of a CIML Vice-President.....	102
10.3 Appointment of a BIML Director.....	102
11 Awards and other matters.....	102
12 Future meetings.....	104
12.1 46th CIML Meeting (2011).....	104
12.2 47th CIML Meeting and 14th OIML Conference (2012).....	105
Resolutions.....	107
Concluding remarks.....	116



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**45th MEETING of the CIML**  
**21–24 September 2010**  
**Orlando, USA**

**– M I N U T E S –**

**Opening speeches**

**Mr. Alan E. Johnston,**  
**CIML President**

Ladies and Gentlemen,

Good morning and welcome to Orlando, Florida.

I would like to take this opportunity to make some opening remarks. Firstly, it is my pleasure to welcome all of the CIML Members and guests to the Forty-Fifth CIML Meeting. My special thanks go to Mr. Charles Ehrlich and his colleagues at the NIST for their organization of this meeting – knowing how much time and effort is involved I very much appreciate their work.

Over the past year there have been a number of changes in the composition of the Committee, so let me now welcome the following new CIML Members:

- Mr. Hossein Azareishi, Iran,
- Mr. Bayram Tek, Turkey,
- Mr. Paolo Francisci, Italy,
- Mr. Michael Onyancha, Kenya,
- Ms. Angjelina Kola, Albania,
- Mr. Mirko Stopar, Slovenia,
- Mr. Mourad Ben Hassine, Tunisia,
- Mr. Itzik Kimchi, Israel.

The number of Member States is stable, and it is encouraging to note that a number of other countries are considering joining the OIML; although this process is quite long, we hope that it will succeed as soon as possible.

Unfortunately, we had to delist three Corresponding Members due to their excessive arrears and their non-payment of fees. The number of Corresponding Members has therefore decreased from 58 to 55, however I am pleased to see that a large number of Corresponding Members – 18 countries in fact – are in attendance at this CIML Meeting, which shows a growing interest in our Organization.

We again have a very busy meeting and there are a number of very important issues to discuss on the agenda. This CIML Meeting will have to make decisions that are crucial for the future of the OIML.

You will be asked to make decisions about the CIML Presidency, the CIML Vice-Presidency, and the BIML Director. These decisions are indeed major decisions for our Organization.

You have also received information about the rapprochement with the BIPM and about the bilateral meeting that was held in March with the Bureau of the CIPM.

OIML technical work progressed considerably more slowly than we expected, mainly due to the heavy workload of most national legal metrology services. Consequently, there are not as many publications to be adopted this year as we had expected. I hope that this will improve over the next years.

Concerning the efficiency of the technical work, the Bureau will report on the progress in the revision of the Directives for Technical Work. This may seem a rather administrative and procedural issue, but we expect that it will result in a better efficiency of our work.

Concerning the OIML systems of certification and recognition, you have been consulted on the issue of Conformity to Type. This is a very strategic issue that we will discuss and I am sure that we shall come to some positive conclusions. The financial issues are another important matter that this Meeting will be required to consider. In my opinion the financial situation of the Organization is excellent, although certain savings can still be made. And as the Bureau operated with a reduced staff for part of the year, some savings were also made here. The annual accounts that were sent to you show a positive result, albeit lower than planned in the budget. Additional savings are expected in 2011.

Following the management audit that was carried out in February 2010, I asked the BIML Director to prepare an Action Plan to take account of the comments expressed by the auditor and the actions that the BIML will be taking (or has taken) as a result. This Action Plan was distributed to all CIML Members.

The issue of the OIML Pension System has been the object of a report by the BIML Director, in liaison with Peter Mason and Philippe Richard. This issue will also be discussed during this CIML Meeting and I would like to take this opportunity to thank these gentlemen for their input on this very important matter.

May I also draw your attention to a request made by Guinea which we shall examine and which should then be examined by the Conference in 2012.

Thank you for your attention, and I look forward to some lively discussions during the meeting. I also hope you will have the time to enjoy some of the sights in Orlando and that you enjoy your stay in the United States.

I will now hand the floor over to Mr. Ehrlich, who will introduce our Guest Speaker.

**Mr. Charles Ehrlich**  
**CIML Member, USA**

Good morning everyone,

Thank you Alan. I would like to add my welcome to the United States and to thank you all for coming. It is my pleasure and honor to introduce our Guest Speaker this morning, Mr. James Olthoff, Deputy Director of the NIST Physical Measurements Laboratory. Mr. Olthoff joined NIST in 1987 as a Research Physicist developing measurement methods for the semiconductor industry. Since then he served as Chief of the Electricity Division and as the Deputy Director of the Electronics and Electrical Engineering Laboratory. He has recently taken on the new position of Deputy Director for Measurement Services of the new Physical Measurements Laboratory at NIST, in which he has responsibility for essentially all of the calibration services provided by NIST.

**Mr. James Olthoff,**  
**Deputy Director, NIST Physical Measurements Laboratory**

Thank you Chuck. It is an honor to be here this morning and I want to welcome every one of you, and I extend a special individual welcome to President Johnston and Director Magana and of course a special welcome to all of you CIML Members and distinguished guests.

It is my pleasure on behalf of NIST Director Mr. Patrick Gallagher to welcome you to the United States for the Forty-Fifth Meeting of the CIML. Mr. Gallagher sends his regrets; he is unhappy that he could not be here but he asked me to convey his best wishes for you to have a very successful meeting and he also wanted me to express his deep appreciation for the work that you and your organizations do in the area of legal metrology. This is an area of great importance to NIST and to the United States.

It has been thirty years since the United States last hosted the CIML and it is our honor to host it again, especially as you are dealing with such important issues as those just mentioned – you will be selecting your President, Vice-President and Director and it is clear that this will be a very important meeting and that it will have great implications long into the future so I hope that it all goes extremely well.

I also want to welcome you to Orlando, one of the premier tourist destinations of the world – I have to applaud the Organizing Committee for choosing to have your meeting here as opposed to say in Washington D.C. as here you get to be entertained this week by wizards and ogres whereas in Washington D.C. right now all we have is a bunch of politicians who are worried about the upcoming elections so I am sure you will have much more fun here than where NIST is!

As many of you know, NIST has a long history of supporting legal metrology. The USA joined the OIML in 1972 and has played an active role in this Organization ever since joining but our history or our legacy of international metrology goes back much further than that – in fact back to the Nineteenth Century when in 1878 we became a signatory of the Convention of the Metre.

Now I do realize that compared to some of the countries that you represent this makes us a relative “newcomer” to this area but we consider this as a very important area for us to work in.

What you may be surprised or even shocked to hear is that in 1893 the Mendenhall Order marked the official US Government decision to render the fundamental standards for length and mass metric in the United States. I do realize that after almost a hundred years we still have a long way to go in terms of implementing this fully but I am hoping that as you spend time here this week and as you go through this meeting you will recognize some of the progress we have made – maybe even some of you who were here thirty years ago may notice some of the changes that have happened in the United States in relationship to implementing the metric system.

As you spend time here in Orlando and as you go through the shops you will notice that many items now have metric units on their packaging – it is important to note that our automotive industry now exclusively utilizes metric units in the building of their vehicles and in fact many US manufacturers are now adopting the metric system as their primary measurement scale and this is continuing in many areas.

As most of you know, the US metrology system is vast and complex; it includes all the weights and measures offices of all fifty States and it works its way right down to many smaller entities such as cities and counties. It includes federal regulatory agencies such as the Food and Drug Administration, the US Department of Agriculture, manufacturers, and trade organizations, making it an extreme challenge to work in this very complex system. But the potential rewards are very great and in fact that becomes even more true as technology advances and as the US metrology system starts to deal with non-weights and measures issues, for example as we attempt to implement the smart grid across the electric power system, or as we attempt to develop IT health care documentary standards to facilitate the exchange of medical information or even as we address worldwide issues such as global climate change, the issues of international metrology become greater and more important.

I also want to thank Mr. Magana for the opportunity we will have later this week for the US to present some highlights both of metrology in the United States and the legal metrology efforts that are underway; for that you will hear from three key US organizations: the National Conference on Weights and Measures, the Scale Manufacturers Association, and the NCSLi which is an organization that develops voluntary laboratory consensus standards.

The US metrology system also includes my organization, the National Institute of Standards and Technology, or NIST as it is more often called. NIST plays a unique role in the metrology infrastructure and is part of the Department of Commerce, which has the broad mandate to advance the economic growth in the United States. As part of this mandate, NIST has the overall mission to advance measurement science, standards and technologies, to enhance the economy, and to improve the quality of life for US citizens. We are the only federal laboratory that has this type of mandate in the United States and so based upon our mission that so clearly advocates for measurement science standards and technologies we clearly recognize the important role that the OIML and all the other standards agencies play in international trade and commerce.

Another important point to note about the National Institute of Standards and Technology is that we are non-regulatory, meaning that we do not set laws. That puts us in the position of being unbiased and objective in terms of working with voluntary standards organizations to develop their standards. And so we can be viewed as an unbiased source of the most technically sound information that is available, which hopefully allows us to help those organizations to produce the best and fairest standards that could possibly be made.

NIST has supported international and legal metrology since its inception as the National Bureau of Standards in 1901 – in fact at that time our agency incorporated the US Office of Standards and Weights and Measures which was actually created way back in 1836. If you want to go back even further in history, the US Constitution adopted in 1787 calls for the federal government to fix the standard of weights and measures in order to facilitate commerce. And so that is the mission of NIST, which we promote proudly. At that time, the founders of the country were talking about inter-state commerce, and were worried about trade between the originating states. But in this day and age, international metrology of course has become of critical importance and has become one of the great missions of NIST. As US federal agencies go, NIST is not extremely large: we employ about 3000 scientists, technicians, and engineers, and exist on two campuses: one of the sites is located just north of Washington D.C. in Gaithersburg, Maryland, and the other is in Boulder, Colorado. We also host about 2000 domestic and international visitors and guest researchers every year, making us a very international organization. I see the great international representation here and really hope you can make a point of coming to visit us some time if you have never been to NIST.

NIST is firmly committed to the mission of the OIML and we show this by our participation in virtually all of the OIML's Technical Committees and Subcommittees, and we are honored to have been given the responsibility of serving as the Secretariat of over 20 % of those Committees – this is a responsibility and an honor that we take very seriously.

At NIST, the Physical Measurement Laboratory that I help manage oversees the Weights and Measures Division – this Division promotes the uniformity of US weights and measures, laws, regulations, and standards, it provides training to metrologists, to weights and measures officials and to US industry; it also issues publications such as the NIST Handbook 44 which contains all of the standards for weights and measures. Carol Hockert is the Director of that Division and she also serves as the Executive Secretary of the National Conference on Weights and Measures. This Division also serves as our official representative to the OIML. The Weights and Measures Division contains a program on international legal metrology and this is headed by the Group Leader Charles Ehrlich who is known to all of you of course; he is the US CIML Member and also serves on the Presidential Council. The mission of his program is to facilitate US participation in OIML technical work including US manufacturers, users of weights and measures, legal metrology officials and anybody else in the United States who has a stake in legal metrology. By authority of the State Department, Mr. Ehrlich's Group votes on OIML technical matters including everything up to the level of the CIML.

Another program with a strong international metrology content that I have already mentioned at NIST is our metric program, which helps to implement our national policy to establish the SI as the preferred system for US trade and commerce. It helps provide leadership and assistance to those in the United States who are attempting to make the conversion and helps to do that in an organized and efficient way.

One of our major upcoming developments in this area relates to the US Fair Packaging and Labeling Act, which comes up for renewal in 2013. This Act was passed in 1966 by President Lyndon Johnson and specifies what type of information must appear on the packaging of most products sold in the United States.

In 1992 NIST and the National Conference on Weights and Measures supported Congress' decision to amend this Act to allow manufacturers to label their products with both customary US units and metric units, thus allowing dual unit labeling and you will notice that a on a lot of packaging as you shop here in the United States. Since then, NIST and the National

Conference on Weights and Measures have worked with the States to help them adopt laws that would permit metric only labeling, and 40 States have now adopted this approach.

More recently there are two NIST publications that propose to amend the federal law to allow the voluntary use of metric only units on consumer products. We believe that the adoption of metric only labeling would lead to a greater agreement between state and federal labeling laws, that it would simplify domestic and international trade, and that it would better satisfy the needs and desires of many US manufacturers and consumers alike.

Another significant development that we are very proud to be able to play a role in is in the OIML Mutual Acceptance Arrangement, or MAA, whereby countries can recognize data submitted by other countries. As you will hear later this week, the National Conference on Weights and Measures is a Utilizing Participant in the MAA for load cells and this enables test data from other nations to be used in the National Conference on Weights and Measures National Type Evaluation Program or NTEP. We look forward to this program as it evolves into different areas.

So let me close by saying that although the US has its own very large and complex metrology system, NIST considers it a high priority to harmonize the global standards and to participate to the fullest extent in international metrology activities and in the international metrology community such as the OIML.

We are committed to the international legal metrology efforts through our participation in the OIML's activities, and work to ensure that the US metrology community as a whole is aware of the important work that is being done by this Organization and by others in this area. I hope that as you meet this week you will gain a greater appreciation of the US metrology infrastructure as you all work towards many of the common goals.

So again I want to welcome you to the United States, and to Orlando, but I know that if you are averse to roller-coasters or even scared of large mice there are lots of opportunities in the area other than Disney World and Universal Studios! One of my personal favorites is the Kennedy Space Center which I understand some of you will be visiting later this week; I know that the Discovery Space Shuttle is on the pad so you may get a unique treat and an opportunity to see that. I hope you have a good trip to the Space Center and that you will have a great meeting.

Thank you very much.

Mr. Ehrlich thanked Mr. James Olthoff and passed the floor to Mr. Tim Tyson for some opening remarks on behalf of the US National Conference on Weights and Measures or NCWM.

**Mr. Tim Tyson,  
Director of Weights and Measures, Kansas Department of Agriculture, and  
Chairman, NCWM**

Mr. President,  
Mr. Director,  
CIML Members,  
Ladies and Gentlemen,

Good morning. I am Director of Weights and Measures at the Kansas Department of Agriculture, and I am also this year's Chairman of the NCWM, which a lot of you are already familiar with. On behalf of the NCWM I would like to include my welcome to you to the United States, and I hope that you have an enjoyable stay here in Florida, the "Sunshine State"!

I am accompanied this week by two other representatives from the NCWM: Mr. Don Onwiler, the NCWM Executive Director, and Mr. Jim Truex, Administrator of the National Type Evaluation Program, or NTEP. You will be hearing from Mr. Onwiler later this week in a special session on Thursday morning about the NCWM and how it relates to the OIML. The three of us look forward to meeting you later this week.

You may have noticed that outside this meeting room in the foyer there is an NCWM display board - I invite you to stop by during the week to meet us and pick up some literature.

So, Mr. President, thank you for this opportunity of being here and for allowing me to make these opening remarks. I look forward to a very interesting week.

Thank you.

## Roll call

The roll call was then taken. 49 out of the 57 Member States were present (40) or represented (9), therefore the quorum of 43 was reached.

Proxies were received from:

- Belarus (to the Russian Federation),
- Bulgaria (to Serbia),
- Cyprus (to Canada),
- Denmark (to Finland),
- Egypt (to South Africa),
- Italy (to France),
- Monaco (to France),
- Romania (to the Russian Federation),
- Sri Lanka (to Japan).

## Approval of the Agenda

The agenda was read by Mr. Magaña and was unanimously approved.

### 1 Approval of the minutes of the 44th CIML Meeting

Mr. Issaev commented that on page 30 of the minutes of the 44th CIML Meeting in the representation of the BIPM, when Mr. Pedro Espina had explained the origins of the BIPM he had mentioned that COOMET was an association of East European countries. In fact, it consisted of East European and Asian countries.

The Bureau confirmed that the minutes would be amended accordingly; the minutes were then unanimously approved.

#### ***Draft Resolution no. 1***

*The Committee approved the Minutes of the 44th CIML Meeting with the following modifications:*

- on page 30, 4th paragraph from 3.1, 3rd line, insert “and Asian” between “European” and “Countries”;
- on page 32, the third paragraph from the bottom, second line, delete “the drafting of”. Draft Resolution no. 1

### 2 Report of the CIML President

Beginning his speech, Mr. Johnston said that delegates might have heard of Murphy’s Law: he had been in the middle of updating his speech in the light of comments made at the previous day’s Presidential Council meeting when he had lost it from his computer. The presentation would therefore be “low-tech”!

Mr. Johnston was also keen not to appear to be electioneering ahead of the imminent elections for President and Vice-President. For these elections, the three presidential candidates were

Mr. Mason, Mr. Harvey and himself, any one of whom he considered would be excellent. The two candidates for Vice-President were Mr. Roman Schwartz from Germany and Mr. Philippe Richard from Switzerland, both of whom he had known for a long time and both of whom, in his view, would make an excellent contribution in that role.

A new BIML Director would also, it was hoped, be elected. Mr. Johnston stated that Mr. Patoray, who would be present for the entire meeting, would participate in the meetings and make himself available to answer Members' questions.

Subjects of discussion during the last year, Mr. Johnston informed Members, had included the new Directives, Conformity to Type discussion; and the IQ mark. The previous morning's Presidential Council Meeting had probably been the longest ever held, having lasted from 7:30 until 12:30. Discussion had been lively, with different points of view being expressed, but all had agreed that such discussions should continue. During his Presidency, Mr. Johnston had urged the need for feedback from Presidential Council Members, and he was pleased that this had in his view been achieved.

Another matter which Mr. Johnston considered needed to be discussed in detail was non-traditional areas of legal metrology. Some Members might be involved in these areas, others not. Some were asked to be, and indeed were actively involved in environmental measurements. Another topic was internet usage: in Canada recently, the regulatory responsible for these matters had allowed service providers to charge by the gigabyte, and within a very short time users had contacted Measurement Canada to ask whether this area was covered, as users did not trust the service providers' measurements. Measurement Canada had neither the expertise nor the equipment to carry out such a task, but it would have to be pursued in the future with the regulatory body, which did not so far seem to have given it much thought.

There had been hopes that a conclusion on the matter of the new Directives might have been closer by the current meeting, but this did not seem to be the case. The advantage of this was that the field was still open to other suggestions, but the disadvantage was that it was unlikely to be ready for voting at the current meeting. Mr. Dunmill would give further details in the course of the meeting.

On the subject of rapprochement with the BIPM, first broached in 1996 and resurrected a couple of years previously, Mr. Johnston stated that there had been discussions with the BIPM. Mr. Johnston had been prepared to consider the matter, albeit without great enthusiasm. The BIPM had been open to it but then, for reasons of their own, had decided not to pursue discussion of rapprochement. As many would know, a rapprochement was not a merger, but rather a good working relationship with the BIPM; this of course already existed, Mr. Magaña and Mr. Wallard being frequently on the phone to each other. The BIPM was also facing major changes, with a new Director due to take over at the end of the current year, and a new President also shortly coming into office. They also had budget issues to resolve and were preparing for the CGPM the following year, and so were not at present in a position to allocate much time to the matter of rapprochement.

The OIML pension system would also be discussed. Mr. Johnston wished once again to thank Messrs. Mason and Richard for their work on this matter, which could potentially affect the financial stability of the organization for many years.

A challenge Mr. Johnston wished to present to Members was how they could help developing countries more. The Presidential Council the previous day, in which Mr. Seiler had

participated, had discussed how advice and guidance could be offered to them. Mr. Seiler was doing excellent work, with support from the Bureau, but one person could do only so much, and at times he found it difficult to elicit feedback from both developed and developing countries. Mr. Johnston had no solution to offer, but he invited Members to offer their ideas on this subject.

Mr. Johnston would be attending the joint ILAC/IAF General Assembly in late October; the OIML was re-signing the MoU with ILAC/IAF. The OIML had a number of MoUs with other organizations; these were only signed when they provided real value. The MoU certainly provided real value. Régine Gaucher had met with ILAC regularly and they had developed a work plan, the objectives of which were being achieved. This demonstrated that the OIML remained strong. They saw the need to seek out and work with other organizations when required; what form this cooperation took would vary from one organization to another.

All in all, the lengthy Presidential Council meeting had been one of the best meetings that Mr. Johnston had ever attended, profound, with differences of opinion, but civil. It had had to finish at 12:30 because of the Regional Legal Metrology Meeting at 14:00, by which time in any case, all the participants' ability for discussion had been exhausted. Among its topics was the IQ mark, which would be further discussed later. He considered that the organization was in a good position for the future. Its strength was demonstrated by the number of candidates for positions within it; Members might recall that when he himself had run for President he was the sole candidate, but this year there were three for President and two for Vice-President. Much had been done in the last five years to raise the profile of the OIML, though there was still scope for more in this direction.

Mr. Johnston thanked Members for their attention. He was stopping because he did not wish to be seen as electioneering. He looked forward to working with Members in some capacity in the future and welcomed comments on subjects he had raised, or on any other topic, and he looked forward to a good meeting.

Mr. Richard asked about a point in the written version of the President's report given in Annex A of the Working Document. In Point 1, regarding rapprochement with the BIPM, the annex stated "it has been considered that the issue of rapprochement was thoroughly discussed with the BIPM ...". Yet the President had told Mr. Richard more than once that these discussions had lasted only about 5 minutes. He wished to bring this matter up for discussion under Item 3.1.1 of the Agenda. A second point he wished to make was that in Annex A, Item 3, Financial issues, there was mention of the audit report of the External Auditor and the Director's comments on its findings. Mr. Richard asked Mr. Johnston for further information on these comments.

Mr. Johnston replied that at a meeting with the BIPM 18 months previously, rapprochement had been the first item on the agenda. He had raised the matter of taking rapprochement further forward, and it had been clear to him that the BIPM did not want to discuss it. He had raised it more than once at that meeting, again with the response that they did not want to pursue it at that time. Their subsequent publications might have implied that Mr. Johnston or the OIML were the ones not in favor, but he could state categorically that they had been open to further discussion.

On the subject of the Audit report and the comments on it, Mr. Johnston stated that he did not have those with him at present but would return to the subject at a future time.

Mr. Issaev asked whether in his capacity as President Mr. Johnston was satisfied with the opportunities given by the Presidential Council.

Mr. Johnston replied he was very pleased with the high standard of discussion and level of interest at Presidential Council meetings and the good level of input from all its members. It was indicative of strength and professionalism that there could be disagreement yet cooperation. He had been a Presidential Council member before being President and he felt that there had been more and better discussion in recent years than previously, though it had always been good.

Mr. Flandrin agreed with Mr. Richard that the question of rapprochement with the BIPM should be examined in more depth. He was not at all clear as to the detail of the current position of either of the organizations.

For the BIPM, Mr. Henson stated that, as pointed out in Annex A and Annex B of the Working Document, there was no ideological objection on either side to further rapprochement, but quite simply there was no business case that it would bring either more efficiency or more savings. The CIPM would be happy to go ahead if a practical advantage were to be seen. Ultimately, if a major decision were to be taken, this would have to be done by the Member States and not by the BIPM. Both organizations were happy to move to further cooperation if that were advantageous and the business case for so doing had been looked at, as shown in the Annexes. He was not happy to hear it implied that it was the BIPM which was reluctant to move forward, and had now heard the opposite viewpoint put forward.

Mr. Magaña said the matter would arise again under agenda Item 3.1.1.

***Draft Resolution no. 2***

*The Committee took note of the report given by its President.*

Mr. Flandrin said that the wording of the proposed Resolution was rather vague and general and suggested that the word “oral” be inserted before “report”. Mr. Magaña agreed to this, since the written report contained a number of other matters including the conclusions of the Presidential Council Meeting.

### **3 Liaisons**

#### **3.1 Report of the BIML Director**

##### **3.1.1 Rapprochement with the BIPM**

Mr. Magaña told delegates that the Bureau was in close and frequent contact with the BIPM, and there were frequent meetings to examine the question of how to make contact still closer. There were various organizational and administrative problems. Discussions centered on whether certain services could be shared, but this was not a simple matter and not much progress had been made. There was much exchange of information, joint and/or mutual representation at meetings, and each made a point of explaining the work of the other at such meetings.

Progress had been made on joint presentation materials on certain subjects. The BIPM had produced four presentational leaflets which the OIML had commented on and returned; these were now ready for use and would soon be put on the joint internet site of the two Organizations, <http://www.metrologyinfo.org>.

Information was also exchanged about potential new Members; gaining new Members was a slow process, which could be hindered by changes in government within the countries in question, but the two organizations cooperated on this.

Cooperation took place not only on the level of structure of the two permanent organizations but also in their work. Two weeks previously, for example, he had received from the Secretary of the CIPM a copy of information they had sent out to their Members concerning the possibility of establishing comparative studies of humidity in grain, a matter of considerable importance to both organizations. This was the kind of area in which cooperation could be the most fruitful, rather than for administrative purposes. Mr. Magaña invited questions from Members.

Mr. Richard praised the cooperation between the two organizations but referred to the comments by both Mr. Magaña and Mr. Henson that there had been no new element in their cooperation, and no business plan. He said that Resolution no. 3 of the 44th Meeting had specifically asked for a strategy of new elements, and that these had not been produced. For this reason, the OIML-BIPM meeting the previous March could only be general, short and superficial. The draft report issued by the Director of the Bureau, dated 22 February 2010, on the current state of OIML-BIPM cooperation, had not been made available to CIML Members, was not a strategic report and was not among the working documents for the current Meeting. Considering Resolution no. 22 of the 44th Meeting, he fully understood why the Director had not prepared such a report. However, to him, the mandate of Resolution no. 3 was very clear: the President was responsible for overseeing the work of the Director of the Bureau. This meant that the mandate had indirectly been given also to the President. In order to clarify this, and to respect the previous year's CIML decision, he proposed that Resolution no. 3 of the 44th CIML Meeting be renewed.

Mr. Richard also commented that if after this thorough and strategic analysis the Committee or the Conference came to the conclusion that rapprochement was not the right solution for their future needs, this was not a problem, but the matter had to be discussed so that the position of the OIML could be strengthened and clarified.

Mr. Magaña said he must take part of the blame for not having prepared a joint strategic report on rapprochement. It must however be realized that the CIPM Bureau and the CIML Presidential Council had come to the conclusion that there was no major advantage or new element for further rapprochement and in these circumstances that both Directors had been very busy, with little time to produce such a report. In his opinion it was up to those OIML Members who wished for closer relations to put forward some ideas on the strategic implications of rapprochement. Rapprochement could take the form of administrative structures or of organizational mission. It seemed to him that the latter was of more interest, but this had major implications for the Members of both organizations, who were concerned with daily applications of metrology within their own countries. It was up to the Members to point the direction for the Director.

Mr. Richard reiterated his wish to renew Resolution no. 3 of the 44th Meeting, and offered his country's assistance in the preparation of the report.

Mr. Issaev reminded Members that he was a Member of both the CIML and the CIPM. So he knew the situation from inside the Metre Convention, where the situation was currently very difficult due to the change of leadership. The problems of rapprochement were different from what they had been 15 years previously when the measure had been mooted. When World Metrology Day was being celebrated, it was important to stress that the activities of the OIML

and of the Metre Convention were going in the same direction, because it was very important for there to be traceability in metrological control, especially in state metrological control, and everybody understood the situation. The CIPM and the BIPM remained interested in close cooperation, but he reminded Members that ILAC was also a partner, and if changes were made they must be made in reference to ILAC also. Without accreditation, without traceability, without documentation related to OIML activities, it was difficult to go forward in metrology. He therefore proposed that three-way cooperation should be encouraged. He did not support Switzerland's proposal that the previous year's Resolution no. 3 be repeated and strengthened.

Mr. Magaña agreed that ILAC was also an important partner but, unlike the OIML and the BIPM, it was not a treaty organization. He proposed that, as Mr. Richard wished, a Resolution should be written saying that any future rapprochement should be studied, this task to be carried out by the two Directors. Mr. Magaña pointed out that the new Director of the BIPM would have a heavy workload, needing to prepare for their 2011 Conference and budget; he suggested setting up a small working group of two or three CIML Members who were keen to contribute in this regard and might make suggestions as to the strategy to be pursued by the BIPM regarding rapprochement. With this they could go to the CIPM.

Mr. Mason supported the statements of Messrs. Issaev and Richard and wished also to follow up the Director's suggestion. He considered that it should be clear that the mandate to produce a report should be in the new Resolution. Only by having a clear and lengthy report would it be possible to consider the relationship between organizational changes and cooperation. There was clearly little scope for organizational changes at the moment, but it must be made clear that the OIML was open to such possibilities as they developed, and saw the importance of working with the BIPM and other bodies to play a part in promoting metrology and its contribution to standards drafting across the world. He also felt that the load should not be laid solely on the Directors of the two bodies; the Presidents should also be involved in the production of the report, and he welcomed also the proposal to encourage participation from Members.

Mr. Richard said that, bearing in mind the changes taking place in both organizations, and also the importance of the report, he proposed as wording for the Resolution: "The Committee gave the mandate to the CIML President to implement Resolution no. 3 of the 44th CIML Meeting with the help of CIML Members and report to the next Conference in two years' time".

Mr. Flandrin added that for progress towards rapprochement to take place it was essential to define the exact areas which were to be explored, otherwise they might find themselves asking the same questions all over again at future meetings. He would like to mandate the terms to be defined. On the OIML side, Members could attend the current Meeting and were therefore in a position to express their views, whereas when it came to the Metre Convention, there were references sometimes to the BIPM, sometimes to the CIPM, but not to a body which represented Member States. He himself, in his capacity as a Member of that organization, had never been approached on the subject of rapprochement with the OIML. It had been emphasized the previous year that it was important for all Member States of both organizations to be able to express their views on the subject, and he felt it was important for this objective to be pursued.

For the benefit of those who might not be familiar with the governance process of the BIPM, Mr. Henson explained that the CIPM was a committee of 18 experts, each from a different

country, who provided scientific advice to the BIPM, but the decision making body was the General Conference, which met every 4 years, the next Meeting being in 2011. Preparatory work for that meeting was done by the CIPM, in consultation with the BIPM. The next possible decision making opportunity for the Metre Convention was therefore a year and a month away, in October 2011.

Mr. Mason concurred that it was important for OIML to be in a position to take a much clearer line at their next General Conference, but before that, many of those now present would be representing their Member States at the Metre Convention General Conference. The Resolution to be drawn up on the present occasion should therefore be drafted with a view to contributing to any work which it was felt necessary for the General Conference on Weights and Measures to undertake in advance of their next General Conference. He would be arguing for that within the Metre Convention himself.

Mr. Issaev agreed that it was necessary to have an OIML strategy on rapprochement, but at the moment it seemed to him that there was more interest in rapprochement on the OIML side than on the part of the Metre Convention. In June 2010 the BIPM had organized the meeting of Directors of National Metrology Institutes in Sèvres and there had been no special discussion under the item concerning rapprochement. So it seemed to him that at the moment this was not a major concern for the Metre Convention and the BIPM. He agreed, however, that the OIML should have its own strategy and policy, and it was clearly possible to prepare these documents early in 2011, especially after the traditional meetings of the leadership of the OIML, the BIPM and the CIPM. It should be possible to clarify the position at the moment and, in a small working group, to prepare a draft document for discussion at the OIML Conference.

Mr. Richard wished to make clear that he had represented Switzerland at the BIPM's June meeting, and had made a personal intervention there on the subject of rapprochement.

Mr. Johnston commented that he was more than willing to have further discussions with the BIPM. He had shared the impression that rapprochement was more important to the OIML than to the Metre Convention, but if that was not the case, then he would revisit the subject with the BIPM. Mr. Henson had earlier stated that there was no business case, and there were some legal problems in the case of a merger. It was necessary to decide what was meant by a "rapprochement". The dictionary definition was a good working relationship with another organization or other organizations. If there was any question of relocation of staff or anything of that sort, an international lawyer had advised him that, since this was a Treaty Organization, any decision that would affect its finances, such as the sale of the BIPM building and a move to the BIPM premises, would require the approval of each country. Funding had been voted by each country for the OIML and not for merger or rapprochement with the BIPM.

Mr. Johnston added that those who attended both meetings should feel free to use their influence at the BIPM meetings. It was not easy to have a one way strategic document which laid down what the OIML would like without having equal input from the people at the BIPM. So again, if he had misunderstood the BIPM's position he was very willing to reopen discussion. He was also willing to put the suggested Resolution to the vote; however, he needed to better understand the exact objectives of this Resolution. Normally, when two organizations were moving in the same direction, there was a mutual understanding of what they were trying to achieve: he did not think that existed in the present case, nor did he know whether he had the necessary influence with the Metre Convention to bring it about.

However, he was happy to concur with Mr. Richard's suggested resolution and with Mr. Magaña's proposal for a small working group to draw up a document – though he was not sure what form such a document might take, without input from both sides. It had been Mr. Johnston who had decided that there was little point in drawing up the report under discussion. He asked Mr. Henson to report to his BIPM colleagues on the mood of the current meeting.

Mr. Henson considered this to be a sound position. Clarity on what was being asked for was crucial for both sides, because at the operational level, as Mr. Magaña had pointed out, more and more combined work and projects were being undertaken. Members would see from Mr. Henson's presentation that on World Metrology Day, Mr. Dunmill and Mr. Henson had given an integrated presentation to UNIDO; at this operational level cooperation was very strong and, if anything, increasing. If Member States were asking for organizational merger, they needed to make this clear, as this was not necessarily what was meant by rapprochement.

Mr. Johnston said that this would be the first subject of discussion for the working group: exactly what they wished to achieve, and what was possible. Once this had been clarified it should be brought to the Metre Convention, to discover whether there was a willingness on their part to move forward on it. Both parties needed to be moving in the same direction, and he was not at all sure that this was the case at present.

Mr. Lindløv felt that it was very important to define what the OIML meant by rapprochement, and what exactly they wanted to achieve.

***Draft Resolution no. 3***

*The Committee took note of the report on the rapprochement with the BIPM. The Committee gave a mandate to the CIML President to carry out Resolution no. 3 of the 44th CIML Meeting with the assistance of some CIML Members, with a view to giving an interim report to the 46th CIML Meeting and definitive proposals for the 14th Conference in 2012.*

Mr. Issaev asked whether the subject of this Resolution was CIML policy, strategy concerning rapprochement, or something else. He also asked what the subject of the interim report would be.

Mr. Richard offered to read again the previous year's Resolution no. 3, which was: *The Committee expressed its appreciation for the good cooperation between the Presidential Council and the Bureau of the CIPM, as well as between the BIPM and the BIPM. The Committee asked the Director of the Bureau to prepare a draft report on the rapprochement in order to inform the Member States of the two organizations about the issue and to encourage further discussion during the 45th CIML Meeting. This report should be mainly strategic in nature and should consider the point of view of stakeholders of both organizations as well as the comments received from CIML Members. This report will be discussed with the BIPM Director. The Committee recommends that it should be sent to all Member States by the two Directors.*

Mr. Issaev proposed that for the sake of clarity the words “mainly strategic in nature” be added in the Resolution following “interim report”, in order to make it clear what was being discussed.

It was agreed that this should be done.

Mr. Schwartz said that Germany supported this Resolution and that he was willing to join the small group of members to work on the interim report, mainly strategic in nature.

Ms. Van Spronsen asked whether this interim report was to be produced together with the BIPM or simply by the CIML, and asked whether, in the latter case, it was intended that discussions with the CIPM should take place after their General Conference in 2015, which would be the first opportunity after the OIML Conference in 2012.

Mr. Johnston replied that it was hoped that the small working group would have produced a document relating just to the position of the OIML, which could be discussed at the Presidential Council in March. Obviously it would then have to be brought to the CIML, after which it would be proposed to the BIPM. Unfortunately the 2011 CIML Meeting was only one week before the CGPM, but it was hoped that the subject could be given to them in advance so that Members could raise the matter at this meeting and thus be ready to take it forward.

Ms. Van Spronsen suggested that a report on the discussions in the Presidential Council should be sent to Members, some of whom would be present at the CIPM General Conference and could raise the matter.

Mr. Johnston regretted that he had not mentioned that it was also his intention to do this.

Mr. Issaev pointed out that there was a meeting of the CIPM in October 2010, so he would ask them for the right to represent their point of view on the small OIML working group.

Mr. Johnston commented that at least six people had already expressed a wish to be part of the small working group, so care must be taken that it indeed remained small enough to be effective.

### **3.1.2 Other liaisons**

#### **3.1.2.1 ILAC / IAF**

Mr. Magaña said that, as Members knew, there was a Memorandum of Understanding between ILAC, IAF and the OIML, with an ILAC/OIML working program, updated every year. The most recent items in this working program had been to carry out inquiries in the two organizations about the use of accreditation of testing in legal metrology on the part both of the accreditation bodies and OIML Member States. Some results were already available but the inquiry was ongoing. Results showed that accreditation was increasingly used for legal metrology issues, and that ILAC accreditation advice would be perfectly aligned with the peer assessments carried out by the OIML for the MAA. It had been definitely decided that peer assessment for the MAA would be carried out exactly in accordance with the regulations for accreditation audits.

Joint work with ILAC concerned product certification. Work on prepackages was already underway, and a start would shortly be made on conformity to type. The BIML would be working closely together with the IAF on these projects<sup>1</sup>.

The BIML was working closely with ILAC and IAF on revision of D 1, *Elements for a Law on Metrology*. Members would later hear a presentation by Mr. Kochsiek on this issue. D 1 had originally been drawn up in close liaison with the BIPM and ILAC, and this cooperation would of course continue on its revision. There would be a presentation on this.

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<sup>1</sup> BIML note: Since the meeting, the BIML has started discussions with IAF on drafting a work program.

***Draft Resolution no. 4***

*The Committee noted the report on the liaison with ILAC/IAF and expressed its appreciation of this good cooperation. The Committee instructed the Bureau to pursue the common work with ILAC/IAF, also considering the future needs related to OIML acceptance and certification systems.*

Mr. Schwartz wished to draw attention to the note added to the revised MoU. The note dealt with the scope of accreditation, stating that legal metrology activities should be mentioned within the scope of accreditation, but making an exception for the time being. In negotiations with ILAC on this point, the OIML side was insisting on clear statements concerning the scope of accreditation if conformity assessment and OIML Recommendations were concerned. This was not the case at the moment but would soon become so when accreditation also covered conformity assessment. Acceptance of the note was dependent upon this insistence.

Mr. Magaña agreed. In a recent exchange of emails with Daniel Pierre, the Chairman of ILAC, regarding revision of the MoU, it had been agreed that the scope would include the application of OIML Recommendations and legal metrology activities.

**3.1.2.2 ISO / IEC**

Mr. Magaña explained that the MoU with ISO had been updated a couple of years previously; this was working very successfully and the Bureau was kept informed of the activities of ISO and its databases, which were of interest for the OIML. The OIML enjoyed regular communication with ISO on the activities of both organizations, and the BIML was consulted on draft ISO Standards when relevant.

In particular the Bureau had attended meetings of ISO CASCO and its Working groups, concerning mutual recognition and certification. The Bureau also followed the work of ISO on statistical methods, which are of high interest for legal metrology.

Concerning the IEC, the Bureau had been expecting to discuss with them the revision of the existing MoU. There had not yet been time for this, but it was hoped that it would be done as soon as possible<sup>2</sup>. Relations were, however, generally very good. There would also be a presentation on this.

***Draft Resolution no. 5***

*The Committee noted the report on the liaison with ISO and the IEC. The Committee instructed the Bureau to pursue the cooperation with ISO and to set up similar working relations with IEC.*

Mr. Schwartz offered to contact the new IEC President Elect, Klaus Wucherer, with whom he already had contacts, which could perhaps be of help in future relations with the IEC. Concerning Draft Resolution no. 5, he would like an addition at the end, reading “and to convey information to CIML Members”, as was included also in the later Draft Resolution no. 6.

These words were duly added.

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<sup>2</sup> BIML note: Since the meeting, the BIML has started discussions with IEC on drafting an MoU.

Mr. Harvey wished to add that in the course of the current year's meetings with the BIPM, ILAC and ISO, there had been discussion as usual about the developing economies, and it had been noted that measurement accreditation and standards were not included in the UNDP Millennium goals. It had been decided that this matter should be examined. ISO was known to be already in contact with UNDP and had undertaken this work on behalf of the OIML and its liaison organizations.

Ms. Vukovič wished to know how information on standards and statistical methods would be distributed to CIML Members.

Mr. Magaña replied that information on progress in specific revision of Standards could be given to Member States, but the revised Standards could not be distributed.

### 3.1.2.3 World Trade Organization

The Bureau had previously, in its status as Observer, attended various meetings of the TBT Committee of the WTO each year. It had not attended so many in the last year, but needed to attend at least one meeting per year, as otherwise its existence would be forgotten. Short updates on OIML activities of interest to the TBT Committee were sent to TBT Members so that they were kept informed on legal metrology. TBT Members were entitled to make comments or ask for explanations. Notifications made by WTO Member States of changes to technical legislation related to metrology or which might have implications for legal metrology were posted on the OIML web site. The Bureau and OIML Members also had access to the TBT web site. Updates were made as relevant notifications were received. Issues on labeling had been raised, but little of relevance to legal metrology, but the BIML remained informed about what happened there. Members might remember that some years previously the WTO had organized regional awareness meetings, in conjunction with the OIML, ISO, IEC and Codex Alimentarius but none had taken place in the previous two years.

#### ***Draft Resolution no. 6***

*The Committee noted the report on the liaison with the Technical Barriers to Trade Committee of the World Trade Organization and instructed the Bureau to maintain appropriate contacts with this organization and to convey relevant information on TBT issues to OIML Members.*

### 3.1.2.4 Codex Alimentarius

The BIML had had a number of contacts with Codex Alimentarius concerning prepackages and had presented a report at the Codex Alimentarius Commission concerning the ongoing work in OIML TC 6 *Prepackaged products* and the Recommendations on prepackages and labeling. There needed to be some discussion with Codex Alimentarius as there was some overlap between their work and the OIML's on food labeling and on terminology for prepackages. These discussions had been postponed but would no doubt shortly take place.

***Draft Resolution no. 7***

*The Committee noted the report on the liaison with the Codex Alimentarius and instructed the Bureau to continue to work for the consistency of the publications of the OIML and CODEX and to examine additional fields of cooperation with CODEX other than prepackages.*

Mr. Ehrlich asked for the addition of a request to keep Members informed of these discussions, as had been done in previous Draft Resolutions.

Mr. Carstens preferred wording that would ask for Members to be informed before any approach was made to Codex Alimentarius.

Mr. Magaña considered that the wording “any approach” was restrictive, as the Bureau needed to be able to send information to Codex Alimentarius. He would prefer “any proposal to contact”.

The words “to inform CIML Members of contacts with CODEX and consult Members before any proposal is put to CODEX” were duly added.

Mr. Schwartz wondered about the reference to addition of fields of operation. He wanted to know whether there was any information as to which fields of operation these might be.

Mr. Kool regretted that he had no such information. He said that Codex Alimentarius dealt with standards for food safety and that very often these included test procedures, for instance to determine residual levels of substances in food products. These would involve measurements, for some of which OIML had Recommendations for the measuring instruments that were used. This was one possible area of cooperation.

Mr. Magaña added that there were Regulations on instruments for measurement of pesticides.

3.1.2.5 UNECE (United Nations Economic Commission for Europe)

UNECE Working Party 6 deals with regulatory issues, developing model technical regulations and guidance. The Bureau had always attended this Working Party but in the last year or so had paid it more than usual attention. The Bureau had given a presentation at the Annual Meeting of this Working Party, and WP6 had also organized a Conference about Risk Assessment and Management in technical regulation. So liaison was becoming closer. The WP Secretary had been invited to give a presentation at the Presidential Council and areas of cooperation had been identified with a view to a possible MoU. This was now being investigated and developed and a report would be presented as soon as it was available.

Mr. Schwartz said that he had been interested to find on the internet a draft cooperation agreement between UNECE and the OIML, to be signed in 2010. He felt that this should have been made available to CIML Members, in which case they could add it to Draft Resolution no. 8, after the CIML Members had agreed to the signing of this draft agreement.

Mr. Kool informed Mr. Schwartz that the draft cooperation agreement he had found on the internet had been put there prematurely by the UNECE Working Party 6 Secretariat. It had not been discussed at all, though it had, he believed, been presented to the meeting of the Presidential Council. Not having been discussed in substance, it should certainly not have been on the internet. Mr. Kool believed it had also been distributed, by error, to participants in the Working Party.

Mr. Magaña confirmed that it was still a preparatory working document. Naturally there was no question of the President signing an MoU with UNECE before asking Members for their comments.

Mr. Schwartz thought it would still be a good idea to circulate the document to CIML Members even though it was still a draft agreement.

***Draft Resolution no. 8***

*The Committee noted the report on the liaison with the UNECE and instructed the Bureau to inform CIML Members and consult them on the envisaged cooperation.*

### **3.2 Presentations given by Liaison Organizations**

#### **3.2.1 BIPM**

Mr. Henson thanked OIML Members for inviting him. He apologized for the absence of the BIPM Director, but there was a direct clash of dates with the Regional Metrology Organization Meeting in Egypt. Mr. Henson also pointed out that he was a relative newcomer to the BIPM, having started there only in April 2010, and acknowledged that possibly some other people in the room knew more about certain issues than he did!

Beginning with the current status of the CIPM MRA, Mr. Henson said that membership, at least associate membership, continued to expand. There were three new Members in the present year, with two other AFRIMETS Members on the point of joining, also as Associates. Also, Kenya had transferred from Associate to Full Membership. This expansion was promising.

The CIPM MRA was open both to Members and to Associates, and was indeed the principal reason for new members joining. Although membership of the MRA was smaller than that of the OIML, it was growing. There was, however, concern that coverage in Africa and the Middle East was too low. A lot of effort was going into changing that situation and this was one of the areas of good cooperation with the BIML.

Mr. Henson explained that there had been a change in the CIPM (he reminded those present that the CIPM comprised 18 individuals from different countries, who oversaw the activities of the BIPM, though they could not pass resolutions – only the Member States could do this every four years in the General Conference, which would be held in 2011). Andrew Wallard would be retiring at the end of 2010 and Michael Kühne would take over as Director. BIPM Regulations required that the Director of the BIPM and the President of the CIPM should not be from the same Member State, so on that basis Professor Göbel would stand down and Barry Inglis would take over as President from January 2011. Bob Kaarls would continue as Secretary of the CIPM.

The BIPM had been assessing criteria for the establishment of a new regional body. This was the first time they had needed to think about it, but there was a movement in the Gulf Region now to set up GULFMET, a regional collaboration, and the BIPM had realized that they did not have any procedural method for this. This had now been done, and a policy for traceability had been established with the CIPM. Now that this policy had been published, there had been representation from private industry asking them to look again at it; this would be an interesting debate at the CIPM. The problem pivoted on cases where countries with modest capability took traceability from established regional equipment manufacturers.

The BIPM continued to put significant resources into work with ILAC on a large number of documents. Perhaps one of the reasons why rapprochement with the OIML was not at the top of the BIPM agenda was that they were very focused on scientific work related to their unit redefinition. The kilogram was now the only measurement unit to have an artifact as a primary standard.

The other current major international project involved counting atoms and still needed a combination of technologies and considerable improvement. A decision as to whether to propose redefinition was to be taken at the CIPM the following month. The decision itself would be taken by the General Conference the following year. He thought, however, that such a proposal was unlikely to be made so soon. The alternative technique was the Watt Balance, upon which a number of organizations were also working hard. The BIPM was seeking to establish its own Watt Balance, which was now operational, and first results had been produced, but there were still large uncertainties, with more work remaining to be done. This would have a consequence, namely that the kilogram would acquire an uncertainty instead of being the absolute definition itself as a mass artifact, so this was of interest to those present.

Work on the Kelvin was also progressing well. Three techniques were shown on a slide, but others were also involved, all of which were advancing well. It could be seen that considerable progress had taken place between 2006 and 2010. This would have consequences, but not a very large impact on the international scale as disseminated; it would improve capability at higher temperatures.

Recent activities had included the Directors' meeting already mentioned, at which rapprochement had been raised. Other matters discussed had included celebration of ten years of the CIPM MRA; a number of workshops on physiological units, on nanoscale activities and, crucially, on a joint BIPM/WMO Workshop in Geneva. They had, as already mentioned, had both quadripartite and bilateral meetings with OIML.

Mr. Henson said that his present and future bosses were at present occupied at the JCRB Meeting in Egypt. The CIPM Meeting would take place very shortly, and then, in 2011, the General Conference, preparatory work for which was taking precedence at the moment over thoughts of rapprochement with the OIML. Reports were available on the BIPM web site on both the nanoscale workshop and the physiological units, giving an idea of where the future lay in scientific metrology.

One of the year's most important events had been the meeting in Geneva between the World Meteorological Organization and the BIPM. The report on this had not yet been published, but it had been a very major workshop, out of which many ongoing activities would result. Measurement in climate change was far from simple and the meeting had demonstrated some significant uncertainties, so that it was not surprising that metrology was closely and increasingly involved.

As examples of the work the two bodies were doing together Mr. Henson showed a joint OIML/BIPM press release on World Metrology Day and some photographs of himself and Mr. Dunmill at a joint training seminar given in Vienna to UNIDO technical assistance staff so that they understood when they help Developing Countries to put in their MASQ (*Metrology – Accreditation – Standardization – Quality*), that (a) metrology mattered, and (b) how to link scientific and legal metrology together. These were examples of how well practical work was being carried out between the two organizations – which was in fact the caption on the UNIDO press release.

Finally, Mr. Henson passed on Andrew Wallard's good wishes and thanks, prior to his retirement on 31 December, and relocation to the Provence area of France. Mr. Wallard would have liked to be present and to give one last presentation to the OIML but this had not been possible because of the clash in dates. He told Members that he had written a more detailed paper which would be circulated.

### **3.2.2 ILAC/IAF**

Mr. Dougherty thanked Members for their invitation. He said that ILAC and the IAF valued their relationship with the OIML very highly. The organizations shared the common goal of achieving confidence in conformity assessment results.

ILAC members accredited testing and calibration laboratories according to ISO/IEC 17025. They also accredited proficiency testing providers, reference material producers and inspection bodies. A separate written report had been provided by ILAC to the OIML.

ILAC had 66 Full Members representing 55 economies. These were accreditation bodies that had been peer evaluated and were signatories to the ILAC MRA. They also had 22 Associates, including accreditation bodies that had not yet been peer evaluated, but that were working towards this goal.

IAF Member accreditation bodies accredited management systems certification bodies, product certification bodies and certifiers of persons. There were 62 accreditation body members, 46 of which had signed the IAF MLA. The 10th Joint General Assembly would be held in Shanghai from 20 to 29 October 2010, where the 12th anniversary of the IAF MLA and the 10th anniversary of the ILAC MRA would be commemorated. Mr. Johnston would be attending that meeting, as he himself had already told Members, and the tripartite OIML/ILAC/IAF MoU would be re-signed.

Peer evaluations for the ILAC MRA and the IAF MLA were mainly carried out by the regional groups. The regions were evaluated at the international level and were first qualified for specific MLAs or MRAs. Each recognized region then conducted peer evaluations themselves. A few accreditation bodies were not members of the regions, in which case ILAC or the IAF conducted the peer evaluations separately. But the regional bodies' work was what really underpinned the international MLAs and MRAs. These groups were:

- IAAC: the Inter-Americas Accreditation Cooperation, representing North, South and Central America. This body covered both ILAC and IAF accreditation, without separation of these activities;
- EA: European Cooperation for Accreditation, representing European organizations and covering both ILAC and IAF needs;
- SADCA, an association of organizations in Southern Africa, a developing region, which had not yet been through peer evaluations, but which planned to do so in the future, and were working towards recognition. A regional accreditation body was also in the process of being developed, called SADCAS, which would encompass most of the members of SADCA;
- PAC and APLAC: both sides of the Pacific Ocean in the Asia Pacific region were covered; PAC was mainly concerned with IAF activities and APLAC with ILAC

activities, but they were beginning to meet among themselves, and might come together in the future.

ILAC and IAF had been discussing merger for about ten years, and the subject had been beginning to dominate executive committee time in both organizations. One of the biggest events at the previous year's Joint ILAC/IAF Assembly in Vancouver had been to call the question – should they merge or not? If they were going to merge, all the energies of both executive committees had been directed into making that happen. However, if the vote went against merger it would be possible for each of them to devote their energies to their real purpose of assuring the credibility of accredited conformity assessment. The results of the vote had shown that a majority of both groups were in favor of merger, but a 66 % majority was required in IAF and 75 % in ILAC, and the required majority was not achieved in either group. It was therefore decided that merger talks should be discontinued and each executive committee should focus their efforts upon their own group's mission.

They were also continuing to work very closely together, and it seemed to Mr. Dougherty that, in the long term, the two organizations would merge, but by a natural progression as they learned to work better together. The Joint Committee on Closer Cooperation had been dissolved because as they worked more closely together there had been a number of joint initiatives where those groups were reporting through the JCCC, but this body had no decision making authority; indeed a cumbersome organizational structure had been created.

Joint meetings of the two executives now took place three times a year. With both executives present, the body now had complete decision making authority, which had streamlined processes. So they continued, and would continue, to work more closely together. Each of these meetings took three days: the IAF or ILAC Committee met on one day, the joint committee always on the second and the other committee on the remaining day. Two such meetings had been held since the Vancouver Conference, one in Paris in March and the other in Mexico City in June, and it had been found that more and more items were being moved off the separate meetings and into the joint one. More common issues than separate ones were thus being addressed.

As had previously been mentioned, an update to the agreement with the OIML would be signed in Shanghai. Mr. Dougherty believed this was the third revision. The most important joint aims were to obtain a list of technical experts who had been recognized by the OIML, and to find a way to get these people involved in the accreditation activities of the accreditation bodies.

The July issue of the OIML Bulletin contained two excellent articles about the cooperation which was taking place between ILAC and the OIML. It was obvious that at present cooperation between the OIML and the IAF was even closer, but, as President of IAF, he was hoping that within the next year or so it could be even more dramatically improved.

All three organizations were among the ten organizations working together in the network on Metrology, Accreditation and Standardization for Developing Countries. Under the secretariat of François Rauser of the IEC, much had been achieved in the last year. A good and informative web site had been established and development had emerged from the DCMAS Network.

Within the IAF and ILAC there was a common liaison representative who worked for COFRAC, the French accreditation body. Mr. Dougherty provided a list of ILAC and IAF

contacts which could be found on their web site. He thanked the OIML for their invitation to the meeting.

Ms. Van Spronsen commented that there was some concern in the Netherlands about metrological experts: not the fact that they were being trained but how they were going to be involved in the accreditation process. Would they be approached as private individuals, or would an approach be made through the company they were working for to seek an expert for accreditation?

Mr. Dougherty replied that accreditation bodies were required to have appropriately competent individuals to do the accreditation assessments, but recognizing the specialized expertise which sometimes became involved in this area was part of the reason why they valued their partnership with the OIML. They would like to develop more effective processes for getting OIML experts involved with accreditation assessments. When things did not work, it was normally because appropriate processes had not been developed. Accreditation body personnel needed to know exactly how to make the appropriate contacts to give access to those experts and vice versa. This was the area that needed work so that systems might operate effectively.

Mr. Johnston asked whether, given the ILAC/IAF rapprochement experience, Mr. Dougherty might like to volunteer for the OIML small working group mentioned earlier in the session.

### **3.2.3 IEC**

For the IEC, Mr. Rotti said that he was from the IEC Central Office, speaking in place of Jonathan Buck, their Director of Communications and Marketing, whom some of those present might know.

The IEC had been founded in London in June 1906, by the developed nations of the time. It was one of the world's first such organizations, founded by a market need to find common terminology for electro-technology. The IEC had observer status with the United Nations and a lot of government input, but fundamentally were still most influenced, as in 1906, by industry and market players. The IEC was a one country one vote organization, whose participants worked through fully representative national committees. In the 110 years of their history, the Commission had evolved into the global provider for international electro-technical standards and the provider for globally recognized conformity assessment systems for the global market.

The IEC had within the last ten years begun to set up regional centers. There was currently a regional center in North America just outside Boston, a regional center in Singapore, and there was now a regional center in São Paulo, Brazil. The IEC covered electrotechnology from the power plant to the factory to the home; they covered everything from household appliances, power tools, to overhead electrical conductors to overhead transmission lines. The organization was continually growing, and there were currently 162 members – 81 member countries and 81 affiliate countries, i.e. countries which were not yet full members of the IEC but which the IEC hoped would become so.

Some of the more recent technologies covered included electric vehicles, smart grids, which seemed to be a major area at the moment, and renewables.

Some of the primary concerns covered by the IEC were safety, the environment, energy efficiency, and interoperability. Mr. Rotti showed a slide of the IEC/OIML technical liaisons in the 13 IEC technical and Subcommittees.

The IEC had in the previous week published a white paper on smart electrification, setting out energy challenges in office solutions over the next 20 years. This had been launched at the World Energy Conference in Montreal. It was available on the IEC web site. Its principal message was that the demand for energy was growing fast, and for electricity even faster. The IEC believed that smart electrification, intelligent and economical use of electricity as a major energy source, would be one of the most significant factors in addressing the energy challenge. Its second principal message was the systems approach: when the system was considered as a whole, techniques presented themselves which reduced overall need for energy, and which were not available if only individual components were considered. The smart grid could deliver and was a major player in what the IEC was doing at present. They believed that standards would play a key role. This systems approach was critical in meeting future needs, and the IEC standardization management board was now working to provide guidance on implementation of the white paper recommendations.

The IEC and the OIML had a long and successful history of cooperation. There were new challenges and opportunities on the immediate and long term horizon and those present were asked to remember that the IEC was with them as a partner, and they would like Members to review the white paper and provide any feedback if possible.

Mr. Rotti thanked Members for their attention.

Mr. Magaña commented that the IEC had an international conformity assessment procedure. The OIML kept in close liaison with the IEC to learn from their experience on conformity assessment, and would invite them to all discussions in which they might give their experience on this issue.

### **3.2.4 CECIP**

Ms. Martens explained that she was representing CECIP, which was the European federation of manufacturers of weighing instruments. She was grateful for the opportunity to speak of matters of interest to this group. She would explain what CECIP was, then speak of the economic situation of the weighing industry, followed by a summary of the items of major interest for CECIP in Europe, and then those they had in common with the OIML. She would restrict her talk to the most important matters, though of course they were interested in many more.

CECIP represented about 700 manufacturers, with a total workforce of about 50 000 and a turnover, in 2008, of about three billion euros. They also represented small, micro-companies of one to three people, who usually bought components from the bigger manufacturers, then put them together to create tailor made systems for their users. CECIP represented national organizations. This meant that individual manufacturers could not be direct members, but only national federations. Membership was not restricted to EU countries, but all of Europe from Ireland in the west to Russia in the east.

As everybody knew, the economic situation was similar all over the world, with a decrease in imports and exports. All member countries had reported a significant decrease in economic output in 2009, and in addition difficulties were expected for 2010, though there was some

improvement. Total turnover for the industry had decreased by about 14 % compared with 2008, with exports going down by about 20 % and imports by about 17 %. This was not of course specific to the weighing industry, but common to industry in general.

Regarding activities in Europe of special interest to CECIP, Ms. Martens said she intended to refer to the two projects running at the moment with the European Commission. One was the so-called New Legislative Framework, of which the several directives currently under discussion were of great interest to CECIP. For example, the Non-automatic Weighing Instruments Directive and the Measuring Instruments Directive. These Directives would in future provide detailed information on the requirements to several economic operators. As a result of these CECIP would have additional responsibilities and more administrative requirements to the economic operators and especially to the manufacturers. There would be detailed regulations for conformity assessment; there were already some modules, but the new requirements for putting instruments onto the market and under legal control would be much more detailed. Ms. Martens was not referring to the market use of instruments, which did not fall under this legal control – Europe had a two tier market. Under this New Legislative Framework (NLF) there would be strong requirements for market surveillance and these market surveillance activities had to be carried out by the EU Member States. The reason for this was to protect users and, also of great interest to CECIP, to achieve fair competition. This was a very important issue of the new legislation. No change of technical requirements was under discussion in this Directive.

Another current project under discussion in Europe was the revision of the Measuring Instruments Directive. There was discussion of additional instruments to be integrated in new annexes, and of course of some changes to existing parts of the annexes.

Regarding the OIML Ms. Martens told Members that OIML Recommendations played a large role in Europe, because such Recommendations, under the MID, were considered normative documents, meaning that they could be referred to in checking whether essential requirements had been fulfilled. This was what made the work of the OIML so important for CECIP. One of these Recommendations, for example, was R 51 *Automatic catchweighing instruments*, which was used in this way, as also were R 61 *Automatic gravimetric filling instruments* and several others.

An OIML project of major interest to CECIP was the revision of R 60 *Load cells*, work on which had already begun. This was important to them because in Europe a manufacturer who put a weighing machine onto the market had to declare conformity with all the requirements which had to be fulfilled for that instrument. If the manufacturer bought a load cell from the market, either in Europe or elsewhere, he had to be sure that it fulfilled the requirements under, for example, R 76 *Non-automatic weighing instruments* or R 51. Therefore they had to harmonize R 60 with the requirements of such Recommendations.

Another OIML activity of strong interest for CECIP was discussion of the MAA and recognition of manufacturers' test laboratories under the MAA. If this was done, it was possible to find partners in industry with the same goals. This was very important for achieving in the future a higher level of conformity in markets all over the world, and would give manufacturers not only burdens but also perspective. Other laboratories would follow those that were first in the field, and in this way an incentive was being offered to manufacturers to qualify instead of merely having increasing costs.

The problem all over the world was that additional regulations meant increasing costs for manufacturers. There had to be some way of getting a return on investment. Ms. Martens

considered that fair trade and fair competition were very important all over the world. If people knew a manufacturer was under the issuer's authority, anywhere in the world, and that qualified OIML auditors had inspected their laboratories, then they could rely on their products better than was the case at the moment. For these reasons, she considered that manufacturers' test laboratories (MTL) should be recognized under the MAA. It was known that requirements had been drafted and would be under discussion in the following month. CECIP felt that impartiality and independence was a very important issue, which they felt could be solved. She added that the MTLs also felt that it was very important to be impartial and independent. They all had the same goal.

Ms. Martens referred finally to the document on uncertainty in measurement, now under discussion within OIML TC 3/SC 5. CECIP considered that this was a very important document, since it was essential for rules to be set up and for requirements in legal metrology to be harmonized. These harmonized requirements could then be taken into account in individual Recommendations, but in addition in the testing of instruments during production and, later, under legal control. At the moment, that was not the case and currently the requirements were different in all of these cases. This was an important issue for the future, with strong consequences and it was essential for it to be discussed, together with its consequences for some well established Recommendations, and everybody must be aware that the changes had to be solved before harmonization was possible. But nevertheless this was very important and if it was not made the starting point it would not be possible to go into the future.

Ms. Martens thanked Members for their attention.

Mr. Awosola asked Ms. Martens what new instruments were the subject of the MID revision, and how soon the revision would be completed.

Ms. Martens replied that many instruments were involved, many of them not concerned with weighing. A questionnaire from the European Commission included descriptions of many of them and would be the best source of information. Some European OIML delegates such as Ms. Lagauterie might also have information on the subject. She herself would also give what help she could.

Mr. Magaña asked Ms. Lagauterie whether she could shed any light on the subject. He also thought there might be a questionnaire available online on the European Commission's web site.

Ms. Lagauterie confirmed that there was a public consultation on the European Commission's web site, which was due to close at the end of October. The working party reporting on the application of the Directive had published some proposals for modification of the Directive. No decisions had yet been taken and it was not known whether the proposals for changes to the Directive would be accepted. A strong distinction must be made between the new regulatory framework, which had already been accepted and would be integrated into the Directive, and on the other hand, that part which was at present simply a report and some proposals, upon which decisions would not be published until 2011, because this report had to go to parliament.

Following these discussions, Mr. Magaña proposed the following wording for Draft Resolution no. 9:

***Draft Resolution no. 9***

*The Committee thanked the liaison organizations for their presentations and instructed the Bureau to take due account of the expectations expressed by these organizations in the coordination of the work of the OIML Technical Committees and Subcommittees.*

**3.3 Report on the Round Table with Regional Bodies**

Mr. Magaña reminded Members that this Round Table had been held the previous day. There had been good attendance: AFRIMETS, APLMF (in the chair); COOMET, GULFMET, EAMET, SADCMEML, SIM, and WELMEC. There had been 30 participants, and the attendance list could be found on the Regional Organizations web page (<http://workgroups.oiml.org/rmos-forum/rmos/2010-round-table>). The presentations given by these Regional Bodies were also available on the same pages and could be downloaded for examination.

During the meeting, the conclusions of the previous year's Round Table had been approved with small amendments. SADCMEML had accidentally been omitted from the list of participants of the previous year. The revised terms of reference for the Round Table had also been approved, the amendments being quite minor.

There had been discussion on the inquiry on national regulations. A number of Regional Bodies had carried out inquiries on national regulations, or were planning to do so. The OIML inquiry on national regulations was available and could be used by the regions. All members of the Regional Bodies were entitled to respond to it, and the format was being restructured to make it more user friendly. The revision would allow all members of the Regional Bodies to obtain a login and a password and complete the inquiry. The queries on this database would also make it possible to draw up a presentation and statistics for each region – which countries regulated which categories of instrument, and so on. Some Regional Organizations had also mentioned that on their own web sites they had more detailed information about national regulations.

Another issue which had been discussed had been how to motivate other departments in a country to participate actively in OIML work. This was not, properly speaking, a regional issue, but there had been an exchange of views upon it. Attendees were of course reminded of the existence of the Treaty, which made the OIML Recommendations more or less mandatory for Member States, which were morally obliged to follow them. The TBT agreement also obliged them to follow international standards and OIML Recommendations. This was not, however, always the best way to raise awareness and to entice other departments to cooperate. Good relations and diplomatic skills were also needed on the part of the CIML Members, in order to motivate other ministries to cooperate. CIML Members were reminded that their role was not only to represent their countries in the OIML but also to represent the OIML in their countries.

There had also been discussions on training, which was more of a regional issue. An OIML work group on training had been set up, so Mr. Magaña had presented this and explained that it could also be found on the web site. Training Bodies could upload information about their activities and who they were, and also information on planned training courses. All the

Regional Bodies had been invited to upload information about training that was planned in their regions, so that the regions could know what the current training program was.

The possibility of exchanging training material and videos had also been discussed, but this was a more complex matter which would need further study, because it was not easy simply to circulate training material without taking certain precautions.

Access to funding had been discussed: in order to access funding from donor bodies, it was necessary to emphasize the importance of metrology, accreditation and standardization in development. There was no problem with UNIDO; however, UNIDO had very few programs on their own funding, except for the least developed countries, and most of their other programs were based on voluntary contributions for one country. So their resources were rather limited. It was still necessary to raise the awareness of other donor and funding organizations about the importance of MSTQ<sup>3</sup> as a tool for development; much remained to be done on this issue. There was the additional difficulty that a country or region could not simply go to a donor organization, present a program and ask for funding, because generally these donor organizations had their own strategy and their own program. They defined their goals and what they would do. So thought would have to be given to how to make progress on this.

In conclusion, discussion and exchange of views and information at the Round table had been very lively. Training, which was a major issue for Regional Organizations and especially for developing countries, had been highlighted, and work on this should be actively continued both by the Bureau and by Regional Bodies, and Regional Bodies must provide a contribution for the exchange of information.

Mr. Magaña asked whether there were any comments.

Mr. O'Brien asked about the training videos which had been mentioned. He pointed out that a number of economies, for example the UK and Australia, had some quite useful resources, and he wondered whether the OIML could see any way of making those resources available so that others could be aware of them and not duplicate what already existed.

Mr. Magaña said that the Bureau could ask each region what training materials they had used, and the name of the person who should be contacted to make them available. It would not be possible to have this material downloadable on the web site, and in any case, videos should be provided to trainers and not directly to the public.

***Draft Resolution no. 10:***

*The Committee took note of the conclusions of the Regional Bodies Round Table and invited the Regional Bodies to post information on the various workgroups web sites that are at their disposal.*

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<sup>3</sup> Metrology, Standardization, Testing and Quality (MSTQ)

## **4 CIML Presidency**

### **4.1 Presentation of the candidates to the CIML Presidency**

Mr. Magaña explained to Members that the candidates for President would now make their presentations, and that the vote would be taken on Friday 24 September.

#### **Mr. Alan Johnston**

Good afternoon Ladies and Gentlemen.

I would like to take a few minutes of your time today to seek your support for my re-election as President of the CIML. The next seven years present many opportunities and challenges for both the CIML and the OIML. For example, recent world economic events have demonstrated how closely connected our countries' economies are and how difficult it can be if we do not cooperate with each other. Never before has there been such a strong incentive for the harmonization and standardization of the rules and requirements governing the millions of measurement based transactions which occur on a daily basis around the world.

Today, citizens in our various countries want to enjoy the advantages of a global economy, but they still expect their government to provide them with protection in terms of health, safety and environmental issues. Our discussion this morning on rapprochement is another example of a challenge that is going to be facing the OIML and CIML Members in the future.

I believe my experience in leadership would be an asset in working with you to position the OIML to assist legal metrology organizations to meet the challenges and opportunities they face today, and will face in the future.

Take for example the MAA. In my presidency real progress has been made, although at a slower pace than I had anticipated. A good foundation has been established, and as President I would work with you to ensure the continued success of the MAA. I believe that over time we will have to accept manufacturers' test results under controlled conditions. What those controlled conditions are, at this point I am not sure. The challenges to address the issues faced by utilizing countries, for example, to develop confidence in a manufacturer's test results in a country located halfway around the world, or having to explain to their own political masters and domestic manufacturers that test results from a manufacturer in a foreign country may be acceptable but theirs are not. It is a complex issue, requiring more than development of procedures and criteria. However, without a solution or a compromise, I believe the MAA cannot achieve its full potential.

During my time as President I have worked with you to develop a closer working relationship with other standard-setting organizations. A number of MoUs have been signed with UNIDO, ILAC/IAF and the BIPM. If re-elected, I would work to further strengthen relationships between these organizations, and in particular between the OIML and the BIPM.

Today the field of legal metrology is changing and expanding. In order to meet the challenges faced by many member countries, we need to have a discussion on the emerging areas of legal metrology and what role the OIML will play in these emerging areas.

More support for developing countries is another important issue which needs to be discussed. I believe my experience as President would be an asset in providing guidance and leadership during these discussions, which will shape the future direction of the Organization.

An effective CIML and OIML requires strong corporate governance and capable staff. Accountability for the expenditure of financial resources and the management of human

resources in international organizations is extremely important, given the pressure that CIML Members themselves are under to justify their budgets, as well as membership costs in international organizations.

During my term as President, with the CIML's approval, I requested that a management audit of the BIML be carried out and I took steps to address the problems identified as a result of the audit. But we have to continue to do this work. If re-elected, I would look closely with the new BIML Director to clearly articulate the expectations of the CIML and the OIML with regard to the corporate governance expected from the Secretariat, and to ensure that systems and guidelines for appropriate administration of funds are established and followed. I would also work with the new Vice-President.

Speaking in French, Mr. Johnston went on to say that to be effective, the CIML and the BIML needed to respect the needs and points of view of its Member States. As President, he had encouraged the Members to take part in the examination of questions on the meeting agenda. He had allowed plenty of time for agreement in the taking of decisions affecting the Members and the management of the OIML. If elected, he would continue to encourage the Members to participate more and to define ways to facilitate their reactions. Mr. Johnston then returned to English, saying:

I believe the next six years represent a period of great opportunity for the organization. I think we need a CIML President with strong management skills. I would also like to say that I think the other two candidates possess those as well. I think you need a person who can dedicate the necessary amount of time to ensure a sound corporate governance structure is in place and to provide appropriate guidance to the important work we have to undertake. Now, during my last five years, I must admit I found it challenging at times to devote enough time to my responsibilities as President of the CIML. Living in Canada, it was not a simple two-hour train ride – it took a week!

I am presently eligible to retire and my plan would be if re-elected to retire at some point in the future, which would allow me to devote more of my time to the OIML.

Again speaking French, Mr. Johnston told Members that five years previously he had had a good knowledge of French, but that unfortunately, at the moment, he was too inhibited in speaking French and also he lacked the necessary vocabulary to have a good conversation or discussion in French. But he said that in the future ... (*return to English*).

I plan to devote more time to bringing my French back up to where it was five years ago; indeed I think it is a personal issue for myself, having had the advantage of being quite fluent in French and then keeping that up during my course as President.

Again, just to reiterate, in closing, I believe the experience I have gleaned over the last five years as current President of the CIML, as well as my experience of managing corporate governance structures, position me well to provide the necessary leadership for us to complete the important work we have started. I look to your support. Thank you for your attention.

### **Mr. Grahame Harvey**

Good afternoon, colleagues and friends.

I would like to begin this presentation by paying tribute to our current President, Alan Johnston. He is coming to the end of the six-year term. As you know, Alan is an administrator

with a background in accountancy. He has confessed to me on a number of occasions that he likes nothing more than to look over a series of financial figures. Alan has served as President at a time when the OIML was under considerable pressure about rapprochement with the BIPM, and I think he did an excellent job in responding to this challenge and warding off what could have been an unfortunate marriage between the two organizations - I think it would be more in the nature of a shotgun wedding - and in keeping the discussion in terms of the dictionary definition of rapprochement, in other words, closer involvement. At the end of his term, Alan will have served as President for six years. This is a long term, and I believe that an organization such as ours needs new ideas and constant renewal in order to bring it forward and remain relevant. Next year, we will have had six years with an administrator as President, and while that is no reflection on Alan, I believe it is time for change.

In terms of my background, I am an entirely different person. My background is in physics. Then I saw the light and became a legal metrologist. I have now have over 25 years' experience working as a legal metrologist, working in areas such as policy development, legislative amendments, metrication, pattern approval, helping through the introduction of a national system of trade measurement. In the platform that I prepared for this meeting, I mentioned some of my achievements while CIML Member for Australia, and as Second Vice-President. If you are as busy as I am in the day job, then you might not have had time to read those comments in the CIML papers. I will just list my achievements here as dot points and urge you to read about them when you get time:

- Firstly, I helped to resolve the MAA fee structure, at the 2004 CIML;
- I initiated the proposal for the 2006 packaging seminar in South Africa;
- I have taken a leading role in promoting the work on the Directives;
- I established a TC on agricultural quality measurements;
- I provided the Secretariat for TC 12 on electricity meters;
- I provided strategic issues on the Presidential Council agenda: on this occasion discussion of key liaisons, the future of the MAA, the OIML mark, the Directives, and conformity to type. Accordingly, the Presidential Council meeting began a little early yesterday but we did not have time for discussion of conformity to type;
- I am passionate about the importance of legal metrology. I believe it is where the measurement system gains traction with the community – it's where the rubber hits the road! It is also where the money is, through the value of transactions;
- In addition to my contribution to the OIML, I have made a strong input to the Asia-Pacific Legal Metrology Forum. I instigated the reorganization of the working groups, and the formation of a new working group on metrological control systems, including the proposal to prepare some guidance documents for the region. I am a member of the APLMF Executive Committee;
- I also strongly believe that we need to develop programs to assist developing economies. For that reason, this topic has been included on the agenda of the Round Table of RLMOs since its inception;
- And finally I support the bilingual nature of the organization, in which French is the official language and English the working language. Accordingly, Australia has always supported the OIML translation service and will continue to do so.

Concerning provisions for the future of the OIML, in my application circulated to Members I mentioned that we have developed a strategic plan without a vision statement. True, it has a mission statement, which tries to straddle the ground between a mission statement and a vision statement. As you know, these terms derive from the military, where the mission is what you are doing today, and the vision is where you want to be in the future. Of course, without a clear vision of where you want to be it is not possible to have a coherent set of strategies to get there. I believe the Presidential Council, in consultation with the CIML, should develop the OIML's vision for the next 20 years. But it won't be my vision: it will be your vision. In developing this vision, some of the questions we should be asking ourselves are: what should be the scope of our activities? In principle, any measurement made for regulation or for trade is under the scope of legal metrology. We already work in a large number of emerging areas such as medical measurements, pollution measuring devices, and quality measurements of agricultural products.

However, not all CIML Members are regulators for the same areas of legal metrology. Some of us are not regulators at all. We need to provide guidance to Members on how to engage with other regulators in their economies, particularly in emerging areas such as food safety. In Australia we are establishing a liaison committee with other regulators to discuss the contribution that legal metrology can make to their areas of responsibility. It is worth noting that the APLMF has already held some seminars on food safety. Remember that to the extent we leave the field of legal metrology vacant, some other organization will fill the vacancy and the OIML will become less relevant.

Another question is, what sort of documents should we be writing? Should they be consensus documents on which we can all agree because they are based on what we are already doing? Or should they be aspirational documents that represent where we are heading, documents that provide guidance for Members when they are revising their legislation? I have heard this referred to as the light on the hill. So the question is, do we want lowest common denominator documents or do we want aspirational documents?

Another question is, what are we going to do about the IQ mark? There are obvious difficulties in trying to introduce such a mark, but the benefits if we are successful, apart from facilitating trade, would be exceptional visibility for the OIML. Also, it is exceptionally important for developing economies. But just imagine what some other organizations would do if they had the opportunity to place a mark on most packages traded internationally, that identified them. It would be seen as a golden marketing opportunity, and, as we say in Australia, they would rush in with their ears back! And here we are, dithering.

I have made some undertakings if elected. Firstly, in terms of financial issues, we are having a vote for the position of Director on this occasion because of concerns about the management and financial shortcomings within the Bureau. If elected, I would establish an ad hoc committee, chaired by a CIML Member with accounting qualifications. Members of the Committee could be selected from within or outside the Presidential Council. Together with the incoming Director, the committee would oversee the preparation of an annual budget. We would also overhaul and maintain the OIML financial regulations and provide an internal audit function. In terms of management issues, there are many that need to be addressed. If elected, I would establish another ad hoc committee, chaired by a member of the Presidential Council, together with the Director and Assistant Directors, and it would review and maintain the staff regulations and institute and maintain processes for staff performance, planning and review.

In that respect we talk a lot about finance. But just as important, and perhaps more important, are the staff outputs; advancement and bonuses, travel policy including the extended OIML representation in other fora, and other workplace relations issues.

In terms of technical issues, the draft Directives to be considered later in this meeting include the concept of the Technical Management Committee, TMC. What some CIML Members may not realize is that we already have an ad hoc committee that reviews the progress of technical work at every March Presidential Council Meeting. If elected, I would like to formalize this Committee by nominating a Chair from the Presidential Council. Members of the Committee may be selected from within or outside the Presidential Council.

And once again, in terms of available time, one of the difficulties for all CIML Members is that we have day jobs. We attend OIML meetings and come away with the very best of intentions to contribute to the OIML; however, when we return home, we are constantly distracted by our daily employment imperatives. Accordingly, I have agreed with the CEO of NMI Australia that, if elected as President, I would move to part time employment and focus all my attention on OIML matters. This would allow me to spend time at the Bureau as necessary and pursue liaisons with other organizations as appropriate.

And finally, communications. With the revision of our web site, communication with Members has improved markedly in recent times. Nevertheless I feel it could be further improved. If elected I would introduce a system whereby CIML Members were alerted prior to any new initiatives or liaisons with other international organizations so that they would be fully prepared for any questions arising from other portfolio areas in their government, for example areas such as food safety or health. And we have an example of just that in one of our Resolutions today.

So, in summary, let me ask the question: is business as usual an option for the OIML? I suppose it is if you do not mind the OIML staying and becoming irrelevant. However, if you believe it is time for renewal, if you want a process to develop a vision to grow the OIML, if you want good management and administration processes introduced in the Bureau, and if you believe it is time for a legal metrologist to take the reins of the CIML then I would welcome your support in Friday's vote. Remember, it is time. Thank you for your attention.

### **Mr. Peter Mason**

Good afternoon, fellow members of the Committee. I do not intend today to make a long presentation. You already have my written statement and my resume. However, they were written before the other candidates were announced, so I would like to concentrate my remarks today on the choice which is available.

The OIML is very fortunate to have three strong candidates for the office of President, and I do not think the choice will be an easy one. However, I have found it helpful in preparing my remarks to consider what, if I were choosing a candidate, I would be looking for in making that decision. My conclusion is that I would be looking in three areas: the strategy and vision for the OIML, the experience and skills of the candidate, and the time and resources which the candidate was able to make available.

On strategy, I have made clear in my written statement that I believe the OIML is going in the right direction. Let me summarize what I think that direction is.

Firstly, it is promoting the harmonization of legal metrology as a way of protecting consumers, health and the environment, promoting international trade and supporting innovation and fair competition. I found it very easy to write that phrase, because it is the phrase from my own mission statement for my own organization.

Secondly, it is about increasing the speed and efficiency of the OIML in producing modern, relevant documents.

Thirdly, it is about closer collaboration with other international bodies in producing standards, especially in metrology.

Fourthly, it is about extending the OIML's activities beyond our traditional area of weights and measures, so that we can contribute more to addressing issues such as the protection of the environment, protection of health and safety.

And finally, it is about developing the worldwide capability of legal metrology, especially in countries without an established infrastructure.

I do not believe it is the role of the President to pursue particular policy proposals, except where they represent a consensus of Member States. But I do think the President has a role in turning the strategy into a vision which raises the profile of our work. So do I have a distinctive vision? I think I do because for me legal metrology, and indeed scientific metrology for that matter, has to be seen as part of the world standardization network. At the practical level, that means closer work with bodies such as ISO, BIPM, ILAC, IAF, etc. But it also means producing a story based on the language of standards, which we can take back to our own administrations. Yesterday, at the Round Table, I made the point that I found it easier to raise the profile of metrology, particularly legal metrology, within my own country because I emphasized the link between our activities and the rest of the standards world, the relationship between written standards and physical standards.

The second area I identified is skills and experience. I recently described myself as half an economist, almost an accountant, who had spent most of his life working with lawyers and politicians. But in my heart I am a policy maker and, even more importantly, most of my career has been spent in regulation. Regulation is in my blood; I think like a regulator. And since I started my working life the year after the United Kingdom joined the European Community, that actually means I think like a European regulator. International cooperation, and in particular European cooperation has been a major feature of my career. Although I have only been a member of CIML for three years, I have been involved with legal metrology off and on for almost 15 years, and with standards work for nearly 20. I run the agency in the UK which is responsible for both scientific metrology and legal metrology. I believe I have succeeded in raising the profile of metrology within the UK government, and with that background I feel that I am in a good position to provide oversight and support to the Bureau and to raise the OIML's profile internationally.

Finally let me come to the question of time commitment and resource. In Britain we have a saying, "If you want a job done, give it to a busy man". I have a demanding and full time job, but that job is itself made easier if the OIML is operating as an efficient and effective organization. Moreover, with modern communications, Paris is now little more than two hours away from London; and, finally, I have an excellent team in my agency, who are looking for more responsibility. So I believe I have the resources to support me in my role with the OIML. I am certain, therefore, that I am ready to take on new challenges. With your support, I hope that that will be to act as your President. Thank you for your attention. I will

be happy to answer any questions you may wish to put to me in the next three days. Thank you very much.

## **4.2 Presentation of the candidates to the CIML Vice-Presidency**

### **4.2.1 Preliminary item**

Mr. Magaña said that the meeting would now move on to the presentations of the two candidates for the Vice-Presidency. First, however, Article XV of the Convention had to be discussed. This stated that in the case of a vacancy for President, the first Vice-President took over. It did not say what should happen if the first Vice-President resigned. In the present situation, which had existed for a couple of months, the first Vice-President had resigned but there had been no decision about the Vice-Presidency. It was being suggested that Article XV should be interpreted as indicating that if the first Vice-President resigned, then the second Vice-President automatically became first Vice-President, so that the Convention could still be applied in case of need. This suggestion had been sent out to Members for comment, and had met with a generally positive response.

Mr. Magaña proceeded to read Draft Resolution no. 11, which was a point of interpretation of the Convention, and which it was hoped would be endorsed by the Conference in 2012.

He explained that, as Mr. Stuart Carstens had resigned from the post of first Vice-President in April, Mr. Grahame Harvey became first Vice-President and the Vice-President that Members would elect would be second Vice-President. Mr. Magaña invited comments on this proposal.

Mr. Klenovský said there was a problem with this because the first case was a temporary measure until a new President was voted in, whereas the second case was a permanent solution.

Mr. Magaña replied that a decision had to be made immediately, because if no President was elected, as had happened a few years previously, there had to be a first Vice-President to be Acting President. So the first thing was to make a decision for the immediate future. The second decision was whether to propose to the Conference to make this a permanent rule.

Ms. Van Spronssen wanted to make the same comment as Mr. Klenovský. There were different rules for elections of first and second Vice-Presidents, and they had different responsibilities. The consequence of the proposed Resolution would be that the second Vice-President could always take the place of the first Vice-President, and therefore of the President. Ms. Van Spronssen considered that the consequences of this should be considered more thoroughly. The problem could be solved by the second Vice-President being put forward to the Committee as first Vice-President, so the CIML Meeting could elect him as such. That would fill the gap equally well. If an immediate solution was needed, Mr. Magaña's suggestion could be put in place as a temporary measure, but should not be made permanent.

Japan agreed that the first and second Vice-Presidents had different roles. At election time, the appropriate person was chosen for each role. If there were no first Vice-President, then perhaps the second Vice-President might stand in as President. On the present occasion, Mr. Harvey was second Vice-President, but he was standing for President; could this please be explained?

Mr. Magaña responded that at the moment, before any other decision was taken, Mr. Harvey was second Vice-President. The first Vice-President had been Mr. Carstens, who had resigned in April. So there was a President and a second Vice-President, which meant that at the moment there was no possibility of having an Acting President in case of need. So the idea had been that the first Vice-President meant merely the one who had served the longest. No difference in role was defined in the Convention, apart from that of becoming Acting President in case of need.

Japan asked for confirmation that the role would jump to the second Vice-President.

Mr. Issaev saw the situation as a very difficult one for Members. He understood the practical reasons for the proposed Resolution, but felt that it was necessary to look through the juridical possibilities and consequences. For example, in his country, only the body which had passed legislation could amend it, for example only Parliament could amend laws made by the government. So if this was a matter of the Convention, it was complicated. But in any case some letters would have to be prepared, with explanations to the governments of all countries which had taken part in the Convention. So discussion must begin. But if this was some matter decided by the Conference, then that made it easier, since the Conference could make the decision without any problem. But life had to go on, and an immediate interim decision had to be taken so that the situation could be resolved, while at the same time work was begun on finding a long term solution. Mr. Issaev proposed that there should be more thorough discussion of the matter.

Mr. Magaña replied that there was no legal problem at present, though there could have been one a couple of months previously. There was a President and a second Vice-President and officially no first Vice-President. The second Vice-President had been elected some years previously by the Committee, which could therefore now decide to make him first Vice-President. This was one possibility. The second issue was for the future. If there then was a President and a second Vice-President and no first Vice-President, then Article XV of the Convention could not be implemented at all, because in the case of the President resigning or ceasing to fulfill his role for any reason, then if there was no first Vice-President it would not be possible to have an Acting President. Something should be decided for the future by the Conference. For the present, the Committee could decide before electing its President and Vice-Presidents whether Mr. Harvey should become first Vice-President, or not. Following the result of the vote on Friday it might come about that there was either no President at all, or no first Vice-President. This had happened in the past. If that happened, they would not know what to do. If they again had a President and a second Vice-President and no first Vice-President, the situation would be complicated. But the CIML could do as it wished.

Mr. Issaev said that the Committee was in a position to decide which Vice-President would be the first and which the second, but there was no procedure for deciding that one Vice-President should automatically become something else. For example, it was in the rules that a President could be made from a first Vice-President, but not automatically – this needed a vote.

Mr. Mason commented that the Convention seemed to be looking at a situation where there was a first Vice-President and a second Vice-President, but gave no procedure for deciding which was which. There were three possibilities. One was that the successor to the first Vice-President was always the first Vice-President, which seemed slightly odd. The second was that it should be a matter of automatic seniority, which was what this Resolution proposed. But the third was that the Committee itself could decide between themselves which of the

Vice-Presidents, if there was more than one, should be first and which should be second. Bearing in mind that it was not known what the composition of the Vice-Presidents would be, Mr. Mason suggested that it would be appropriate to vote on who should be first or second on Friday morning, when it was known who they were.

Mr. Johnston said that this could be considered.

Asking for confirmation, Mr. Magaña said that a Vice-President would be elected, and afterwards it would be decided who was first and who second.

Mr. Mason pointed out that there was also a possibility that at that point there would be only one Vice-President.

Mr. Kool commented that Mr. Mason's solution had the drawback that there could still be a situation where there was no first Vice-President, and the President became incapable of performing his duties. The Convention stated clearly that the first Vice-President should assume the duties of President if the latter became incapable. However, it did not say anything about which of the two Vice-Presidents was considered first or second. The Committee was free to decide, for endorsement by the Conference, upon the principle of seniority, for example saying that the Vice-President who had been longer in office should be considered to be the first Vice-President.

Mr. Johnston made the point that if they found themselves without a President or first Vice-President at a time when there was not a Meeting, it would be extremely difficult to resolve the matter by postal ballot. There definitely needed to be a first Vice-President at all times. Ideally there would be both, but without a first Vice-President it could happen that a long time passed before a replacement President could be appointed.

Mr. Magaña added that if the Presidency and Vice-Presidency were filled during the current meeting, there would be no need to implement Article XV of the Convention in the next two years. So if the immediate problem could be solved for the time being, the ongoing problem could be solved by the Conference in two years time.

Mr. Issaev liked Mr. Mason's suggestion that the problem be resolved on the coming Friday. Otherwise, it would be necessary to choose the first Vice-President without any discussion.

Ms. Van Spronsen also supported the same proposal but suggested that in the case of there being no Vice-President and no President, the second Vice-President could automatically assume the duties of the first on a temporary basis until the next CIML Meeting.

Mr. Johnston concluded that Mr. Mason's proposal would be followed and a vote held on the Friday. In support of this they would also look at Ms. Van Spronsen's suggestion.

Mr. Magaña then read the following modified Draft Resolution no. 11:

***Draft Resolution no. 11:***

*The Committee, Considering that Article XV of the Convention calls for the election of a President and a first and second Vice-President and that, in case the President is absent or incapable, the first Vice-President shall temporarily assume the duties of the President, and Considering that Article XV does not deal with the case that the first Vice-President resigns or his mandate otherwise ceases before that of the second Vice-President, decides that after the election of the Vice-President during the current meeting, the CIML will decide which of the two Vice-Presidents will be first Vice-President; and instructs the CIML President to prepare a proposal to be submitted to the 14th Conference in 2012 on the interpretation of Article XV in the event that the position of first Vice-President becomes vacant and the President is incapable of performing his duties.*

#### **4.2.2 Candidacies for CIML Vice-President**

##### **Mr. Philippe Richard**

Mr. Richard said that he had prepared a short presentation which he would give in French, out of respect for the French speaking Members present, and also because in 2010 Switzerland was host to the French Speakers' Summit Meeting.

Addressing his colleagues, he said that his presentation would be very short and would present some elements of his candidature which would support the activities of the Presidency and those of the Organization.

Mr. Richard said that French was his first language but that he also spoke English and German. His French would be an asset to the Presidency and to the Presidential Council.

He also lived very close to Paris, which would make it practical to go there frequently just for a day, to support the Director or the Presidency as required.

Mr. Richard was currently Vice-Director of the Federal Metrology Office and the Swiss National Institute of Metrology. He had experience of management, being in charge, within that office, of the scientific, industrial and legal metrology divisions. He had a total of 14 years experience in that domain. He was also at management level in METAS, responsible for international relations and human resources.

Mr. Richard said that he was an active member both of the OIML and of the BIPM; he wanted colleagues to understand, however, that a rapprochement between the two organizations was not foremost in his ambitions, but like the BIPM representative had said that morning, he was equally involved in the new definition of the International System of Units and also headed a working group on the practical use of the new definition of the kilogram. This was of major interest for the OIML because of its close relation to Recommendation R 111 on weights, and was a priority matter for the OIML because it would have a key direct influence on their work, as they would have to produce regulations regarding the increased uncertainties resulting from the redefinition.

Mr. Richard informed Members that he was at the moment studying for an MBA in Finance and Management, which could be useful for the task if he was elected.

Finally, Mr. Richard explained, Switzerland was relatively independent, in that it was not a member of the European Community. Finishing his short presentation, he said that it was a pleasure to him to offer his multiple skills and experience to the OIML. He would be available for the rest of the week to answer any questions Members might like to put to him.

Mr. Magaña thanked Mr. Richard, and asked Mr. Roman Schwartz, Germany, to give his presentation.

### **Mr. Roman Schwartz**

Mr. President, distinguished delegates and guests: Thank you for the opportunity to briefly introduce myself and to explain my background and my motivations for applying for the post of Vice-President.

First I would like to offer a brief CV. I am aged 55, my academic qualifications are a diploma in Physics and a PhD in Electrical Engineering. I am currently employed, since 2006, as the Head of the Mechanics and Acoustics Division of the PTB. This division has about 150 staff members working in seven departments, ranging from mass measurement, force, torque and weighing instruments, through gas meters and water meters, up to acoustic measurement devices. My previous employment has been, from 2001 to 2006, head of the department “Solid Mechanics”, which comprised mass, force, torque and weighing instruments. Before that I was first a scientist and then the head of the weighing instruments laboratory of the PTB, and before that I worked in the PTB mass laboratory as a scientist; prior to that (a long time ago!) I used to work as a scientist at the Technical University.

Let me summarize my appointments and experience:

- since 2007 I have been a member of the Presidential Council;
- since 2006 I have been CIML Member for Germany, and also a member of the CIPM Consultative Committee “Mass and related quantities”;
- since 2005 I have been involved in the OIML MAA as a member both of the CPR for R 76 and R 60, and representative for Germany in OIML TC 3/SC 5;
- since 2001, and still now, I have the co-secretariat, with France, of OIML TC 9/SC 1, responsible for non-automatic weighing instruments, and, together with France, we were responsible for the revision of R 76 in 2006;
- from 1996 to 2006 I chaired WELMEC Working Group 7, working on software for instruments under legal control - we developed the WELMEC document on software, which has been taken in TC 5/SC 2 as a kind of "standard" for the OIML requirements in the OIML Document on software;
- until 2006, I was a member of WELMEC WG 2 for automatic weighing instruments and non- automatic weighing instruments.

What is my motivation for the application for the position of Vice-President? I think I can contribute my long experience and broad knowledge and all my experience of metrology: scientific, industrial and legal. I think I have a good measure of personal and business contacts in legal metrology worldwide. I can say that I know legal metrology “from scratch”. I know type testing of weighing instruments, I have done it by myself and starting at the weighing instrument level; I have myself issued test reports, evaluation reports, report certificates, I have done peer assessment of laboratories, and I have been involved in the

development of standards, technical documents, and am also very much involved in bilateral Memorandums of Understanding and bilateral arrangements.

Another motivation, and the main motivation, is that I consider the OIML to be an important player in the field of metrology and I consider the OIML also as an important international standards organization that is worthy of support.

The last point is that I want to have a share in the OIML. I like to be well prepared for future challenges. We have cooperation with international bodies already but I think we can of course further improve this collaboration.

My final point is my commitments. As the Vice-President I would be supporting the CIML, of course, and the CIML President with my experience and knowledge; that is the basic task of a Vice-President. I would of course be committed to promoting and improving the OIML MAA to make it even more successful than it is today. I think it is one of the biggest issues in the global market and the global world to have this MAA and to make it really successful.

I would be committed to supporting work on new OIML Technical Directives that are adequate for an international standards organization. I would be committed to even more supporting efforts towards further improving the uniformity, quality and acceptance of OIML publications. When I speak to colleagues I sometimes hear the argument that OIML Recommendations are not always of the highest quality; they are not uniform – we have so many Recommendations written differently, without a clear structure. So I think we can further improve our work even more because this is an advertisement for OIML. And I would intensify contacts and cooperation with other international standardization and conformity assessment organizations, as I mentioned in the morning already, especially with ISO/IEC. We have to enjoy even closer cooperation which will in turn enable us to learn from each other.

Thank you for your attention and I hope for your support. Thank you.

## **5 Member States and Corresponding Members**

### **5.1 New Member States and Corresponding Members and perspectives**

Mr. Magaña explained that in 2009, Colombia had been in the process of ratifying the OIML and the BIPM Treaties. He had met the Colombian Ministry of Trade and the rapporteur in the Colombian Senate in June 2009 and the individuals in charge of this issue in the Colombian Ministry of Trade had changed twice since that period; however, the Bureau was endeavoring to obtain an update on this issue (jointly with the BIPM).

Venezuela had informed the Bureau in 2008 of its intention to join the OIML but here again there had been staff changes and Mr. Magaña reported that the Bureau had not yet been able to re-establish the contacts.

Azerbaijan was considering becoming an Associate of the CGPM and an OIML Corresponding Member.

Some other countries were also considering joining the OIML, but Mr. Magaña noted that contacts were still at a very preliminary stage so it was too early to give information at the present time.

## **5.2 Outstanding arrears of Member States and Corresponding Members**

Mr. Magaña explained that the situation of Member States' and Corresponding Members' arrears was shown in the financial report.

He informed delegates that no Member State had arrears of more than two years. Globally, arrears were decreasing and contributions had been more and more punctually received.

Concerning Corresponding Members, at the beginning of 2010 six of these had had more than three years of arrears for their Corresponding Member fees. Mr. Magaña had sent them a letter asking them to improve their situation as soon as possible and in any case before the end of August. Three of them had done so, but three others had not replied. Mr. Magaña had sent these a letter striking them off the list of Corresponding Members (Comoros, Nicaragua and Tajikistan) so there were now three fewer Corresponding Members than previously.

Members might remember that Zambia had been struck off the list of Member States because its arrears were too high. Although Zambia was no longer a Member State, it was continuing to reimburse its debt, which was a gesture that was worthy of mention.

### **5.2.1 Request of Guinea for re-admission**

Guinea had been struck off the list of OIML Member States in 1990 because its arrears exceeding the maximum allowed. It had not been a Member since that time and its debt had remained in the OIML accounts - indeed Guinea still had that debt. It had sent a letter to explain its economic difficulties, and making two requests: first, to be readmitted, but as a Corresponding Member; Guinea said that it had made arrangements for payment of the Corresponding Member's fee. This issue might be submitted to the CIML Meeting. The second request concerned the possibility of reducing or writing off its debt; this was an issue for the Conference and not for the CIML and therefore not on the present agenda. The question was, should Guinea be readmitted as a Corresponding Member or not, in view of the fact that it had a debt?

General opinion at the Presidential Council had been that it should not be readmitted too easily as a Corresponding Member without imposing any conditions, because this would set a precedent. Zambia, for example, might consider it to be unfair.

Mr. Magaña proposed that Guinea be readmitted as a Corresponding Member, provided of course that it paid the Corresponding Member's fee, plus some payment towards its arrears, which the Director could be allowed to negotiate with this country. The matter of whether to cancel its arrears or not would be discussed at the next Conference. Mr. Magaña warned that the following Draft Resolution had been written before the Presidential Council meeting and was therefore not really in accord with his present proposal on the matter:

***Draft Resolution no. 12 (original version)***

*The Committee, considering the request made by Guinea, decided that:*

- *Pending a decision of the Conference (in 2012) concerning the debt of Guinea,*
- *Guinea is allowed to be re-admitted as an OIML Corresponding Member, providing that Guinea pays its Corresponding Member fee, and, by arrangement with the Director, makes some payment towards its outstanding debts.*
- *The payment of arrears is suspended until the Conference has made a decision concerning the debt of Guinea.*
- *The Committee recommends to the Conference to take account of the past situation of Guinea and to consider its debt).*

Mr. Magaña said that this was a difficult issue and asked for Members' comments. They had seen Guinea's letter. He added that the same issue, for Guinea and for Lebanon, had been raised a few years previously at the Conference, and that general opinion had then been that they should not too easily accept such an application.

Mr. Schwartz said that although he personally understood the difficult situation Guinea was in, he doubted whether he could convince his ministry that it should follow the OIML Resolution; the OIML must insist on full reimbursement as all countries must be treated equally.

Mr. Harvey concurred. Similar discussions had taken place previously with regard to Zambia and Cameroon and it had always been said that countries must pay their debts. He considered that re-admitting them for two years and then rescinding this when the Conference decided they must pay the arrears was not a good thing to do. He did not therefore support the Resolution.

Mr. Mason considered that not enough weight was being given to the fact that Guinea had been excluded from the OIML for 20 years. It was being equated with Zambia, which had been suspended only two years previously. He thought that for a country which had been excluded for such a long time, a case could be made for treating it differently on the grounds that it had suffered the consequences for long enough. He asked to be reminded of how long other countries had been excluded for. Cameroon had been mentioned; had it been excluded for as long?

Mr. Magaña replied that Cameroon had been excluded one year previously. The only two countries which had been excluded twenty years ago were Guinea and Lebanon. Now they wanted to come back as Corresponding Members; the question was whether they should be permitted to do so or not, and if yes, under what conditions.

Ms. Hockert understood Mr. Mason's comment. She felt that "exclude" was a very strong word, and, in the interest of attracting a broad membership, she thought that the proposal to begin paying back arrears as a condition for considering Corresponding Membership could be considered, although her support went rather to the comments of the German Member, which were based more closely on Article 30 of the OIML Convention, which stated: "*A Member State officially regarded as having resigned may be readmitted at its own request on condition that it settle its unpaid subscriptions due at the time it was struck off*". This would be the arrears, which, she believed, in this case amounted to 36 000 euros. The Convention

continued, “*Such retrospective contribution shall be calculated on the basis of the subscriptions for the years prior to its re-admission. It shall thereafter be considered a new Member State, but the entry fee shall be calculated taking its previous subscriptions into account, in proportions to be fixed by the Conference*”. It seemed to her therefore that the Convention was clear on that point, and unless the OIML was prepared to amend the Convention, some payment of arrears was necessary in order for this to be a consideration.

Mr. Magaña agreed. In fact, the Convention referred only to Member States. The position of Corresponding Members was not very clear. Countries were accepted as Corresponding Members when they agreed to pay the annual fee, which was about 10 % of the base contributory share, and there were not many conditions, but in the case where a Member State resigned or was struck off, it should not be allowed to re-enter by the back door by too easily being allowed to become a Corresponding Member. It might be possible to accept Guinea as a Corresponding Member if it began repayments, but the risk was that if it stopped reimbursing its debt after one year, it would have to be struck off again, so it was uncertain that the situation would remain stable.

Mr. Harvey said that experience up to the present showed that every time the OIML had allowed Members to re-enter on condition they repaid their debts, it had not worked. Payments had not been forthcoming and three years later they had had to be struck off the roll. Why should the OIML go through this again?

Mr. Miki said that Japan considered that the rule should be adhered to as strictly as possible. Countries seeking re-entry should at the very least offer clear plans of how they intended to repay.

Mr. Magaña stated that there seemed to be a consensus that Guinea should not be accepted as a Corresponding Member in the present situation because it was not in accord with the rules and in all likelihood would not be very sustainable. He proposed an amended Resolution saying:

***Draft Resolution no. 12 (amended)***

*The Committee rejects the request of Guinea and recommends Guinea to reimburse its arrears as a condition of being readmitted.*

Mr. Schwartz suggested encouraging Guinea to repay a certain amount to show good will, prior to the decision of Conference. This way the Conference need not wait for its good will to be shown; if, for example, 1/5 of the arrears had been paid, the Conference could take this into account in its decision.

Mr. Magaña said that something of the sort would be inserted in the wording, while avoiding any appearance of pre-empting the decision of the Conference. They could say something along the lines of:

***Draft Resolution no. 12 (re-amended)***

*The request of Guinea is rejected but Guinea is encouraged to consider reimbursement of some significant part of its arrears before sending a request to the Conference.*

Ms. Hockert said that perhaps, if the President saw fit, rather than suggesting a number like 1/5, they could say, “the request is rejected at present; however, if Guinea came to the Conference with a proposal of how it planned to repay its arrears, the Conference could then, based on this, make a decision as to whether or not to re-admit it”. The Conference might

even consider revising the Convention with a view to clarifying the rules for Corresponding Membership, so that the matter did not need to be dealt with repeatedly on an ad hoc basis.

Mr. Johnston wanted reassurance that there was consensus in the room for that proposal.

Mr. Carstens said South Africa would support this recommendation. He would like to modify the wording to “unfortunately rejected” to make it a little more palatable.

Mr. Magaña said that the Bureau would write a Resolution during the evening, to be presented for further comment in the following session.

## **6 Developing countries**

### **6.1 Report of the Facilitator on Developing Country Matters**

Mr. Magaña gave the floor to Messrs. Seiler and Dunmill for this item.

Mr. Dunmill said that most of the report on developing country activities would be given by Mr. Seiler, but he wished first to mention a couple of points regarding the activities of the BIML. This concerned mainly the establishment of and ongoing work with AFRIMETS, the Intra-Africa Metrology System. This project, as he had reported the previous year, was being carried out in collaboration with the BIPM and UNIDO; UNIDO had a sponsor for a large amount of funds from Norway to help with the development of this project. Mr. Dunmill had attended steering group meetings of AFRIMETS. It had been decided, and planning was now well advanced, that a metrology school, based on the BIPM’s metrology summer schools, should take place in Nairobi in February 2011. This would cover both scientific and legal metrology issues, and they hoped that it would be well attended by younger metrologists from the African region.

Regarding UNIDO, Mr. Dunmill said that under the joint MoU with UNIDO, the BIPM and the OIML, there had been ongoing work. As mentioned earlier by Mr. Henson, Messrs. Henson and Dunmill had taken part in a World Metrology Day seminar held at UNIDO HQ in Vienna. This had been well attended and had gone well, promoting metrology. He also referred to the publication of a book which he had mentioned the previous year, *A Handbook of Industrial Metrology*, the writing of which had been sponsored by UNIDO. This book was supposed to have been verified by both the BIPM and the BIML and published quickly, as Mr. Dunmill had mentioned the previous year, but in fact there had been delays, which he and Mr. Henson would look into. He hoped it would soon move ahead; it was another sign of the good cooperation between the BIPM and the BIML, with the help of UNIDO, in providing some concrete assistance to Developing Countries.

Mr. Seiler said that it was a pleasure for him to report on developing legal metrology as part of his work as OIML Facilitator. This task had been assigned to him at the 2008 CIML Meeting in Sydney; he would report on some general results. Besides giving this summary, he wanted to show the influence of OIML Recommendations, to review the input of OIML Documents and Recommendations, and to stimulate discussion and further activities in perhaps developing some new Recommendations, and to get some mandate as to which direction the OIML wanted to take.

Legislation seemed an appropriate starting point in speaking of legal metrology. The OIML’s contribution to this was OIML D 1 *Elements for a Law on Metrology*, the 2004 issue, which was again under revision; its new essential elements were mostly requirements for

traceability, the OIML Certificate System and the MAA, and the possibility of delegating work to third parties. Of course, there was also D 2 *Legal units of measurement* and the vocabularies on metrology and on legal metrology. This was a good basis for drafting national legislation and national laws. But there were some weak points, as could be seen in such drafts. These concerned wording such as “the legal units are those of the S.I. All measuring instruments used in trade, health, safety and environmental protection must be verified”; or phrases like, “Measuring instruments must be traceable to the national metrology institute”. Everybody present would realize that these strong words created problems in practice, as units outside the SI had to be admitted. It was unlikely that all measuring instruments in each of these fields could be supervised and regulated for an area of trade, health, safety and environmental protection. With the possible exception of the NIST, no national institute would be able to provide traceability for all of these measurements. Strong wording created weak points and in spite of clear messages in the OIML publications, it was difficult to persuade the people responsible either to soften this wording or to introduce empowerment for exemptions from it. On the other hand, much detail could also be regulated in subordinate regulations or directives.

For measuring instruments, the OIML provided more than a hundred Recommendations which could be used. But in reality, developing countries had some problems with these, because performance requirements were mainly for up to date technologies and not easy to apply to the older technologies which were very common in most of the developing countries. Sometimes, Mr. Seiler continued, the interpretation and the application for instruments using old technologies was very difficult, and these Recommendations had to be adapted to local needs, and also supplemented by national regulations concerning verification or re-verification periods.

Besides Recommendations for measuring instruments, there were also international Documents, which were informative in nature and intended to improve the work of the metrology services. There were Documents such as OIML D 3 *Legal qualification of measuring instruments* from 1979, D 19 *Pattern evaluation and pattern approval* from 1989, and D 20 *Initial and subsequent verification of measuring instruments and processes* from 1988. So it could be seen that these Documents were quite old, and perhaps needed updating.

For measurement standards, there were two Documents, D 8 *Measurement standards. Choice, use, recognition, conservation and documentation* from 2004, and D 23 *Principles for metrological control of equipment used for verification* from 1993; so there was some duplication and some small contradictions, which sometimes made it confusingly difficult to know which was the best solution. There were other Documents, such as D 11 *General requirements for electronic measuring instruments*, a very new one, and D 31 *General requirements for software controlled measuring instruments*, also addressing advanced technology. There was also a very important Document, D 14, *Training and qualification of legal metrology personnel*. Another Document which was very important for practical work was D 9 *Principles of metrological supervision*, setting out the principles of these activities. Even the titles were very close, and D 16 *Principles of assurance of metrological control* as well needed revision, and perhaps also D 9 should be taken into account for revisions.

In summary therefore, with regard to OIML Documents, Mr. Seiler stated that these were of course very informative, but they often overlapped, and sometimes, as had been seen, updates were necessary. They were very helpful if you already had an established metrological service, but if you were starting to build up such a service they did not give the complete

picture; not all major topics were covered. In his experience also, some Documents were still missing. It would be useful to have one on how to develop legal metrology, and perhaps another on the benefits of legal metrology together with the necessary investment, and further details on the operation of legal metrology services.

With regard to developing countries, legal metrology activities were very limited, as was quite natural in the beginning, and they were mainly concerned with mass and volume for commercial transactions. The enforcement of the regulations could be assured only in part, both geographically and in a regulatory sense. Although regulations existed, it was not always possible to enforce them. Little interest or support came from many of the ministries responsible and there was little or no information about legal metrology for the public. In consequence of this low profile of the legal metrology services there was little awareness or interest from the public.

The reason for having an OIML Document on developing legal metrology would be, Mr. Seiler said, that reference to such would be very helpful in convincing governments. If the head of legal metrology could show that the OIML recommended this or that for developing legal metrology, it would be harder for the government not to take these arguments into account. Such a Document should also give guidance on how to set criteria and priorities and to estimate the necessary resources and benefits.

Mr. Seiler showed a sketch demonstrating that it was necessary to set priorities for the introduction and enforcement of legal regulations. It was necessary to define the measurement that was to be regulated and the field of application. Before this was done, there should be investigation into criteria, the availability or otherwise of resources and the significance of the field of application. So it was necessary to fill in a matrix, as shown in the sketch. For instance, if the benefits of a scheme were high, it might be good, but then it might be discovered that a lot of investment was needed, and the availability of these resources would be low, especially if there were no qualified staff. It was necessary to take other criteria into account and to come to a realistic solution, in order to be in a position not only to regulate this field but also to implement it. Such a Document on the benefits of legal metrology would therefore be very helpful. To convince governments, it was necessary to present facts.

In this regard there was the Birch Report (OIML E 2:2003), in which many examples could be found. But it was not sufficient to take the Report, it was also desirable to select those examples which had parallels in the country and from personal experience and bring these to the attention of the government. Other Documents might also be needed regarding staffing and qualifications. One such Document already existed but this needed to be extended in order to provide job descriptions for the Director, to set some minimum requirements for his qualifications so that candidates would not be selected for their political standing. It might be naïve to believe that such a Document could have any impact, but at least it could be of assistance in giving some guidance on professional ethics. A key word was corruption and how to avoid it.

Another important point was that very often legal metrology inspectors acted as policemen. This was sometimes very necessary but at the same time they should be partners of the community, be it of traders, of other regulatory authorities or enforcement authorities. So some guidelines on professional ethics would be useful.

There was also an urgent need for verification procedures, documentation of results and statistics to draw conclusions from the results of the work, the handling of infringement, the supervision of third parties, and, last but not least, public relations. Legal metrology officers

should also carry out some activities in this regard. Partners who should be contacted and informed included ministries and other regulatory authorities, the media, consumer associations, and Chambers of Commerce and Industry.

Useful public relations activities, in terms of means and possibilities, included preparation of press releases, information leaflets used during verification work to inform the owner of the measuring instrument about his duties, how to maintain the instrument, and so on. Personal contacts could be used, or open days could be created for work to be demonstrated; or the Metrology Days could be used to demonstrate its benefits. The content of public announcements such as this might include certain new activities, special benefits of legal metrology giving very concrete examples, detection of fraud. Results should be given to the media, which was usually keen to publish such information. This would show the community that somebody was looking after the behavior of trade organizations and traders. New activities, new equipment or results of regional and international cooperation could also be made public through the media.

Mr. Seiler's recommendation was that the OIML should prepare comprehensive and consistent Documents describing all major aspects of legal metrology. This would not be easy; first a decision had to be taken as to what was really necessary, what could be reused, what needed to be rewritten and what required elaboration. He was convinced, however, that this could be helpful not only to developing countries. To underpin this point, he said that although the OIML stressed the importance of legal metrology for health, safety and environmental protection, the majority of its Documents still concentrated on trade and consumer protection. Even this sector was under continuous development, as had already been seen and would be further demonstrated in the course of the current meeting. As an example, Mr. Seiler had checked the results of the inquiry among OIML Member States about the implementation of Recommendations, and quite a number of these were only implemented by four or five Member States. These Recommendations mainly concerned environmental protection; the OIML and especially its Members needed to think about what could be done in legal metrology, for legal metrology and to widen its scope. Mr. Seiler thanked Members for their attention.

Mr. Johnston asked for questions and comments.

Mr. Klenovský said that he had been responsible for developing Documents D 9 and D 16 which had been mentioned by Mr. Seiler. He was not absolutely persuaded that it was necessary to produce a new set of Documents, as he believed that their contents simply described all the current arrangements with their pros and cons and covered all the areas, apart from additional standards and regulations of measurements, which would be present in any reasonable metrology law. The two Documents gave a number of examples and justifications and seemed to him to cover the ground satisfactorily.

Mr. Harvey said that this matter had been raised at the Round Table for Regional Metrology Organizations, on which occasion he had mentioned that within the APLMF a number of guidance documents had been created, the second one of which, under the chairmanship of New Zealand, provided the sort of information which might be useful to developing economies in informing their governments.

Mr. O'Brien said that he had recently given a copy of this document to Mr. Seiler. The APLMF had decided that it wanted a document which would explain legal metrology to people who were not legal metrologists. The document contained pictures and very simple explanations of some of the complex areas of legal metrology, so that developing economies

were able to present that to ministers and others within their governments and in the wider community, and in this way to explain some aspects of it. The document was available in PDF form on the APLMF web site, and a number of copies had also been printed off. The people responsible for legal metrology in a particular economy would put their logo on the back page before presenting the document. This had been produced in a small working group within the APLMF, which had allowed representatives of a number of economies to put forward their ideas and explain some of the terms. For example, Mr. O'Brien had thought the term "stakeholders" was well understood but it had transpired that this and similar terms were not well understood within the group. Both developing and developed economies had contributed to producing the document, which was consequently in a form that all of them could use.

Mr. Birch told Members that his experience in working with developing countries in legal metrology and other areas had taught him that each country had its own specific needs and care had to be taken not to try to transfer a packaged metrology system to countries without taking into account the nature of the economy and of that particular society.

He had always found that, even in countries without any metrology system, of which he had encountered several, there was always a lot of measurement going on, and a good start was to do an audit of the measurement that was taking place there. To what extent measurement was good or in need of improvement was a good starting point for setting priorities for designing a metrology system for that particular country. So he thought it would be useful to have a brief document showing how to do a measurement audit in a developing country, highlighting all the different types of measurement that took place, because quite often people did not realize that measurement was occurring in their society. The leaflet should also show how to identify the costs and benefits resulting from improving those measurements.

## **6.2 Award for excellent achievements**

Mr. Seiler said that this was the second time that an OIML award had been presented. This was perhaps not a contradiction to what he had just been saying, in that it was a good example of how legal metrology could be developed and how the system worked in a country like Thailand. The 2010 award went to the Department of Internal Trade in the Thai Ministry of Commerce, at the Central Bureau of Weights and Measures. Both government organizations worked very closely together. The government supported the Central Bureau of Weights and Measures and the Central Bureau of Weights and Measures implemented the national regulations and had succeeded in establishing a legal metrology service, after some support at the beginning from external sources. Mr. Seiler would just show some milestones which explained why the Award had been given to Thailand.

When the Weights and Measures Act of 1923 had been replaced by the 1999 Act, there had been some reconstruction and four new regional verification centers had been established. The Central Bureau of Weights and Measures was in Bangkok and there were also now a Northern Verification Center in Chiang Mai, a North-Eastern Verification Center in Khon Kaen, an Eastern Verification Center in Chonburi, and soon a Southern Verification Center in Surat Thani, work on which should be completed at the end of 2010.

So this was part of the infrastructure, and over the same time period verification activities had been extended considerably. Mr. Seiler showed a list of all the measuring instruments now subject to legal regulations and verification, ranging from non-automatic weighing instruments to petrol dispensers, LPG dispensers, to checking of pre-packages. Mr. Seiler then

showed figures for verification activities and checks of pre-packages over this period. The figures appeared not to add up, due to the fact that the Thais had introduced a system whereby so-called designated manufacturers were permitted to carry out verifications; this applied to water meters, measuring tapes, spring scales and fuel dispensers. So the figures for these had to be added to the officially produced verifications to come to the total number.

Another good practice was the wearing of shirts with “Weights and Measures Inspector” on them, a sort of uniform by which they could be recognized. Regular general and specific training for verification inspectors was provided and organized by the Central Bureau of Weights and Measures in the areas of verification of instruments, calibration of measuring instruments and standards, checking the net content of pre-packed goods, and on inspection and legislation.

Thailand participated actively in the APLMF and had organized several workshops and training courses on different subjects such as rice moisture meters or software controlled measuring instruments. Mr. Seiler considered that all this was quite impressive, taking into account the relatively short time it had taken to develop legal metrology in Thailand. He took pleasure in congratulating the current year’s winner and hoped the following year would bring another candidate with equally impressive achievements in metrology.

Unfortunately no representative of the Thai Metrology Service could be present to receive the award, but it had been decided that the President would send the award with a congratulatory letter to the organization and at the same time invite one of their representatives to the next Committee Meeting, which would be held in Prague in 2011. Mr. Seiler hoped that this would encourage others to follow the Thai example and contribute to legal metrology.

Mr. Johnston thanked Mr. Seiler for his efforts in relation to developing countries. He knew that it could be frustrating at times and he hoped that the OIML would be able to continue to support him.

## **7 BIML activities**

### **7.1 General report**

Mr. Magaña pointed out that a general report on the activities of the Bureau was included in the working document sent to delegates. He would try to summarize its points briefly:

- as usual, the Bureau had produced a number of publications. There had not been a great number of these but nevertheless they had been dealt with in a timely manner;
- there had been changes in the web site, in particular some new pages, about which Members had been regularly informed. Implementation of databases on the web had continued;
- use of the workgroups pages by TCs and SCs had increased, and more and more TCs and SCs were using this facility to post documents and make them available to their members;
- thanks to Spanish colleagues in the CEM, the Spanish version of the web site had been updated and completed and was back on line. Mr. Magaña hoped that this might assist in raising awareness of the OIML in Latin American countries;
- a number of TCs had been active and the Bureau had followed their work closely, especially in the case of those TCs which were of strategic importance, for example

TC 12 on electricity meters. Australia had done a very good job on this and the Bureau had contributed where possible;

- the Bureau had had two co-secretariats in the past: for TC 5/SC 2 *Software*, Samuel Just had resigned at the beginning of the year so it had not been possible to continue with this. Regarding TC 3/SC 5, Régine Gaucher had also resigned from the Bureau in September to take up a post in the Ministry of Economy, Finance and Employment; it had been agreed that if possible she should attend the October 2010 meeting of this SC, but the Bureau could not continue its co-secretariat after that, for reasons of human resources and also because, in Mr. Magaña's opinion, it was not the role of the Bureau to write Recommendations. Other than in exceptional circumstances, Recommendations should be developed by Member States, who were, after all, their users and therefore the best qualified to identify what countries required. The Bureau would of course continue to support and contribute to TCs/SCs in whatever ways they could;
- implementation of the MAA had continued and would be reported on in more detail at a later stage – a new leaflet had also been produced by the Bureau;
- some work had been done on revising the Directives;
- liaison activity continued to be regular; a list of work groups and liaisons could be found on the OIML web site. There were many key liaisons and it was of course impossible to be in constant touch with all of them, but the BIML did its best to keep in contact with them;
- the Bureau had contributed to the revision of D 1 *Elements for a Law on Metrology*; Mr. Kochsiek would give a presentation on this later. It was progressing well and he believed it would address the needs expressed by Mr. Seiler and also the previous day by the Regional Bodies;
- the Bureau had also organized the Presidential Council and CIML Meeting, preparing agenda, working documents, etc., which was an ongoing annual commitment.

***Draft Resolution no. 13***

*The Committee noted the report on the activities of the Bureau and requested the Bureau to continue providing web tools for the mutual information of Regional Bodies, in particular concerning Developing Country issues.*

Mr. Magaña asked Members to indicate which items they would like to select as requiring more attention from the Bureau.

Mr. Ehrlich asked to have it recorded that while the Bureau would not continue to serve the two TC/SCs mentioned by Mr. Magaña in a co-secretariat role, it was very important, especially for TC 3/SC 5, because of the nature of its content, that the Bureau should continue to provide considerable support to the Secretariat for that activity.

Mr. Magaña confirmed that the Bureau would continue to provide support, for example in the guides for the implementation of accreditation in different fields, guides for the implementation of ISO 9000 for manufacturers and so on, and for certification of products. This was quite important, both for the MAA and also for other projects such as pre-packages or conformity to type. It was necessary to have such guides. The Bureau still had competences to do this. Some Members might have feared that the Bureau was losing all its competences

on accreditation, but this was not the case. They still had enough to support the work, and not only the Bureau but also some Members also had very strong competences in accreditation, and Mr. Magaña hoped that these Members would have the resources to contribute to this work.

Mr. Issaev wished for the inclusion of activities contributing to strengthening coordination of Regional Metrological Organizations related with developing countries.

Mr. Magaña said this was being done but more resources could be given to it. The Bureau also tried to facilitate the exchange of information between regional bodies on different issues; it had collected translations of various publications and created a new page to house them - a number of such translations were now available. A work group on training, presented by Mr. Magaña the previous day, had been put on line, also for the use of regional bodies. Providing tools for the exchange of information between liaisons was one of the duties of the Bureau and should be mentioned.

Mr. Issaev wanted the developing countries aspect to be emphasized.

Mr. Magaña agreed.

Mr. Klenovský expressed his regret at the departure of the two Bureau employees, and his gratitude for the contribution they had made to the work of the OIML.

Mr. Magaña said that these compliments would be passed on.

Mr. Ehrlich seconded the above sentiment.

Mr. Magaña said that the Resolution would be drafted during the evening for Members' approval. He also wanted to report on a couple of BIML issues. The first was financial and management issues. There would be discussion later on the financial audit; corrective actions had been necessary following the audit in July of the previous year, not long before the CIML Meeting. A number of these had been taken in September 2009 and others had been implemented just after the CIML and procedures had been elaborated. The next audit had taken place early in 2010 and its results had been sent to the CIML President, who had asked Mr. Magaña to prepare a work plan and an action plan. The plan had been drawn up and discussed with the President and then sent to CIML Members. It had not been posted on the web site nor included in the Working Document, but all CIML Members should have received it.

Since the last Committee Meeting, the Bureau had been reorganized in an attempt to give it more consistency. The roles of the two Assistant Directors had been carefully defined, and the majority of the other members of staff now reported to them instead of directly to the Director.

There was to be a revision of the Staff Regulations, but Mr. Magaña explained that there had not yet been time to begin this. The first internal working document would be drawn up very shortly and discussed within the Bureau, to identify the items that needed amendment, and then legal experts would be consulted. There was a similar situation with the revision of the Financial Regulations, which was also due to start shortly. Both revisions should be ready for the 2012 Conference, but were difficult issues.

Concerning the OIML Pension System, the previous year's CIML had asked Mr. Magaña for a report, to be discussed with Messrs. Mason and Richard. Mr. Magaña had prepared such a report, which had passed several times to and fro between them and finally been agreed. This

would be discussed more fully under item 9.3, and would, he believed, prove acceptable to all.

An accountant had been recruited at the BIML the previous year, just before the CIML Meeting and this meant that the Bureau's accounts were now up to date and were processed in real time. All accountancy records would be completed by the beginning of the year.

Following Samuel Just's resignation from the Bureau in January, Luis Mussio had been recruited, and would begin work at the Bureau on October 1. Mr. Mussio had recently been working with the BIPM as the JCRB Executive Secretary and was competent in scientific metrology; he also had experience of legal metrology in Uruguay and very good experience of accreditation and mutual recognition, although this was in another field.

As Ms. Gaucher had also resigned there was another vacancy in the Bureau, but Mr. Magaña had decided not to start filling this position before the CIML Meeting, as its outcome might change the Bureau's needs and the profile of the person required.

There had been a dispute on the non-renewal of a contract. A secretary who had been working at the Bureau had arrived at the end of her contract after having been on sick leave for more than two years. As the BIML had found that they could manage without her, they had phased out this position and had not renewed the contract, but they now found themselves with a dispute which had lasted a long time and in the course of which they learned a lot about a number of legal issues. It was hoped that the issue would shortly be resolved.

Mr. Magaña reminded Members that the various financial issues would be dealt with in more detail under item 9, and asked if they had any questions or comments.

Mr. Richard had two questions concerning the composition of the BIML staff. He agreed that the recruitment of Mr. Mussio was good; he would like to hear what experience he had had in legal metrology and what his job description was: was it the same as for Samuel Just?

Mr. Magaña replied that Mr. Mussio's job description was not the same as Mr. Just's. Mr. Magaña had left Mr. Mussio's CV in his office so could not give exact details of the legal metrology experience he had had in LATU, the Uruguay metrology authority. He had drawn up a number of regulations, he had been responsible for approvals of technical laboratories, both scientific metrology and testing laboratories. LATU was responsible for metrological evaluations in Uruguay.

Regarding Mr. Mussio's job description, it had been considered that his extensive experience of accreditation was very important. He was currently working with ILAC in his job at the BIPM. Mr. Magaña had considered that Mr. Mussio would be of help in supporting TC 3/SC 5 in the implementation of the MAA accreditation. They had not yet prepared a very detailed job description as the job would be discussed with Mr. Mussio and defined more precisely after the CIML, when he arrived in the Bureau. There were several different things that he was qualified to do, and also the work in the Bureau would have to be reorganized according to the decisions of the Committee in the current Meeting.

Mr. Issaev asked whether it was the case that Mr. Mussio had a doctor's degree.

Mr. Magaña confirmed this.

Mr. Henson said that he was not sure whether it was appropriate for him to comment, but, having worked alongside Mr. Mussio since he had arrived at the BIPM in April, he could assure OIML that they had recruited an absolutely excellent candidate.

In concluding this item, Mr. Kool reiterated that some advances in the OIML web site had been mentioned the previous day, one of them being that there was once again a Spanish language version of most of the pages. He wished to give recognition to the assistance received from the Spanish Institute of Metrology and thanked them warmly for doing the work.

## **7.2 Other BIML issues**

Mr. Johnston introduced the next item, which would be the Selection Committee's presentation of their proposal for the new BIML Director. Prior to that, he wanted to have a closed session for CIML Members and Honorary Members only. He therefore asked all observers and BIML staff to leave the room, and for recording to be turned off.

Following the closed session, Mr. Johnston welcomed the observers back and asked Mr. Stephen Patoray to make a presentation - Mr. Patoray was the candidate the Selection Committee was recommending for consideration by the Members as BIML Director. Following his presentation, Members should feel free to ask him questions (and indeed in the course of the following few days), and the vote for the positions of Director, Vice-President and President would take place on Friday morning.

### **Mr. Stephen Patoray**

Good morning,  
Ladies and gentlemen,  
President Johnston,  
CIML Members,  
Distinguished Guests,

I wish to thank President Johnston and the members of the Selection Committee for recommending me for the post of BIML Director. It is truly a great honor. Those of you in attendance who have worked with me on various projects and have had contact with me in the past know that I am very passionate about my work. I bring over 35 years of experience in the measuring industry. I have spent much of this time in product development, project management, quality management and innovation in automation. In simple terms, I have solved problems. I have supervised technicians in a private testing laboratory and directly managed project engineers, along with multiple projects with multi-million dollar budgets. I have been involved in ISO 17025 laboratory audits both as a technical expert and as lead auditor. I have also been involved with ISO 9001 and am a certified quality auditor. I have directed the National Type Evaluation Program, which is administered by the National Conference on Weights and Measures, which is the certification program in the US for legal or trade devices. Currently I am an investigative agent for a division of the US Department of Agriculture.

With these various experiences I have learned how to work on complex problems and how to identify and use the correct tools to solve them. I have learned to interface with many different people at all levels of an organization, from diverse backgrounds and cultures, and I understand that input and ideas from many people are valuable in finding the best solutions to a problem. I have also gained significant experience working with teams. I believe I

understand the various roles of team members, all of whom play a critical role in the successful outcome of a project.

With these experiences, knowledge and passion, I will begin to direct the BIML. If you have further questions regarding my background, you can review the CV that was sent out to CIML Members via email or you can contact me during the rest of this Meeting.

Upon my review of many documents from the recent CIML Meetings, it has become clear that there are many significant issues now facing the OIML. Here are a few that will be my initial focus as BIML Director:

- the first, and possibly the most important is the finances. It is critical that the BIML have policies in place which will make certain OIML is fiscally responsible, financially stable, transparent in all financial matters, and uses best practices in accounting methods. I will work closely with the CIML President, the CIML Members and the staff of the BIML to ensure these needed policies get quickly identified and put into place;
- next are several major projects which are now before the Organization. A few are the MAA, Conformity to Type and the work involving the Directives for Technical Work. I intend to seek counsel from the CIML Members and other stakeholders in each of these issues. With this information I will seek out the Secretariats of the various committees and assist them in identifying ways in which the BIML might assist in reaching their goals. I will ensure the full support of the BIML, the staff and my personal assistance in helping to find acceptable solutions to these complex issues;
- there is also the need for the OIML to continue to cultivate and grow existing relationships with organizations such as the BIPM, ILAC, ISO, IEC and others that have a mutual interest in the OIML. We must all work to avoid duplication of effort; we must utilize experts in many areas; and we must all avoid disagreement in the standards we develop. However, it is also important for the OIML to identify and develop new relationships with additional organizations throughout the world. These may also have mutual interest in legal metrology. I will reach out to those organizations with whom the OIML now has liaisons to develop even stronger working relations with them, and I will reach out to other organizations to develop new beneficial relationships. All of these associations will have the goal of making the OIML an even better organization;
- I will work with Mr. Seiler and President Johnston to become more familiar with the needs of developing countries. With this increased understanding it is my intent to help identify tools and resources which the BIML can provide to meet those needs in an efficient and effective manner;
- I intend to use my experiences as a certified association executive and an expert in process improvement to develop internal procedures within the BIML which will improve efficiencies and effectiveness, aid in communication and ensure investment in the OIML will be of real value;
- I also expect to continue on a path which will allow me to become proficient in French language and quickly acclimate and contribute to the local community where I am living.

As BIML Director I make these promises to you: I will learn as fast as I am able to learn, and I will work as hard as I am able to work. I commit to keep an open mind to all ideas, yet stay focused on the core objectives of the OIML. I intend to concentrate on finding a solution, not dwell on a problem. I know I must continue to work every minute of every day to first gain and then keep the respect and trust of everyone in this Organization. I will admit when I make a mistake, I will learn from it and I will work to correct it. I intend to be consistent in all my actions and in directing the actions of this Organization. I commit to seek guidance from and rely on the expert capabilities of the CIML President, his Council, the CIML Vice-Presidents, the CIML Members and BIML staff. I pledge to build on the excellent work of those who have come before me and I will strive to leave this Organization a better place.

Finally, I promise to enjoy this very important work every single day. In the near future I will correspond with each of the Members to learn what is important to you and to your country regarding the OIML. As BIML Director I will also work directly with the CIML President, CIML Vice-Presidents, the Presidential Council and all of you to become a trusted and dependable source of counsel, information and direction.

Thank you for the opportunity to speak before you today. I look forward to serving you as your Director. Thank you.

## **8 Technical activities**

Mr. Kochsiek reminded Members that that a decision (to which he would later return) had been taken two years previously at the Sydney Conference to revise Document D 1 *Elements for a Law on Metrology*. Later on, Mr. Kochsiek had been asked by the President to start this revision.

Mr. Kochsiek said that from his point of view there were several reasons why a revision was necessary:

- the first reason was that he had a lot of experience: over the previous five years more than ten countries had asked him to support them in the revision of their law on metrology and they were hesitating to start by themselves because in the present D 1 there was a lot of information but there were no guidelines, no proposal for a structure of the law on metrology or what had to be written in decrees or mandatory technical regulations;
- the second reason was that changes had taken place in the world, globalization of trade and services, technical development, the use of conformity assessment procedures and the supervision of the metrology system on a regional or international basis. In a lot of countries there was also the participation of private manufacturers and users in the field of legal metrology. Many countries, therefore, were revising their law on metrology or verification act and in the last twenty years there had been a lot of newly founded states and developing countries, and they also needed a modern law.

In 2008, therefore, there had been a Resolution to start the revision. An inquiry had been carried out at the end of 2008, but the results of this had, in his view, been rather poor. A round table discussion had been held in 2009 on the topic of metrological control<sup>4</sup>, and after the Presidential Council Meeting in March 2010 Mr. Kochsiek had presented an idea for

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<sup>4</sup> [http://www.oiml.org/seminars/2009\\_Mombasa\\_RT\\_on\\_Metrological\\_Control/index.html](http://www.oiml.org/seminars/2009_Mombasa_RT_on_Metrological_Control/index.html)

a new structure of D 1. At that time the President, Vice-President, some members of the Presidential Council, and Messrs. Ehrlich, Magaña, Kool and Kochsiek had started to write a new draft. It was now September and they were about to make the first presentation of what had been done. It had been considered that the future structure should be:

- Foreword: 1 page;
- Part 1 Introduction – Scope: 1 page;
- Part 2 Rationale: this was new and Mr. Kochsiek would return to it later;
- Part 3 Guidelines for setting up structures in metrology and proposed articles for the Law;
- Part 4 Proposed regulations for the Law on Metrology;
- Part 5 As usual, references to the main publications of the OIML, the Metre Convention and ILAC.

Giving more details, Mr. Kochsiek said that in the course of the current CIML Meeting, there had been several references to the need to convince politicians and decision makers in a country. Mr. Ehrlich had therefore taken on the task of summarizing the rationale for metrology, answering the questions: What is metrology? and why is a law on metrology needed? There would be further elaboration of what metrology was good for, what was meant by legal metrology, why a metrological infrastructure was necessary, and the role of the government. At the end, the guide would point out the need for compatibility between national and international metrological requirements.

Part 3, Mr. Kochsiek explained, would start with some information on what should be included in the Law, in the decrees or by-laws and in mandatory regulations, then the scope of such a law, definitions, some information about national metrology, policy, infrastructure, national institutes, and organization of the authorities.

A new element would be the need for transparency of metrological information; there would be information on legal units of measurement, and then for a lot of countries there was a need to include traceability and uncertainties.

The main part from the OIML's point of view would then follow, to include legal metrology, application of the Law on different points, then, as usual, some information about enforcement, the duties and responsibilities of the different parties to legal metrology, conformity assessment procedures, and financial provisions.

In Part 4, Mr. Kochsiek told delegates, there was a proposal to organize a metrological infrastructure by a suitable order of laws, decrees and standards. He said that there would probably be discussion of this draft revision by the Working Group on the Friday of the present Meeting. It was possible that, at the suggestion of Mr. Ehrlich, most of the information just given would be moved to Part 3 of the Document. Part 4 would in that case mainly give approximately 30 articles on proposals for the structure of the Law on Metrology.

The next step, Mr. Kochsiek continued, would be to have a meeting of the Working Group and to have a discussion with Messrs. Magaña and Kool. If these two would have time in October to send comments on Mr. Kochsiek's section 3, he could send comments on their part 4 in November. In this way it was hoped that the first draft would be ready by the end of 2010 to be presented to TC 3, and then in 2011 he hoped it would be possible to begin discussions with the BIPM and ILAC.

Mr. Kochsiek thanked delegates for their attention and invited them to approach him or his colleagues in the ad hoc working group with any comments or suggestions, either immediately or in the course of the week. Members should receive the first draft in the course of 2011.

Mr. O'Brien expressed his appreciation for the work being done on this project. In his work with the Pacific Islands he relied heavily on D 1, which was a useful Document, so its revision, elaboration and updating would make it a very useful tool. He would like it to contain the information that for some developing economies, development of traceability on a regional level was quite important. The existing Document was written very much from the perspective that everything would be done nationally, whereas for some smaller developing economies, a regional solution was more applicable.

Mr. Kochsiek replied that they were already including some information about regional organizations. All members of the European Union had to implement the European Directives in their national law. On the other hand, in some other regions it was more voluntary. He agreed to give some information on these two options.

## **8.1 Items for information**

### **8.1.1 – 8.1.3 Confirmation of publications**

Mr. Kool said that items 8.1.1 to 8.1.3 would be taken together. They concerned confirmation of publications that had been reviewed by the respective TCs. This was a periodic review to see whether these publications should be maintained as they were or whether they should be amended, revised or withdrawn altogether.

- OIML R 133, of TC 11/SC 2 had been confirmed;
- OIML R 127, R 131 and R 132 of TC 15/SC 2 had been confirmed;
- OIML R 92, of TC 17/SC 1 had also been confirmed.

#### 8.1.4 TC 15/SC 2: Update of publications

As requested at the previous CIML Meeting, versions of the three Recommendations of TC 15/SC 2 had been published without alteration to the content but with updated references to the latest versions of other standards published as addenda to the respective Recommendations.

##### ***Draft Resolution no. 14***

*The Committee noted the confirmation of the following OIML Publications by their respective Technical Committees and Subcommittees:*

- *OIML R 92:1989 Wood moisture meters – Verification methods and equipment: general provisions,*
- *OIML R 127:1999 Radiochromic film dosimetry system for ionizing radiation processing of materials and products,*
- *OIML R 131:2001 Polymethylmethacrylate (PMMA) dosimetry systems for ionizing radiation processing of materials and products,*
- *OIML R 132:2001 Alanine EPR dosimetry systems for ionizing radiation processing of materials and products,*
- *OIML R 133:2002 Liquid-in-glass thermometers.*

#### 8.1.5 Training of TC/SC Secretariats

The Bureau undertook to provide training for TCs/SCs on a biennial basis. Two such training sessions had already taken place, the last in the spring of 2009, so the next one should be held in April/May 2011. However, it might be necessary to postpone this training for several reasons. One reason was the current revision of the Directives for Technical Work, which would be discussed later in the day. These Directives of course formed the basis of the training. The other reason was the resignation of two BIML engineers, in particular Ms. Gaucher, who had been very active in organizing the previous events. In the meantime, the Bureau had sent out an inquiry to compile a list of the names of people who should attend such training. Very few applications had been received so far.

Ms. Van Spronsen said that it would be better to ascertain whether there would be enough participants for a training course rather than arranging them on the basis of one every two years. Possibly it would not be necessary to offer training so often.

Mr. Kool replied that although they had been asked to arrange training on a biennial basis, obviously if there were not enough participants it would not make sense to offer it.

Mr. Miki considered that although the training was intended for the Secretariats, many other individuals might be interested in it. He hoped that applications of this sort might be accepted.

Mr. Kool answered that this had been discussed in the past and that the training was primarily intended for people who were actually responsible for a Secretariat. Consideration had been given to the possibility of also offering training for people who attended meetings as an expert, because such people sometimes had little knowledge of the procedures used in the OIML. But the training currently under discussion was specifically for those responsible for Secretariats.

Mr. Issaev said he and his colleagues had run a training session for five experts and had been very pleased with the results, as these people had then worked in various TCs and SCs. He hoped that when the revision of the Directives was finished, the Bureau would turn its attention to the training of experts.

#### **8.1.6 OIML participation in the JCGM**

Mr. Kool explained that the OIML was one of the eight Member Organizations of the Joint Committee for Guides in Metrology (JCGM). The Committee was chaired by the BIPM Director, Andrew Wallard. So far it had two working groups: WG 1 on the evaluation of measurement uncertainty, and was responsible for the Document known as the GUM (the Guide for Uncertainty in Measurement) and a number of associated publications, and WG 2 was about terminology, and was responsible for the Document known as the VIM.

These Documents were prepared by the JCGM Working Groups and were distributed to the member organizations of the JCGM, who could then publish them as their own publications.

So far three of the eight organizations, the BIPM, the OIML and ISO, had published their own versions, which were available on the OIML and BIPM web sites, where they could be downloaded free of charge. ISO also made them available, both electronically and in printed versions, but these were not free of charge. Other organizations simply referred to, for instance “the publication by the BIPM”, and did not have their own versions. By “their own versions”, Mr. Kool meant that the Documents were printed without alterations but that the organizations might add further elements of their own, for example their own cover page, their own foreword, a table of correspondences to their own publications, etc., but the core of the Document should be identical to the JCGM version.

Mr. Ehrlich and Mr. Kool represented the OIML in the JCGM Committee and in both working groups. In addition, Mr. Jerzy Borzyminski (Poland) who was responsible for the Secretariat of OIML TC1 *Terminology*, was a member of JCGM/WG2, representing the OIML.

Mr. Issaev informed Members that translations by COOMET of ISO Guide 99 (VIM3) and the BIPM version of the VIM3 into Russian were now available.

Mr. Kochsiek said that the Working Group on OIML D 1 had discussed including some new terms and definitions, especially for metrological control. He wanted this to be discussed in the JCGM, especially for the VIM and the VIML.

Mr. Kool thanked Mr. Kochsiek for his comment. He said that these terms, which were specific to legal metrology, would be discussed first and foremost in the OIML TC 1 meeting which would take place the following week in Warsaw. After that it would be seen whether it made sense to include one or more of these terms in the VIM itself. But, being specific to legal metrology, they should first be in the VIML.

Mr. Leitner proposed that the Documents which were common to all the organizations should be published jointly, rather than separately, by ISO, the BIPM and the OIML, thus saving some resources.

Mr. Kool replied that not much would be saved in this way because the core of the document was identical, and each organization simply took the PDF file and put it on its web site, adding only a cover page. It then became an “OIML publication”, free of charge.

Mr. Leitner said that ISO wished to make money out of their publications.

Mr. Kool replied that both the OIML and the BIPM made their publications available free of charge; there might be some advantage in these two organizations publishing the document jointly. He would look into the implications of this.

In conclusion, Mr. Kool told Members that in the October edition of the OIML Bulletin they would find an article on the JCGM, along with the names and photographs of the experts who served on the two working groups.

### **8.1.7 Seminar on Conformity to Type to be held in 2011**

Mr. Kool said that the purpose of this item was, for the moment, to inform Members that it was the Bureau's intention to hold such a Seminar the following year, in conjunction with the 46th CIML Meeting in 2011. Later in the day there would be discussion of a new work item on Conformity to Type, and the Seminar could be discussed at that point, and the Resolution could also be taken then.

## **8.2 Items for approval**

Mr. Kool explained the voting rules which would be applied. For a vote to be acceptable, there needed to be a quorum of 75 % of all CIML Members: this had already been established to be the case. 80 % of Members present or represented had to cast votes – abstentions did not count as votes – and of the votes cast, a majority of 80 % was needed in order for a decision to be taken.

### **8.2.1 New or revised publications**

#### **8.2.1.1 R 106-1**

A vote had to be taken on the draft revision of R 106-1. Mr. Kool asked Mr. Dunmill to give Members additional information on this.

Mr. Dunmill said that he wanted to go through the background to this draft revision. Following the preliminary ballot period, the final draft revision of R 106 had been put on the OIML web site in January 2010 for direct CIML online approval. The BIPM had tried to follow closely the responses of Members but the response was very poor and only 29 CIML Members had responded by the deadline. At that point, Mr. Dunmill had therefore sent out individual reminders to those CIML Members who had not voted, and the draft was left available for voting beyond the deadline. By mid-June, responses had been received from 37 Member States, including one “no” vote. A further reminder had then been sent to all CIML Members, thanking those who had voted and asking for any final votes to be cast. There was no response to this message and the draft revision had been removed from the voting part of the web site. The conditions of approval, as explained by Mr. Kool, had thus not been fulfilled, although all CIML Members had clearly been consulted. Only 65 % of them had voted, and this was less than the two thirds required for online approval. Since one Member had voted against, the draft could not be approved by the online voting procedure, based on part of the Convention, which had originally been devised for taking decisions by postal vote outside of CIML Meetings. That draft had therefore had to come to the present CIML Meeting for approval.

However, the “no” vote, which had come from the Netherlands, as well as some of the other comments, had indicated that a number of technical changes had been made to the draft after its preliminary ballot period, which was something that should not happen. The comments had been sent to the Secretariat of TC 9/SC 2, which had provided some responses as well as a revised draft. Mr. Dunmill had not, however, been able to submit that draft to Members, even though it might be more acceptable, because they would not have had the required three month period in which to consult people in their countries and be in a position to vote on it at the current meeting.

The CIML had now to decide either to vote on the current draft, which had too many technical changes, or to submit a revised version to direct online approval again during the coming year. Mr. Dunmill had now discussed the matter with the Secretariat of TC 9/SC 2 and with the Dutch delegation, and it was felt to be better not to offer the revision for approval at the present time. The Secretariat would provide Mr. Dunmill with a revised draft, which would revert the technical content to that which had existed in the draft approved by TC 9/SC 2 members. There would be another three month voting period on this revised draft.

This of course meant that final publication would be delayed, but this was felt to be the better technical solution, but of course it did rely on CIML Members voting again on this second draft. Mr. Dunmill would maintain pressure to encourage CIML Members to vote, in the hope of achieving the necessary figures this time. He asked CIML Members to approve this course of action.

Mr. Schwartz said that Germany supported this proposal for direct online approval. Had the reverse decision been taken, they would have voted “no”.

Mr. Awosola said that as the Secretariat for TC 9/SC 2, he fully supported the proposal to submit the draft for online voting. His priority was to have a good publication with which all TC 9/SC 2 and CIML Members were happy, and he did not think that the draft which was currently on offer achieved that objective. They would hope to submit work within the next few weeks, and if all CIML Members voted online it might be possible to get it published by the middle of the following year.

Mr. Teunisse said that the Netherlands was in full support.

Mr. Kool asked whether anyone was not in support. Nobody voiced an opinion against the proposal, which would be drafted as a Resolution and decided on Friday.

***Draft Resolution no. 16***

*The Committee,*

*Recalling its Resolution no. 16a of the 44th CIML Meeting to submit the Draft Revision of R106-1 on automatic rail-weighbridges to direct CIML online approval, and*

*Noting the report by the Bureau on the result of the online vote;*

*Decides that a revised Draft Revision of R 106-1 shall be submitted to direct CIML online approval.*

8.2.1.2 R 100

Mr. Kool said that a CIML online ballot is in progress and would end in October. The CIML was asked to approve the submission of this draft revision to direct CIML online approval (the draft having been modified by the Secretariat as necessary following the CIML online ballot).

This was approved for decision on Friday.

***Draft Resolution no. 17***

*The Committee instructed the Bureau to submit the revision of R 100 to direct CIML online approval.*

8.2.1.3 D 16

Mr. Kool said that the Draft Revision of OIML D 16 *Principles of assurance of metrological control* had been submitted to the CIML Members for online ballot with a deadline of 20 July. As was often the case, the draft had not received a sufficient number of votes to be approved directly, and also there had been one vote against. The draft was therefore being submitted to the CIML for approval at the meeting.

Ms. Van Spronssen said that she would have liked the text to be more objective. She had problems in particular with two matters. Firstly, in clause 6, where two different systems were being described, names had been given to the systems, so that there was an American system and a Dutch system, or Dutch model. If there was a Dutch model, she would prefer to have that deleted and replaced by a couple of examples as to how this metrological supervision could be performed. Her second, and main objection however was that in the Dutch model the impression was given that the Dutch government had withdrawn all cooperation. The Dutch government had not withdrawn from its responsibilities, matters were simply done in a different way, and she would like this to be clarified in the text.

Mr. Lindløv thought the Document needed some tidying up. There were statements which he did not believe should be included in such a document. For example, it was stated that the Dutch system was the second most efficient. How could that be said? Also, it should be stated that there could be different systems for different areas of a country - he could not find any emphasis on this fact in the Document. There could be one system for taxis, which were moving around and another for fuel pumps, which were stationary. There was a need to go

through and take out statements which were not objective; he did not think this would be a major task.

Mr. Issaev felt that it would be necessary to harmonize the terminology, because TC 1 had not yet produced the final version of the VIML, so it should remain possible to change some of the definitions in the text.

Mr. Kool raised the question of whether now was an appropriate time to do this, as TC 1 had not yet finalized the VIML revision. It might take some time to revise it and so he was reluctant to accept this further delay.

Mr. Ehrlich agreed with the Russian comment. Perhaps D 16 should be held up until the other work was further advanced, as it could be useful to have more harmonized language in the Document.

Mr. Kool suggested that, if the Secretariat agreed, the countries which had made these comments should set up an electronic working group to see if it was possible to arrive at a text which was acceptable to them. He asked whether, once this had been done, the revision should be put up for direct online approval.

Ms. Van Spronsen expressed willingness to accept this solution.

Mr. Lindløv also gave his consent.

Mr. Kool said that he would draft a suitable Resolution.

***Draft Resolution no. 18***

*The Committee,*

*Noting that the Draft Revision of OIML D 16 Principles of assurance of metrological control had been submitted to the CIML for online ballot, but that it did not receive sufficient support to be approved,*

*Considering the comments made by the Netherlands and Norway,*

*Requests the secretariat of OIML TC 3/SC 2 to prepare a revised Draft Revision of OIML D 16 with the assistance of the Netherlands and Norway; and*

*Instructs the Bureau to submit this revised Draft Revision to direct CIML online approval.*

## **8.2.2 New work items**

### **8.2.2.1 Conformity to type**

A proposal had been made by Australia in March 2010 to launch a new work item on conformity to type and to establish a new TC or SC to deal with this issue. Upon receiving these proposals, the BIML had consulted the Presidential Council in May/June 2010. The results of this consultation were given in Annex E of the Working Document. CIML Members and liaison organizations had then been consulted. Results of all this consultation had been posted on the workgroups web site. Comments had been received from twelve CIML Members and one liaison organization (CECIP), and this issue was hereby submitted to the decision of the Committee. Mr. Kool did not propose to go too much into the details of these comments, but a few general conclusions could be drawn:

- Conformity to Type was a very important issue for the OIML, and should be addressed by a new work item;
- more investigation was needed in order to define what kind of system the OIML should develop to address Conformity to Type;
- if a Conformity to Type system was developed, it should be compatible with the European conformity assessment procedures for measuring instruments;
- many, though by no means all, felt that work should preferably be allocated to, or at least managed by TC 3/SC 5.

Without going into too much detail, there were three items to look at in the current Meeting:

1. the main question was whether or not work should begin on Conformity to Type;
2. later in the Meeting, a more formal decision could be taken as to whether this work should be integrated into TC 3/SC 5;
3. the suggestion that the Seminar on the subject proposed to coincide with the 2011 CIML should be taken as a starting point for work on Conformity to Type.

Mr. Ehrlich considered that Mr. Kool had given an accurate summary of the comments received. He endorsed the holding of a Seminar on Conformity to Type but felt that it might be better to have the Seminar before deciding whether to initiate an OIML project in this regard. The inquiry had highlighted the fact that this was a complex issue, dealt with in different ways around the world; there was no obvious solution and he felt that a lot could be learned from the Seminar. He thought that perhaps a work group could be established for the project within TC 3/SC 5. He believed there was a connection, though it was not clear whether this needed to be the case. Many good points had been made that perhaps in the end it could be lined up with a CTT program that was separate from the type evaluation program and the Certificate System, but this was not clear. The best thing was to start the work within TC 3/SC 5 and then if necessary split off the CTT work later.

Mr. Lindløv was doubtful as to whether the OIML should go into product certification schemes; thought and discussion were indeed necessary. His second point was that it might also be useful to try to spot what kinds of systems were used around the world. Though not an EU Member, Norway was familiar with the European system, but there were probably other systems in other places. He also felt that ILAC/IAF ought to be more directly consulted, as it appeared that they had not yet commented.

Ms. Van Spronsen also had doubts as to whether this was the right way to go, and felt that the Seminar was a good idea to find out. She suggested stepping back and looking at the legal implications of manufacturers and bodies other than the OIML who were testing instruments being able to put the OIML mark on the instrument. How could the quality of instruments bearing the OIML mark be guaranteed? Before putting a lot of work into a scheme of this kind, research should be done into the legal aspects.

Mr. Issaev said that Russia had about 20 years' experience of CTT arrangements. These had nothing to do with certification for something else, because the body for primary type approval of measuring instruments was responsible for this CTT testing for a fixed length of time, for example five years. CTT tests were reported to the same board which dealt with type approval tests. There was no special body or other certification system. And of course it was a very important activity, which would be developed also in COOMET. So Russia strongly

supported the idea of holding a Seminar, or at least some discussion, on CTT in Prague. In their opinion, the matter should be located within TC 3/SC 5, and not in some newly created subcommittee.

Mr. O'Brien considered that this was an important new work item. His preference would be to try to set up a working group before the following year's Seminar, so that some preliminary discussion could take place before it. Ideally this TC or working group would be set up at the current meeting so that some preparatory work could take place. He appreciated that it was a complex issue, but it had now been under discussion for some time and work should be started.

Mr. Kool considered that it was a good idea to set up an ad hoc group to prepare the program for the Seminar and take into account the issues that had been mentioned such as legal issues, what kind of systems existed, what kind of systems were compatible with existing OIML systems, etc., to define programs, not just by the BIML but by an ad hoc working group. Mr. Kool asked for Members who might assist in this.

Ms. Lagauterie said that if there was to be discussion of Conformity to Type, it must not be limited to the time of manufacture but should also deal with upkeep of it once the instruments were in service. Some of France's comments had already been mentioned in the summary and she drew attention to the others they had sent. If there was to be an ad hoc group, France would like to participate in it.

For CECIP, Ms. Martens said that she wished to bring another aspect into the discussion. The question that had to be dealt with was, what benefit would there be for a manufacturer in joining this voluntary system? The cost would be high, whatever way it was done. Could fair competition be guaranteed? A manufacturer who put instruments onto the market under the expensive OIML scheme would have competitors who had never heard of the OIML who could produce instruments much more cheaply. It was not enough to have a good CTT system, and if an answer could not be found for this question, she did not see why any manufacturer should follow such a CTT.

Mr. Issaev said that in Russia Conformity to Type was a legal metrology procedure and not a manufacturing procedure, so there was no special CTT system, but there was a rule which obliged manufacturers to present measuring instruments for five years for CTT testing. It was not a separate system but legal metrology supervision.

Mr. Kool remarked that it was clear that there were already different systems in place in the world.

Mr. Harvey said that the CIML had been looking at this matter for many years. In the Seminar in 2002 in St Jean de Luz there had already been papers that mentioned Conformity to Type and recommended that something be done about it. Since then, a working group had been set up, holding its first meeting in 2005. There had been four working group meetings but not much progress had been made because there were some fairly intractable issues, one of which was the funding issue. Initially the idea had been, in 2004, that the OIML was saving manufacturers so much money with its certification scheme and the MAA, for which in various countries they would otherwise have paid so much more, that they could be asked to contribute to the CTT program. But they had not got far. Recently in Australia, there had been some traction in the utility metering area. Particularly the water meter utility companies bought a large number of meters, and each did a little conformity testing. There might be facilities in, say, Sydney, others in Victoria, others in Perth, each doing the same sort of

conformity testing. The OIML had suggested this testing be centralized and the NMI did the testing and the users of the instruments contributed instead of each paying separately. The authorities had shown interest because this was less expensive than their current way of doing things. Funding remained a problem; what was being proposed was a voluntary scheme which would be an additional expense on top of the OIML Certificate System or the MAA.

So there were two issues: was work needed on Conformity to Type? Mr. Harvey felt that it certainly was; he fully supported the idea of a Seminar to explore the possibilities. He also took note about what the Netherlands had said about any legal aspects which was always necessary when something was internationalized that was normally handled within one economy.

The other question was where the work should be carried out. Mr. Harvey had some views about this which could be read in the documents. In his opinion, it was a separate issue from the MAA, which was really nothing to do with type approval, it was to do with the acceptance of test results. There were various systems for accepting test results. Mr. Harvey would be concerned if Conformity to Type was done within the same framework as TC 3/SC 5, since the main purpose of Conformity to Type was to assure the conformity of production instruments with the type. He did not think it should be distorted for the purposes of the MAA, which at the moment was looking at ways of accepting manufacturers' test results. If they had a good third party and effective Conformity to Type system, it might be possible to accept manufacturers' declarations of conformity. All options needed to be explored within the framework of a Seminar.

Mr. Harvey was in agreement that planning should start at once and either a working group or a TC would be a good place for this to happen.

Mr. Ehrlich reiterated his earlier comment that he believed there was a consensus for conducting the work within TC 3/SC 5. He thought that Mr. Harvey's concerns about distortion were unfounded, and that, if later it were found to be preferable to do the work in a different subcommittee, that could be done at that point. He endorsed New Zealand's proposal to have a working group to plan the seminar and begin to think about the future of this work. In his position as Secretariat and no longer Co-Secretariat of TC 3/SC 5, Mr. Ehrlich would begin to identify Members who were interested in participating in this working group, namely Mr. Harvey, Mr. O'Brien and some others.

Mr. Vinet said that this was important work, and clearly linked with the MAA. In planning the seminar, care must be taken that the framework for the CTT work would be sustainable. The MAA was voluntary and growing; if CTT were added, it would be necessary to look at the legal aspects and at any effect it might have on the MAA, because this would be voluntary, and manufacturers must not be deterred from applying for the MAA.

Mr. Carstens wished to support New Zealand's proposal. Regarding TC 3/SC 5, if the new Directives were adopted there would be no argument as to where the work should go, it would be set up as a new project.

Mr. Han said that in his opinion legal metrology authorities were responsible not only for type approval but also for instrument conformity. There was a good conformity system in Europe but the OIML needed to set up some sort of worldwide instrument conformity system. He therefore supported the setting up of this new work item, and study of ways to make it operate smoothly.

Mr. Kool summarized the feeling of the Meeting as being that Conformity to Type was a very important issue and that the OIML should address it; however, at the moment, there was not a consensus that the work should be started immediately. It would therefore be better, in the form of a Seminar, to investigate the issues which had been mentioned, to see whether or in what form the OIML should address the issue of Conformity to Type, whether by a product certification scheme or by another method. The legal, financial and other issues which had been mentioned needed to be taken into account. There also seemed to be agreement that the Seminar, to be organized by the BIML, would be prepared, in its program, speakers, etc., by an ad hoc working group. He asked whether New Zealand would be prepared to convene and chair this working group, which could, if preferred, operate electronically and not necessarily by way of meetings. If this proposal was agreed, there was no need to take an immediate decision as to whether to set up a new work item, or on Australia's two proposals. If there were no objections, he would draft a Resolution for decision on Friday.

Mr. Schwartz agreed to this and suggested that the working group should be identified in the course of the current Meeting. Germany would be willing to participate.

Mr. Kool asked Mr. O'Brien whether this working group could be formed during the next two days and a report made on Friday. Regarding dates, he had asked Mr. Klenovský whether it would be possible to arrange the Seminar in conjunction with the 2011 CIML Meeting. There were, however, a number of events during that period. The CIML Meeting would take place before the GCPM Meeting that year, so it had originally seemed best to hold the seminar during three days of the week before the CIML. However, in that same week there was the Metrology Congress in Paris and, on the Thursday and Friday, the general assembly of ISO/CASCO. In order to attract the best speakers in the field of conformity assessment, product certification, etc., this would not be a good choice of timing. Consideration therefore had to be given to the question of whether it was feasible to run the Seminar in conjunction with the 2011 CIML Meeting or whether a completely different date would be preferable. This point was merely for information.

***Draft Resolution no. 19***

*The Committee,*

*Considering the proposals by its Member for Australia for a new project and a new (Sub)Committee on Conformity to Type (CTT), and*

*Considering the comments received during the consultation of the members of the Presidential Council and the subsequent consultation of all CIML Members and relevant liaison organizations,*

*Resolves that a decision on the proposals shall be postponed until after the conclusions of a seminar on CTT, mentioned in Resolution no. 15, have become available; and*

*Instructs the Bureau to facilitate an electronic working group, chaired by the Member for New Zealand, with the objective to prepare the program for that seminar, taking into account the issues raised in the comments received.*

8.2.2.2 TC 3/SC 5: Revision of OIML D 29

Moving on to the next agenda item, Mr. Kool said that this concerned the approval of a new work item, the revision of Document D 29, which was the application of what was at present

ISO/IEC Guide 65 to the assessment of measuring instrument certification bodies in legal metrology. This Guide was currently under revision and would in the near future be published as ISO Standard 17065. The intention of the work item was to revise D 29 in compliance with the new version.

Mr. Ehrlich said that he believed that the revision of Guide 65 was experiencing a little difficulty, so he was not sure how much progress had been made. He also asked who would be carrying out this work following the departure of Régine Gaucher from the Bureau.

Mr. Kool said that there were two separate issues. The first was to decide whether D 29 needed to be revised when the new ISO 17065 was published. When that happened it would be the moment to look at what resources were available. In answer to a query from Mr. Ehrlich, he explained that a vote was to be taken at once on the new work item, and the vote on the Resolution resulting from that would be taken on the following Friday.

General agreement was expressed to this and the item was accepted without no votes or abstentions.

***Draft Resolution no. 20***

*The Committee approved the following project:*

- *Revision of OIML D 29 Guide for the application of ISO/IEC Guide 65 to assessment of measuring instrument certification bodies in legal metrology, to be undertaken by OIML TC 3/SC 5 following the publication of ISO 17065, superseding ISO/IEC Guide 65.*

**8.2.3 New Technical Committees/Subcommittees**

Mr. Kool explained that as the proposal from Australia for an item on CTT had been withdrawn there was no longer a need for any new TCs or SCs.

**8.2.4 Allocation of Secretariats**

Again, Mr. Kool told delegates, there were none to be allocated or reallocated.

**8.2.5 Withdrawal of a project**

TC 11/SC 2 had voted in favor of withdrawing its project p2 on standardized thermocouples due to lack of interest from P-members. The result of the vote had been: Of the eight P-members that had cast a vote, seven had voted to withdraw and one had voted to continue the project. There was thus a clear majority in favor of withdrawing the project from the list. The CIML was requested to approve the withdrawal of this item.

This proposal was passed unanimously.

***Draft Resolution no. 23***

*The Committee approved the withdrawal of TC 11/SC 2's project p2 on standardized thermocouples.*

### **8.3 OIML Certificate System, MAA and a future system**

#### **8.3.1 OIML Basic Certificate System**

Mr. Kool pointed out that the information on this was in the Working Document; because of pressure on time, he asked Members not to go into the details unless they had some serious questions to ask. Summarizing, he said that:

- 50 categories of instruments were now covered;
- there were 31 Issuing Authorities in 26 countries; and
- thousands of Certificates had been registered.

#### **8.3.2 MAA**

Mr. Kool said that the proportion of MAA Certificates in the total was increasing. There had been attempts to have two new DoMCs; one, for R 51, had almost come into being. There had been two Issuing Participants, but there had been only two Utilizing Participants, so the two candidate Issuing Participants had decided that this was too low a number to continue. This was therefore in abeyance. For the other, which had been discussed in the CIML Meeting the previous year, on R 117, for fuel dispensers, the potential Issuing Participants now preferred to await the revision of R 117, and not to have requirements from two different Recommendations. The three existing active DoMCs on Water meters, Load cells and NAWIs remained active.

An inquiry had been made to participants in the MAA to try to discover what use was being made of MAA Certificates; detailed results could be found in the Working Document. The conclusion had been that it was very difficult to acquire such information, as there had been very few responses; in particular, it had proved almost impossible to obtain information from manufacturers. There was an impression, however, that use of these Certificates was increasing, as was the number of Certificates. It was felt that they were on the right track but it was difficult to quantify this.

Mr. Magaña commented that the Certificates and the MAA web pages had been improved and it was now possible to search the Certificates by category.

Mr. Kool added that some information had also been included on the certification of pre-packages, projects currently undertaken by TC 6, and also known as the IQ Mark. This, he believed, had begun in 1998 with a proposal from the APLMF to take up this issue. The CIML Meeting had decided that this should be done by TC 6. At that time, the USA had been responsible for TC 6. In 2001, TC 6 had informed the CIML that it had originally been intended that requirements for pre-packages should be annexed to R 87, but a separate Document had subsequently been preferred. In 2004, responsibility had been reallocated from the USA to South Africa and the South African Secretariat had begun this work with a seminar in Cape Town in 2006. There had subsequently been four meetings of TC 6 where working documents and a first and second Committee Draft for a basic OIML Document had been discussed. The current status was that the second CD had been circulated for vote and comment by CIML Members, with a deadline of 31 October 2010. The result of this would no doubt be discussed at the next meeting of TC 6, which would take place in April 2011 in Tokyo.

Mr. Ehrlich told Members that, as many of them were aware, the USA had opposed this project for some time. They believed that:

- the system would not protect consumers and competitors from intentional fraud;
- it did not provide any added benefits for manufacturers, who could already provide evidence of good manufacturing practice and quality control records to legal metrology officials;
- the e-mark system of the EU, on which this system was based, had not really provided the hoped for benefits; and
- the cost of establishing the certification system and the bureaucracy necessary to operate it would not be justified.

The foundation Recommendations, R 87 and R 79 were in the early stages of revision and some problems with the statistical requirements for R 87 needed to be addressed. He would therefore like an elaboration of the anticipated costs to the OIML of setting up such a system, and how it would work.

Mr. Kool replied that now was not the moment to go into such matters. The project was with TC 6, and it was for this group to come up with either a proposal in the form of a Document, to be submitted to the CIML for approval or rejection, or a proposal to withdraw the project.

Mr. Harvey said that he understood that the proposal to be put forward by TC 6 was a voluntary proposal, to which countries could opt in or opt out. Other Members also showed interest in expressing comments, however Mr. Kool informed the audience that there was no proposal to vote on or discuss this project on the current occasion.

Mr. Ehrlich said he understood Mr. Harvey's comment that it was a voluntary program but questioned whether the OIML logo should be on an IQ mark or Certificate which lacked the support of a number of CIML Members. Although the Presidential Council had mandated TC 6, so long as it had CIML approval, to continue with the work, Mr. Ehrlich doubted whether it still had the support of a majority of Members; he would like a poll to be held to discover the level of support for it among Members. He proposed a Resolution to that effect.

Mr. Kool said that there was no proposal for this in the agenda or the Working Document, and therefore no opportunity for CIML Members to discuss it before voting. Its withdrawal would have to be initiated by TC 6, where the USA was represented. The Bureau was aware of the USA's disapproval, but also of a number of Member States which were strongly in favor of such a system. The proposals had been discussed for many years, and Mr. Kool was hopeful that after the next Meeting there would be a definitive acceptance or rejection by the TC; that would be the moment to consult the CIML as to its future.

Mr. Ehrlich said that he believed that building on a Document was different from building on a project. If the CIML wanted time to think about it, he could understand that, but he doubted that many Members were now in favor of it. He strongly recommended TC 6 to hold an inquiry to elicit CIML opinion.

Mr. Schwartz said that he was not directly involved in the TC 6 work, nor was he an expert on the subject, but from information he received he doubted whether there was now majority support for the project even within TC 6, and he urged TC 6 to move towards an inquiry prior to a decision as to its continuance or otherwise.

Mr. Issaev said that this system had already been set up in Russia, so it would cause a problem there if the project was rejected.

Mr. Miki said that this was not a technical requirement in Japan, where there was an inclusive system. He agreed with Mr. Ehrlich that its cost was important. If it was voluntary, the OIML should look to the cost to them, financially and in human resources.

Mr. O'Brien felt that the TC had been set up to look at this matter and its processes should not be corrupted by discussion such as that currently taking place.

Mr. Birch suggested that delegates should look again at the paper which he had given in Cape Town on the economic importance of global trade in pre-packaged goods, which at that time was about a hundred times as large as the trade in measuring instruments. This gave an idea of the relative importance of ensuring its integrity. He also drew Members' attention to some remarks by the Proctor and Gamble Director of Regulatory affairs in North America, who had stated that there was no means of ensuring that measurement of imported products was compliant. Mr. Birch believed that the value of the IQ Mark could be between one and six billion dollars. More recently, in the paper he had given in Mombasa, he had highlighted the fact that developing countries had to meet multiple systems in the developed world and could use this IQ Mark to give added value to their products.

Mr. Ehrlich agreed in principle with the last comment and with the objectives expressed, but was concerned about the practicality and the cost of the system and whether it could really work.

Mr. Kool reiterated that the proper time for discussion would be when TC 6 had submitted a proposal, be it positive or negative.

Mr. Magaña supported this. There was no OIML mechanism for re-confirming work projects. It was for the TC to make an impact study of all aspects, including costs and acceptability.

Ms. Van Spronssen suggested that the TC be urged to come up with a proposal for the following year's CIML Meeting, as otherwise the uncertainty would drag on for too long.

Mr. Kool did not feel that any urging was necessary; so much progress had been made that he was sure that TC 6 would have a proposal ready for the following CIML.

Mr. Ehrlich agreed with Ms. Van Spronssen that TC 6 should be requested to provide a Document and cost analysis at the 2011 Meeting.

Mr. Richard supported the call for TC 6 to be asked for a prompt proposal.

Mr. Carstens said that South Africa had been asked to take on this project, they were taking it seriously and had discussed it intensively. They had come to the conclusion that the costs would not be prohibitive and they were intelligent enough to understand that if the costs were exorbitant the system could not succeed. A process existed, and Committee Members who were not in agreement with the project should not attempt to derail that process. The TC responsible should have the right to produce a Document or to close it down on their own.

Mr. Kool asked whether the TC might include references to cost when their conclusions were presented to the CIML.

Mr. Carstens said that that suggestion would be taken to the TC at its April meeting so that it could decide whether it was willing to look into it.

Mr. Kool asked whether this would be acceptable to the USA, and Mr. Ehrlich replied that it was acceptable.

#### **8.4 Revision of the Directives for Technical Work**

Mr. Dunmill told Members that the process of revision had begun as a result of what had been seen as problems with the existing system. The BIML had begun with a brainstorming exercise and a first draft had been presented to all CIML Members in 2002. This had been overtaken by other things that were happening, and in 2003 the CIML had decided to establish an ad hoc working group to conduct the revision work. Email discussion over a couple of years had resulted in the production of a revised working draft, which had been discussed at a meeting of the working group in 2007, and then at a meeting of the Presidential Council in March 2008. Immediately after that, a second working draft had been discussed at a meeting of the working group. The draft had been further modified in the course of that year and then, due to some problems which had arisen because the composition of the working group, and the opinions of people present, had altered slightly, there had been considerable variation in the direction taken by the content of the draft.

At the Presidential Council Meeting in 2009, therefore, Mr. Harvey had initiated discussion to try to give the Bureau, as its Secretariat, some direction, to stop constant changing. This direction was that the working group should continue with the principle of having a flat, TC only structure for the technical work and that the management of the technical work would not be operated by a technical management committee or council. A small working group meeting had taken place in June 2009 when several of its members had found that they would be in Bern at the same time for other events. This had resulted, in September 2009, in a third working draft being sent to the whole working group, now with the new flat technical structure. Mr. Dunmill had presented the ideas in that working draft at the 44th CIML Meeting in Mombasa, and following discussions after that, in January 2010 he had sent out a draft to all Members, for a brief comment period rather than the full three months period to all CIML Members in the hope of receiving comments and opinions to be offered to the Presidential Council in March. Not many comments had been received, and most of those received had been in general terms.

As a result of this consultation, Mr. Dunmill had prepared two different versions showing the effects of changing the current voting rules. One draft showed the current CIML approval procedures, which were different for Recommendations, Documents, Vocabularies, Basic Publications, and so on; the second draft had the same technical content in other respects but had a single approval procedure, which was the same as that currently used for Recommendations but applied to all publications, in order to try to make the procedures simpler and easier to understand, because of the frequent need to remind Members of the current rather complex CIML approval rules.

In March 2010 there had been discussion of the comments on the January draft and Mr. Dunmill had continued with the flat technical structure. Because of reservations expressed at Mombasa in 2009 over the power being given to the CIML President, Mr. Dunmill had reintroduced the idea of the Technical Management Council to show how the technical work would be managed. Also, following the Bern meeting and Presidential Council Meeting, he had removed the present concept of the preliminary ballot for Recommendations. This had resulted in the draft dated May 2010, which all Members had received for comment. In

September he had sent out the latest version of all the comments, some of which had been received after the deadline. He was now presenting the results of this commenting period.

The draft had been sent out on 12 May with a deadline for comments of 12 August, the normal three month commenting period. By 16 September he had had responses from only 27 CIML Members, which still represented only 47 % of the membership. 11 of those countries had responded saying that they were happy with the current draft and had no comments to make on it. 30 countries (32 %) had made no response of any kind despite email reminders, not even acknowledgement of receipt of the email; there was no proof that they had even read it.

Of the comments received, three countries had objected to the use of the flat structure in TCs. The technical management council structure had produced more comments, with objections to it from Brazil, Denmark, Finland, Norway and Poland, asking why it had been reintroduced. Some other countries, which did not object to the principle of including the committee, had proposed changes to its manner of operation. Two countries had provided objections to the single procedure for approving all OIML Publications by the same method, without the use of a preliminary ballot as was currently the case.

The proposed flat technical structure had been devised as a way of achieving one of the aims of the revision of the Directives, which had been to attempt to make all the technical work more transparent to users and to people outside, to make it easier to understand, and to allow for the individual membership, the P- and O-membership, of every individual project which the OIML was undertaking. It had one publication per Committee, but this did not mean that the different parts of a publication (metrological requirements, test procedures and test reports) would be under different committees. They were clearly part of the same project, so one TC would be responsible for all parts of a given publication.

In the current proposal, the TCs would be named after the publication they were concerned with; so TC R 76 would deal with the two parts of R 76, for example, and TC D 11 would deal only with D 11, because there was only one part. This was partly in order to help with making it immediately obvious which committee was responsible for what, or which publication fell under which committee. Each committee would continue to consist of a Secretariat, P-members and O-members, as at present, with the same kind of responsibilities, and would have technical liaisons, as was currently the case.

Some of the concerns, which would no doubt be raised for discussion later, related to the fact that the system did not provide for the grouping of committees under common themes or domains of measurement in the way that the subcommittees at the moment were grouped under their TCs into mass, volume and so on. But Mr. Dunmill felt that the new arrangement would be more flexible, and would provide a different way of achieving coordination, in that each committee could belong to several different groupings according to several different kinds of interests: mass, volume, flow, length and so on, the domains of measurement. This was one way of grouping the TCs. It would also be possible to group them according to the use or application of a given instrument's measurements (trade, utility meters, environmental measurements and so on). Other publications were parts of general structures or systems operated by the OIML, which was another way of classifying TCs.

As an example of this way of grouping TCs, Mr. Dunmill said that water meters might fall under several different groups - flow measurement devices, utility meters, and instruments included in the MID, MAA, for example. This could allow discussions between TCs working on Recommendations which had a common theme other than simply their metrological

domain. This was not an exclusive list, but a first idea to show Members how the committees could be grouped. In a similar way, non-automatic weighing instruments are mass measuring instruments, they are used for trade, and also are included in the MAA.

The different groups could discuss, by email or by using forums established on the OIML web site, or by meetings which could be organized along these themes, giving opportunities for discussion of common interests which were not available under the present arrangement – there was no management structure in the current TC/SC structure.

Mr. Dunmill raised the question of how the transition to the new system, if adopted, would come about. He thought that initially it would be best to transfer all the existing TCs and SCs, their projects and the publications for which they were responsible directly into the proposed new system, leaving the Secretariats and memberships in their existing form for the moment. There could then be a series of inquiries to determine whether people were interested in each of the projects, whether Secretariats wished to give up some of their work by sharing it more equally amongst other countries, and indeed whether the projects, the Recommendations, the Documents and so on were useful. If in the end very few people wished to be P-members, then under the current rules it was necessary to question the validity of that committee at an international level.

As an example, picked as illustrating many of the aspects mentioned, Mr. Dunmill chose TC 11/SC 3. The Russian Federation currently had the Secretariat and the subcommittee had nine P-members and 12 O-members. It was responsible for three Recommendations and one Document. It currently had two projects, one of which was a revision of one of its existing publications, and the other an entirely new proposal for something which could be a Recommendation or a Document. Under the proposed new system, that would be translated into a TC for each of its Recommendations (so three in total), a TC for its Document and a TC for its new project. This last Committee for the moment could not be called after its Recommendation, because it was not known whether it would be turned into a Recommendation – it might turn into a Document. So it would just be given a sequential number until it produced a final publication accepted by the CIML, at which time it would be renamed as TC R 155 or whatever it might be. The revision of an existing Recommendation, R 18 was not a separate item since maintaining it by 5-year periodic review would be the responsibility of the TC which had developed it.

Regarding the management of the work, this was something which Mr. Dunmill had reintroduced into the draft which had been circulated in May, following comments received at the 2009 CIML Meeting and the March 2010 Presidential Council. In fact, all the OIML technical work, all the projects undertaken, were reviewed by an informal committee following the Presidential Council meeting in March every year. The new system was designed to formalize the current system, to make it more transparent to CIML Members and to provide more opportunity for Members to participate. Mr. Dunmill was not sure how many people at the moment fully understood how projects were reviewed. This was not a secret – there had been a meeting of a small number of Members following the Presidential Council, and these Members quickly went through all the current projects to identify present and potential future problems, and how these problems could be dealt with. That function itself would not change but it would become a more open, clear and formal way of conducting that management. The idea of giving decisions, for example on establishing TCs, to this technical management committee had also been one of the fundamentals of the original proposal to review the Directives; it had been thought that a lot of time at the CIML Meeting was being

used to approve such things as the establishment of committees, and that this could probably be done if the CIML delegated that decision to a management group such as that proposed. What the technical management committee had done during the year would of course have to be reported to the CIML for approval, but at least a committee could be established during the year and the work undertaken.

Regarding the approval process, Mr. Dunmill had moved forward with a clearer single approval procedure for all OIML publications since this had been supported during the consultation on the draft circulated in January 2010. The current rules for the approval of Recommendations would be used for all publications. This would result in a stricter approval requirement for Documents and Basic Publications than was currently the case, but the feeling had been that there were benefits to be had from having a simpler system that was easier to understand. Although the requirements were more strict, if a Document was actually a bad Document, it should not be approved, so there was no real harm in applying a stricter rule to it, and the advantages of making it more transparent and comprehensible would outweigh any problems.

Mr. Dunmill told Members that at the meeting in June 2009 a decision had been made to remove the preliminary ballot in the new revision. The current preliminary ballot gives rise to much confusion, since many Members did not understand why they were apparently being sent the same draft twice in quick succession. Under the rules given in the draft revision of the Directives it was proposed that no technical changes should be possible at the time of a CIML approval. Members were fully entitled to vote against a document if they did not like it, felt it was technically incorrect or for some other reason were unable to accept it. But it should not be possible to make technical changes at that time. This would speed up the work considerably because there would not be the extra three month voting period, or the time afterwards for the Secretariat to review the comments and the BIML to re-distribute the draft.

The level of comments which Members had submitted indicated that the current draft was not acceptable to a number of Members for various reasons. Mr. Dunmill said that in the current Meeting he would like more discussion and an explanation by Members of why they had problems with some aspects of the current draft. He hoped to identify the problems and find a solution to some of the major issues which would not keep changing every six months or so. He hoped to discover how CIML Members felt about the measures, what level of support there was for the various issues, and in which direction the BIML, the working group or the CIML should proceed to take the project forward towards approval.

Mr. Dunmill invited comments on the revision of the Technical Directives. He wanted those who were opposed to aspects of the draft to explain their objections to others, in the hope that a revised draft could be prepared which might be approved at the 2011 CIML.

Mr. Lindløv said that Norway was very much in favor of having a simplified structure. The OIML had problems with moving work forward and with taking decisions – the process of moving from work item to Document or Recommendation was very lengthy. However, he was sorry to see the reappearance of the TMCs. It would not be impossible to live with this, but he would prefer the work to be divided between the TC and the Bureau, thereby reducing bureaucracy. Regarding the voting procedure, Norway was very much in favor of the present proposal for a simplified procedure.

Mr. Ehrlich wanted first to confirm that there would be no voting on this subject at the present Meeting. Mr. Dunmill confirmed this. Mr. Ehrlich thanked Mr. Dunmill for his efforts, but felt that some of his suggestions regarding groupings went beyond what had been done by the

Working Group. He wished to focus on the USA's reasons for opposing the flat structure. They felt that despite its apparent advantages, if looked at carefully there were disadvantages; they would prefer to keep the current TC and SC structure, with the SC continuing to have responsibility for multiple projects and Recommendations. Some of the problems of the flat structure were that:

- different countries might have Secretariat responsibility for closely related Documents;
- different approaches might be taken;
- there might be conflicting requirements;
- lack of coordination could lead to inefficiency and increased costs;
- despite attempts at mitigation by the Bureau, there could be difficulty in finding times for meetings;
- it might not be as obvious as at present to identify which Committees were dealing with which subject matter;
- it was not clear how coordination would be facilitated;
- with the exception of the IEC, which was moving to a flat structure, the international standardization community used and understood the TC/SC structure, and a move to the flat structure might cause confusion in other bodies, with consequent loss of confidence in the credibility of the OIML. Mr. Ehrlich knew that Mr. Dunmill had talked to people at the highest levels in other organizations but he was more concerned with general perceptions in the international standardization community;
- the USA did not believe that this change would reduce the workload or make the process more efficient: the workload would just be shifted.

In general, then, the USA believed that this proposal represented a very drastic change. They did not believe that this was the right time for the OIML to go in this direction. The main objective of speeding up the voting process could be accomplished by some very minor changes to the Directives. Merely changing the meaning of P-membership and O-membership at Subcommittee level in the existing committee structure would go a long way towards improving the speed of voting. In particular, countries which were participating in a particular project could agree that they would be P-members for that project within a Subcommittee, and then they could be O-members for others of its projects. Though it was only a minor change, this would go a long way towards meeting concerns. The OIML was undergoing a lot of change, with a new Director and possibly a new President and Vice-President; it was not a time to alter drastically the method of working. There were also problems with the voting rules, which in his view were ambiguous and needed attention. CIML Members needed time for full consideration of what they would be voting on.

The USA also wished to keep the preliminary ballot. They understood why some Members might be confused by it, but by the same token they felt that it provided the first opportunity for all CIML Members, if they had not participated in the work at TC level, to see an issue and in particular to get the input from the other CIML Members.

In conclusion, Mr. Ehrlich said he was pleased that there would not be a vote on the present occasion and looked forward to hearing Members' comments, to help the working group with producing an improved draft.

Mr. Schwartz said that Germany had provided some comments and were more or less in agreement with Mr. Ehrlich. Having reconsidered their previous position, they had come to the conclusion that the flat structure would probably not bring the advantages they had previously envisaged, but could have more disadvantages than the existing structure. They also wanted the retention of the preliminary ballot, and they felt that the Technical Management Committee would be concentrating on the oversight and control of the work rather than looking into the technical details. Germany was in favor of such a committee, but with clearly defined tasks so that it would help rather than impede the work.

Mr. Schwartz saw the need to give some advice and direction to the Working Group, as otherwise the position would be constantly changing. He therefore proposed that the current Meeting should be used to vote on the principal directions in which the revision should go on its three basic issues, which were:

- the form of the technical structures: if the majority was in favor of the flat structure, this was a democracy and Germany would of course support this; but the majority opinion had to be clear so that the Working Group had clear directions as to which way to go;
- whether to keep or abolish the preliminary ballot;
- there seemed to be a majority in favor of the Technical Management Committee, though Mr. Schwartz did not see a need for it, but the Working Group must have advice as to how the relation between the Bureau and the TCs could be made efficient.

Regarding the TMC, Mr. Dunmill wished to repeat that the object of putting this back in after it had been removed from the draft was to make it clear that this was an attempt to formalize what already happened; it was not a change as such. A small, informal ad hoc committee already met every year to discuss and look for problems in the projects which were being undertaken. He had the impression that not many people objected to the existence of such a committee; their preoccupation was with what roles should be assigned to it.

One of the main objectives of the revision of the Directives from the outset had been to take decisions down to the most appropriate level possible, in order to improve the efficiency, so that it was not necessary to spend time in CIML Meetings discussing technical details with which Members who were present might or might not be involved. This had been the idea behind the proposal; it might or might not have gone too far, but its intention had been to formalize what already existed and to give the committee responsibilities which it could get on with. It would consist of people who were directly involved in the technical work, and then, of course, all the decisions made by that committee would have to be endorsed and approved by the CIML Meeting. Mr. Dunmill agreed that the role and duties of the committee which were listed in the current draft probably needed to be revisited.

Mr. Dunmill agreed that there would be no change in the workload. This had never been an intention, nor was there any intention in the short term to remove or add any projects to the current list. The same projects and publications as at present would be carried forward, at least in the first instance. What might change in the short term was that where there were several projects under a subcommittee, for example, and that subcommittee did not have the resources to work on them, the intention of the proposed system was that it would be easier for those projects to be begun by someone else who volunteered to do the work. This was the case in some committees at the moment, where individual working groups had been set up with a different Member State being responsible for the work.

Regarding the timing and the significance of the amount of changes taking place, Mr. Dunmill pointed out that the revision was not going to happen immediately. It was not a radical transposition or an attempt to delete work, but simply a transfer from one administrative system to another. A reasonably long implementation period would be required. It would take another year to sort out detailed proposals and to consult all the TCs and SCs, which had not yet been the case, before there could be an implementation date.

Mr. Mason thought the present discussion was very useful, due to the papers which had been drawn up in detail and circulated in advance, for which he thanked the Bureau. He also thought it useful that the CIML was able to discuss the principles behind any changes rather than taking specific decisions on a package of measures. He had three comments:

- he thought it was unfortunate that all the discussions started with the question of the flat structure or not the flat structure. This seemed to him to be the least important facet of the proposed package. He personally found it more attractive, but he did not think it worth spending a lot of time on if a number of colleagues were more attached to the existing structure;
- he did however think they needed both simplification, wherever possible, and transparency. In terms of the voting systems, again, the very extent to which different voting systems were operated seemed to him to be a barrier to clarity, especially in view of the need to persuade all CIML Members of the need to come quickly to clear decisions. There had been frequent comments on the difficulty of getting Members to vote online, and anything that could be done to make the process simpler and more understandable was desirable. He would want to put this forward as a principle, but on some of the details, such as the preliminary ballot, like others, the UK could see some attractions in keeping that;
- the other matter was transparency. If direction was being given, as Mr. Mason was aware that it was, it was very important that it should be transparent. There should be clarity about who was taking decisions and in what sort of forum and against what terms of reference. If this meant that there should be a body which was identified as a Technical Management Committee, then he could see attractions in that. What it was called, or its precise shape, was not important: what was important was clarity and transparency.

Mr. Miki felt that the most important thing at the moment was clarification. He himself was happy with having a flat structure and a TMC. But he asked himself for what reason they should change to this way of working; he would like a clear explanation of what was wrong with the present structure, with a comparison between the two ways of doing things. There should be a session of discussion and comparison before they determined which to choose. Speed was less important than thorough discussion.

Mr. Flandrin said that France was in agreement with the principles behind the proposal. He had two comments to make. The first concerned the composition of the Technical Management Committee, which he felt should be open to all CIML Members. The second was that all Recommendations and other publications should be available in French before being finally approved.

Mr. Dunmill said that translation was not a subject for the Directives as such though they should perhaps contain a statement about the translation to be done once a Publication was approved, because at the moment all the technical work was conducted in English. The

objective was to have translations once they were approved by the CIML and published. Members would know that translation had previously been done by the BIML before the English version was published, which had many advantages, in that it gave an opportunity for more editorial and even technical problems to be spotted in the English versions. Unfortunately, with the resources which the Bureau had even at that time, this had become impossible. French was still the official language of the organization however and Mr. Dunmill thanked Mr. Flandrin, saying that the BIML would look into the resources needed for translation.

He also reassured Mr. Flandrin about the openness of the TMC. This was one of the reasons for trying to formalize this, to set clear rules for how CIML Members could become part of this Committee, how long they remained in it, to ensure that the CIML approved the composition of the Committee on a regular basis, be that yearly, two yearly or whatever, rather than the present ad hoc arrangement, although the ad hoc arrangement did work efficiently. Mr. Dunmill agreed that, in the interests of transparency and openness of procedures, something more formal needed to be set up. The intention had been to improve CIML participation and not to reduce it.

Mr. Lindløv wished to clarify his comment on the TMC and why Norway did not feel it was necessary. Looking at the responsibilities of the TMC, as shown in 3.5 of the Working Document, it was not difficult to see that some points should be undertaken by the CIML and the rest was a list of work that should be the task of the Bureau. For instance, for the Committee, approving Technical Work Documents, establishing and disbanding TCs, allocating initial TC Secretariats and establishing terms of reference, were in his opinion for the CIML to decide. The rest was administrative work that should be done by the Bureau. In Norway's view, therefore, it would be wiser not to have a formal procedure, but instead to make it very clear where responsibility for these tasks lay, in the Bureau or in the Committee. They were in favor of reducing bureaucracy. There were already many administrative levels: the President, the Presidential Council, the Bureau, the Committee and the TCs, so they would appreciate less bureaucracy.

Mr. Dunmill agreed with the desirability of reducing bureaucracy. Mr. Lindløv had, however, omitted one administrative task, which would be the main responsibility of the Technical Management Committee: this was to review all the projects. Whilst he could see that it was a valid use of time in the CIML to establish and dissolve TCs, approve work programs and so on, there was still the question of reviewing every single one of the 160 or so projects and publications which the organization was working on, which it was not practical to do in the open forum of the CIML unless another half to whole day of work were to be allocated to it. The small ad hoc committee at present carrying out this task took at least half a day to complete it. Also it needed to be done from a management point of view, to see whether extra resources were needed, why a project was not advancing, which projects had become more important in the past year, and so on. If there were no Committee, he was concerned as to who would do this. There were things that could be done by the CIML and things that could be done by the Bureau, but there remained this task. His intention had been to make it more formal so that it was transparent how it was being managed.

Mr. Ehrlich said that in the past the BIML had done the review and kept up to date on the status of the projects, and then it had been a question of finding out where difficulties lay and finding resources. In his view, the role of the TMC would be to look at all these projects and then try to help to identify what resources might be available if a Secretariat was having

problems with a particular project. The BIML could continue to monitor the status of the projects.

Regarding the transition period and pace of change, he felt that he had not made himself sufficiently clear about wanting to keep the Subcommittee structure. It had been said that to go to a flat structure would be a simplification but he felt that in the name of simplification a lot of coordination and of corporate memory would be lost. If the Subcommittees were suddenly disbanded, then all the people who had worked on all the projects in that Subcommittee would be dispersed, and that information, once lost, would be hard to regain. He did, however advocate changing the way that Subcommittees worked: a country could say that they wanted to be a P-Member or a voting member for a particular project within the Subcommittee, but not necessarily for another.

Mr. Dunmill replied that when he had been speaking of the transition period he had been trying to make clear that there would not be any disbanding. There was no loss of memory for those directly involved, because under what he was proposing, everyone who was in a current Subcommittee for a given project would be in the new TC for that project, at least at the outset. What would happen would be that those who were not interested in that particular project would then have the chance to withdraw. But, initially at least, the country responsible for the Secretariat would remain the same, as would the participants. Corporate memory was of course very important for the resources of the organization, but it would not be lost. Whatever the outcome of the revision, its implementation would take a long time; all TCs and SCs would be talked to individually and the necessary databases had to be put into place. The databases would be simpler under the flat structure than when maintaining the TCs, SCs and a third, project level. As far as coordination was concerned, apart from the current possibility of coordination between projects within a Subcommittee, there was no coordination at present between, for example, all SCs involved in mass. TC 9, for example, did not have a management function and there was no coordination between its Subcommittees. Mr. Dunmill's earlier suggestion of alternative grouping by themes such as kind of measurement, application of that measurement or more general principles would give more possibility of coordination, but in different ways which reflected a more modern approach to the whole subject of legal metrology. How this would happen was not written into the Directives because until such time as consideration was given to what committees would exist, there was no point in listing ways in which they could be coordinated.

Mr. Dunmill said that it was important to consider the management system for the technical work. Standardization bodies such as ISO and IEC used a web based system for managing their technical work more than OIML, and this should be further studied. A database of the TCs, in whatever form they were, would be part of that. This also would take a considerable time to set up.

Mr. Ehrlich thanked Mr. Dunmill for this clarification. He still felt however that although in the short term coordination might stay the same, as time went by and committees worked separately, a certain amount would be lost. He agreed with the need to renew the BIML database. The matter was not trivial, though not necessarily impossible to overcome.

Mr. Schwartz said that TC 9 had not probably been an ideal example to choose, as it was thought of as two, but actually was divided into six individual TCs with a flat structure. Six Recommendations were now under the responsibility of TC 9/SC 2, and this was an example of how corporate thinking and the coordinated approach might be lost.

Mr. Dunmill admitted that he had chosen this example at random. There was no reason, with TC 9/SC 1 or TC 9/SC 2, which was split into even more parts, why the individual projects had to be chaired by different people. The fact that they were separate projects was an administrative matter and not a technical matter. The idea of allocating the projects to different countries was more to overcome the problem of resources not being available and therefore progress not being made on projects which were already in existence. When the list of current OIML projects was examined, a significant number of these had seen no action for many years. There was obviously a problem with these, and resources had to be found to deal with them. One way might be to change the Secretariat, because some of the countries could not do all the work that was allocated to them. This had been one of the reasons for the idea of trying to make it easier to ensure that the work could progress. There was no intention of removing coherence in cases where TCs were coping with multiple projects.

Mr. Ehrlich pointed out that in the comments provided by the USA, they had asked for consideration of the possibility of keeping the separate TC and SC structure with TCs performing a supervisory role. The USA was willing to play a more active role in this regard, and other Secretariats might do likewise. This was another option for dealing with some of the responsibilities which it was proposed to give to the TMC.

Mr. Dunmill replied that no management system existed in the present system. This had been removed when the system had changed from the previous Pilot Secretariat and Reporting Secretariat structure in the early 90s, because it was not working. Resources were not available to allocate to it. He appreciated the good intention, but experience suggested that the management function would not be carried out, especially with the reduced resources likely to be available in the future. The flexibility of coordination he was proposing was additional and not a part of the management structure.

Mr. O'Brien said that discussion to date had focused on how to redistribute efficiently and effectively the current workload. One possible advantage of having a group responsible for a specific Recommendation was that that group might also use their intimate knowledge of the subject in order to add value to it by developing training materials and guidelines to assist implementation of it.

Mr. Dunmill said that he had had a similar comment from another source, to the effect that Guides should be produced on how to use Recommendations. This did not form a direct part of his work on the Directives, but was a valid point. He asked whether any Member wished to make remarks on other subjects than the structure or technical management.

Mr. Magaña referred to the creation of databases. This was not a minor issue for the time and workload involved for the Bureau and should be well addressed by the working group, because the database for TCs, though possibly simpler, would be completely new and would have to be set up and the data registered again.

Mr. Dunmill reminded the Meeting that there was not a proposal for a vote on this matter at the current Meeting, but that the CIML needed to give some guidance to the Bureau or to the working group on how to proceed with it. Mr. Ehrlich had pointed out that he did not feel that CIML Members had given enough thought to alternative structures. Mr. Dunmill would like to distribute an inquiry on specific points, to enable the CIML to make it clear which direction they wanted to go in the three main areas: what the structure was; whether to have the TMC; and the voting procedure. He had already asked all CIML Members about their voting procedure preferences by submitting two alternative drafts to them, one with the existing voting arrangements and the other with the proposed new ones, and he would like to extend

this by giving a questionnaire to all Members requiring a yes/no answer to a number of questions on the three main topics. He would like to ask the CIML for permission to do this before producing any further draft.

Mr. Ehrlich endorsed this approach. This would give people time to think about things and lay out all the alternatives. In conjunction with the material Mr. Dunmill had already received, this would lay a good foundation for continuation of the work.

There being no further comments, Mr. Dunmill said that he would draft a Resolution to this effect for approval, to be taken with the other Resolutions at the end of the Meeting.

## **9 Financial matters**

### **9.1 Comments on the 2008 and 2009 accounts**

Mr. Johnston asked Mr. Magaña to lead discussion on this.

Mr. Magaña said that there was a summary of these matters in the Working Document and a fuller set of accounts on the web site in both French and English. He would therefore not go into great detail on the present occasion. Comparing actual costs for 2008 and 2009 with budgeted costs:

- staff costs had been slightly higher than budget in 2008 and slightly lower in 2009, due to some staff being absent for part of that year. Over the whole period, however, staff costs were in conformity with the budget voted;
- other charges, however, had been significantly above budget in both years, though somewhat less so in 2009. This was mainly because travel and accommodation costs had been underestimated in the budget;
- meeting costs for the two years had been higher than planned in the budget, but travel costs had been almost double the estimate, a problem which was now being addressed;
- operational costs of the building and structure had been higher than budget in 2008 but in 2009 had been reduced to approximately budget level.

Members could see in the report on the Bureau in the Working Document that efforts had been made to reduce costs. The list of travel was shown there. The Bureau had attempted to keep these under control and had reduced them, and in 2010 they should be closer to budget, though still slightly over. For the budget presented to the next Conference, travel charges would have to be reviewed and correctly evaluated.

Income was simple. Most of it came from Member State contributions, with a smaller amount from Corresponding Member fees. In 2009, expected and actual receipts had been broadly similar. The other source of income was from Certificates and the MAA and a small amount from the Bulletin, which was small but in line with the budget. There had also been quite a large amount of exceptional income due to the fact that up to 2007 the full acquired pension rights had been accounted for in the system, but a change in rules from that year had meant that a different accounting method had been used, resulting in its being calculated in 2008 as exceptional income.

Mr. Magaña repeated that the full accounts for 2008 and 2009, in French and English, and duly certified by the External Auditor, were downloadable on the web site. Mr. Magaña had

been asked the previous year to review the accounts examined that year, but in fact it was impossible to change any figures after the external audit.

Mr. Magaña informed Members that the downloadable accounts contained much more information than the charts he was showing them, and that they could also find on the web site a report on the pension system which showed how the accounts would be if they returned to the IPSAS rules for the pension system. He would be speaking later about the pension system and questions.

Mr. Klenovský said that he was unable to understand how travel expenses could be 50 % over budget in a time of financial crisis. Such costs were usually the first thing to be cut in difficult times, and he would find it difficult to approve such a budget.

Mr. Magaña explained that, as he had stated the previous year, travel costs had been greatly underestimated in 2004 for the 2004–2008 budget. This was because the estimate had been made before the new Financial Regulations had come into operation. Under the old regulations, travel expenditure had not been identified as such. Some travel expenses had come under meeting costs, along with accommodation, room hire and reception expenditure. Other travel expenses for people other than Bureau employees had been in another account, and Bureau Staff's travel expenses had included only those for meetings other than the CIML.

So there had not been accurate enough data to budget accurately for travel within the new accountancy rules. Additionally, the Bureau's activities had increased; there had been more need to represent the OIML in different organizations, since they now made an effort to be present whenever possible at meetings of TCs and SCs, of regional organizations, and of liaison bodies such as ISO, ILAC, etc. Choices had to be made, and, in Mr. Magaña's view, in 2008 and 2009 they had tried to meet all these needs. There had also been internal problems with the accountancy, therefore it had not been possible to monitor correctly either the expenses or the implementation of the budget. An accountant had been recruited in 2009, so expenses could now be monitored in real time. Following the 2009 CIML, Mr. Magaña had tried to plan the 2010 meetings in such a way as to limit them to what was strictly necessary. A table of planned meetings could be found in the Working Document. Thus, travel expenses had been over budget because the budget had been unrealistic and monitoring had not been possible at the time.

Mr. Magaña added that following the 2009 audit he had revised the Bureau's travel guidelines to align it with French administration rules, meaning that for short and medium range travel economy class instead of business class was used. He would ask Members to approve the accounts in the Resolution and to instruct the President to present them at the 14th Conference. Members might hold him responsible for some of the budget's weaknesses but of course the figures could not now be changed.

***Draft Resolution no. 25***

*The Committee approved the 2008 and 2009 accounts and instructed its President to present them at the 14th OIML Conference.*

**9.2 Financial and management audit**

Mr. Magaña reminded CIML Members that they had been informed the previous year of the first financial and management audit, which had been carried out in July 2009. The report had been issued at the end of August 2009 and had been presented to Members during the closed

session of the CIML Meeting in Mombasa. The Bureau had been asked on that occasion to circulate the Audit Report to CIML Members, and this had been done. In September 2009, following the report, Mr. Magaña had taken a number of corrective actions, followed by more after the CIML Meeting, in November; these actions had been implemented immediately.

The next accounts had been ready by February 2010, and the second management audit had been carried out during that month, only six months after the first. This second Audit Report had been sent by the Auditor to the President and to the BIML Director in March 2010. Mr. Magaña had discussed it with the CIML President in June and the President had asked the Director to draw up an Action Plan which would show the main comments of the Auditor and what actions had been taken or would be taken in response to the Auditor's comments. Mr. Magaña had done this and submitted it to the President, who had asked for more details on some aspects of it. This Action Plan had been sent to CIML Members separately from the CIML Document and showed the actions taken before the second audit, and what additional actions were planned following the second audit, with some deadlines for them. Most of these actions would be in effect by the end of 2010, and the rest would in the main result from them. Of the actions taken before the second audit, an internal check had shown that some were already in effect, and the remainder had since been implemented. Internal accountancy audits now took place several times a year. Mr. Magaña would be happy to give more details of the Action Plan if requested.

Mr. Richard reminded Mr. Magaña that the 2009 CIML Meeting had requested a copy of the July 2009 Audit Report. For the sake of transparency he would like a copy of the second Audit, of February 2010, also to be sent to CIML Members in addition to the Action Plan. He wished to have this request included in Draft Resolution no. 26.

Mr. Magaña could not see any problem with this. The second Audit Report had been in French and Mr. Magaña had had it translated into English and submitted to the Auditors, so it was now in bilingual form. To accompany it he had written a note to the President detailing his comments. He would like this note to be sent to Members together with the second Audit Report. Each Member could then make up his own mind between the Audit Report and the points of disagreement made by Mr. Magaña.

Mr. Johnston commented that future Audit Reports should be scheduled with enough time between them to allow the Bureau to respond and implement changes. The Resolution would be amended as requested.

***Draft Resolution no. 26***

*The Committee took note of the report concerning the financial and management audit report, of the actions taken by the Bureau and of the Action plan proposed by the Bureau. The Committee instructed its President to send the Second Audit Report, with the Director's comments to CIML Members and to continue the follow-up of this issue and to report at the next CIML Meeting.*

**9.3 OIML Pension System**

Mr. Magaña wished to draw attention to some issues on this subject. First, he had been in disagreement with the External Auditor on a number of legal aspects of the OIML Pension System. When they received the full Audit Report, Members would see that the Financial and Management Auditor had considered that eligibility to the OIML System should be strictly

limited and that some people should be removed from it. Mr. Magaña had consulted a lawyer who had given him the opposite advice. This lawyer had been recommended to him by other international organizations, so Mr. Magaña tended to think his opinion was to be trusted. The legal aspects were that, when someone had subscribed to the Pension System, this had been done under certain conditions which could not be changed in the course of the contract, which seemed reasonable. He believed that these issues were well addressed in this legal document.

A second issue was that of accounting the assets and liabilities, the rights and assets, for this pension system in the OIML accounts. Members would remember that the International Public Sector Accounting Standards made it mandatory to show the full rights acquired by the personnel in the accounts of the organization. This meant that all the pensions to be paid in the future to retired staff or to future retired staff should be accounted for. This had not been the case under the previous Financial Regulations, so of course, when it came to the new Financial Regulations, all these rights increased the liabilities of the Organization.

A couple of years previously, Mr. Magaña had tried to interpret this in a way that at that time had been considered acceptable by the External Accountant, that the OIML could decide to account the pension rights not on the full rights but on medium term liabilities, the next five years, for example, of pensions to pay. This had been considered acceptable at the CIML Meeting, and then the 2008 accounts had been done on this basis. The income for that year thus included the excess liabilities. The Auditor had said that this was not acceptable and that the full rights must be accounted. At the same time this meant that the organization had a large liability, to show provision for all future payments to the pension system. The Members had been worried that they could be held liable for this and could be asked to pay these amounts in case of necessity. Mr. Magaña had pointed out at the time that the OIML building, which was recorded as almost without value in the OIML accounts, could, in case of the dissolution of the organization, be sold to pay the liabilities and no demands would be made of Member States.

The solution now proposed was that all acquired pension rights should be included in the liabilities and the building should be revalued to show that it more than compensated for the rights acquired, and included in the assets. All this was explained in the report which had been distributed. The building had been valued by a property expert at between 2.3 and 2.4 million euros, which was much more than OIML's liabilities for pensions. The draft report on pensions had been sent to Messrs. Mason and Richard, whose comments had then been included in the next version, upon which they were understood to have agreed.

The proposal was therefore:

- to account for the full rights acquired among the liabilities;
- to account for the OIML building at the reevaluated value among the assets;
- to re-evaluate the building every four years in time to present to the Conference the updated value of the assets;
- to show appropriate annual depreciation over the four year period, taking account of any possible necessary maintenance work;
- no longer to offer the OIML Pension System to future staff. Those who were eligible could join the French retirement system plus a French complementary pension, and to any others equivalent compensation would be offered so that they could subscribe either to a private pension system or to a pension system in their country of origin.

Mr. Magaña invited Mr. Mason and/or Mr. Richard to comment on the proposal.

Mr. Mason said that he had indeed had the opportunity to contribute to the report and that he believed its conclusions to be the right ones. There was a clear way forward which at least for the medium term should allay the anxieties of the Members. Clearly a close eye must be kept upon the pension scheme liabilities, which in the long term might be subject to volatility in the bond market, which could cause the liabilities to go up even if the underlying obligations to Pension Scheme members had not changed. He thought this was the right way forward and he was grateful for the way Mr. Magaña had responded to the input.

Mr. Richard concurred with Mr. Magaña's report and Mr. Mason's comments, adding that the value of buildings in Paris was always increasing.

Mr. Magaña agreed, commenting that the evaluation had been done in April or May, that he believed it was a conservative one and that he felt sure that if the building had to be sold it would fetch more than that sum. In any case there would be no problem in covering the liabilities, which amounted to 1.8 million euros.

Mr. Dunmill added that in response to an inquiry, the French retirement system had raised questions about the eligibility of OIML staff to join it, so a few questions remained which had not been covered by the legal advice.

Mr. Magaña drew Members' attention to a table showing the impact on assets and liabilities and demonstrating that when pension rights and property assets were added the outcome was very positive. These would be shown in the next accounts in the form of exceptional income and charges, following which the accountancy would be stabilized.

**Draft Resolution no. 27**

*The Committee took note of the report on the pension system and of the comments made by Mr. Peter Mason and Dr. Philippe Richard.*

*The Committee noted that the re-evaluated assets cover much more than the value of the rights acquired and that there will be no need to call for any additional Member State contributions to face this liability.*

*The Committee instructed the Bureau to:*

- implement the IPSAS standards for the 2010 accounts, by registering the full rights acquired in the OIML liabilities and the reevaluated value of the BIML buildings in the OIML assets;*
- prepare a presentation of the 2008 and 2009 accounts along these lines with a view to presenting them at the 14th OIML Conference; and*
- include in the revision of the OIML Financial Regulations this implementation of the IPSAS standards, and specify the rules and periodicity for the re-evaluation of the OIML building in the OIML assets.*

Mr. Magaña said that although the actual accounts had been audited and could not be altered, the Bureau would publish for the Conference a version which was in accord with the now established way of showing liabilities and assets, which would be the way in which future accounts would be drawn up. This would give a way of comparing budget figures between the old and the new rules.

Mr. Johnston thanked Messrs. Richard and Mason for their contribution, which had greatly helped to clarify matters.

Mr. Magaña informed Members that the Audit Report had now been sent out by email.

## **10 Human resource matters**

Mr. Johnston asked all non-Members to leave the room, and for the recording to be turned off. He said that once this had happened, Mr. Kool would remind CIML Members of the rules relating to the elections of President, Vice-President and Director.

First, a fresh roll call was taken and it was found that 49 Member States were present or represented. The quorum of 43 was therefore reached according to the rules of the Convention relating to decisions.

### **10.1 Election of a CIML President**

### **10.2 Election of a CIML Vice-President**

### **10.3 Appointment of a BIML Director**

Mr. Kool told Members that the election procedure for President and Vice-President was laid down in OIML Document B 14:2006 *Procedure for the election of the CIML President and Vice-Presidents*. They would receive a ballot form with the names of the three candidates. Each CIML Member would vote for one candidate. The candidate with the fewest votes would be eliminated in the first round. In the second round they would again vote for one candidate and the one with the fewest votes would be eliminated. One candidate would then remain, and Members would receive a further ballot form which said “yes” or “abstain” for this one candidate. The number of “yes” votes required was 50 % of the number of designated CIML Members. There were 57 Designated CIML Members in total, so the remaining candidate needed at least 29 “yes” votes. If the remaining candidate did not receive a majority, the First Vice-President became Acting President until the next CIML Meeting, but this situation would be dealt with later.

Mr. Magaña said that two volunteers would be required to count the votes. The first stage ballot slips with three names were distributed and a closed, unrecorded session followed.

## **11 Awards and other matters**

Mr. Johnston said that he had three OIML Medals to present. The first went to Mr. Nikolai Zhagora of Belarus. He had received a long letter in justification of the Award. Many Members knew Mr. Zhagora and knew that he had had a long career in legal metrology. Mr. Johnston then read some excerpts from the letter:

*When the Soviet Union collapsed there was a burning problem to preserve the established technical and scientific relations between the new Independent States. This was successfully solved by signing an Agreement on Consistent Policy in Standardization, Metrology and Certification between the governments of the countries. In elaboration of this Agreement, the Interim Scientific and Technical Commission of CIS Countries for Metrology, with Mr. Zhagora as its member, developed Agreements on Mutual Recognition of State Test Lab Approval, Metrological Certification, Verification and Calibration of Measuring Instruments.*

*These Agreements have stayed in place for 15 years. He has also played a very important role in the creation of a system of accreditation, verification, calibration and testing labs in Belarus. He was also the President of COOMET, and has contributed greatly in COOMET, OIML and other international organizations.*

*In many respects, thanks to the efforts of Nikolai Zhagora, a new page appeared in the metrological annals of Belarus in 2003, when they joined the General Conference on Weights and Measures as Associate Member and the Belarus State Institute of Metrology signed the Arrangement of Mutual Recognition of National Measurement Standards and Calibration and Measurement Certificates issued by National Metrology Institutes, which has the aim of creating a single world market of metrological services.*

Mr. Johnston said that Mr. Zhagora had not been able to be present so he asked Mr. Issaev of the Russian Federation to come up to receive the award on his behalf. Mr. Issaev thanked Mr. Johnston and all his colleagues; he said it was a privilege for him to transfer this very important Certificate and Medal to Mr. Zhagora.

Mr. Johnston told Members that the next Award went to Mr. Heinz Wallerus, the Director of the German Academy for Metrology (DAM) and Assistant Director of the Bavarian Authority for Weights and Measures. Mr. Wallerus had organized and managed numerous national and international training courses and seminars for field inspectors for many years. Under his authority his organization had successfully conducted seventy international workshops and seminars with more than 1200 participants, and in the last year trained 25 long term scholarship holders from many countries. Based on his broad experience and expertise in that field, he had been, amongst other activities for the OIML, a leading author of OIML Document D 14:2004 *Training and qualification of legal metrology personnel*. He had also worked for many years in the European Legal Metrology Forum as the Chairman of the Working Group for Training. Last but not least, he had represented the German Verification Authorities in OIML Conferences and Meetings for many years.

Mr. Wallerus said:

*Thank you very much Mr. President. Thank you also to the OIML, the PTB, and all the other communities who have contributed financially make possible the large number of lessons and seminars which I and my firm have organized for about a quarter of a century. In total we had about 1400 participants from abroad. And special thanks to you, to the countries that sent people to our seminars, to our workshops, and to all. I am very happy that I have seen recently that training is becoming more and more important, and in many parts of the world there is increasing consciousness about the importance of training. And I wish you good luck. Thank you very much.*

Mr. Johnston told the Meeting that the morning's last Award was going to Mr. Brian Beard from South Africa. He read part of the letter which had been sent:

*It gives me great pleasure to submit the SADC MEL nomination for the OIML Award as requested. Mr. Brian Beard assisted in the formation of SADC SQAM structures in October 1996. He was the first chairperson of SADC MEL from 1996–2000, Regional Coordinator from 2000–2002, then part of the Secretariat responsible for the day to day activities of SADC MEL. He was responsible for correlating the SADC MEL funding proposals and conducting Member Country needs analysis. He was also responsible for coordinating the publishing of the SADC MEL Directory of Legal*

*Metrology, Chairperson of SADC MEL TC1 and responsible for coordinating the draft of SADC MEL requirements for marking of quantity in prepackages.*

Mr. Johnston told Mr. Beard that the list of his activities went on and on. As Coordinator for training courses under the SADC, he had refined the program and conducted several training courses. He congratulated Mr. Beard and asked him to come up and receive his Award.

Mr. Beard said:

*Mr. President, Vice-Presidents, CIML Members, observers: it is a great honor to have received this Award today. I will not say it was unexpected, from the background that was given on my SADC MEL work and OIML work, but I really would like to thank the responsible people for having the confidence and considering me for the Award. I must also thank my colleagues, obviously, from the SADC and Southern African Region, who put the nomination together, but most of all I must thank the many, many colleagues and friends I have made over the years, who have helped me in TC meetings, in queries, interpretations of Documents as we have been trying to adopt them in South Africa and in the Southern African region. Everybody has always been very helpful, very friendly, always willing to assist and give advice freely, and I think that without you and without all the assistance that has been received, I would not be here today, because I would not have achieved what we have achieved. Something that was not mentioned was the fond memories of the Organization. The one that stands out the most in my life will always be when South Africa acceded in 1998 and I became the first CIML Member, and the real welcome that I received from everybody, especially Bernard Athané, and that has always stuck with me throughout my career, and I would just like to thank everybody for all the assistance and for making this possible. Thank you.*

#### **Draft Resolution no. 31**

*The Committee awarded the OIML Medal to:*

- Dr. Nikolai Zhagora of Belarus;*
- Dr. Heinz Wallerus of Germany; and*
- Mr. Brian Beard of South Africa*

*for their outstanding contributions to the development of international legal metrology.*

## **12 Future meetings**

### **12.1 46th CIML Meeting (2011)**

Mr. Kool presented Mr. Milan Holecek, President of the Czech Office for Standards, Metrology and testing, who would give an introduction on the venue of the 46th CIML Meeting in Prague, following which there would be a visual presentation and some closing words from CIML Member Mr. Pavel Klenovský.

Mr. Holeček said:

Dear Mr. President, Distinguished Guests, Ladies and Gentlemen,

Allow me on behalf of the Czech Government, here, in a small group of representatives from the Czech Republic, Mr. Pavel Klenovský, General Director of the Czech Metrology Institute

and Ms. Klára Vidimová, Deputy in the Metrology Department, cordially to invite you to Prague, the capital of the Czech Republic.

I would like to give you some brief details about Prague. I think that most of you know Prague and anyone who has not yet visited Prague will discover its beauty next year. Prague is the capital of the Czech Republic and is situated, we say, in the heart of Europe. In 1992 the historic City Centre was listed in the UNESCO World Culture and Nature Heritage Register. Prague represents a unique collection of historical monuments, dominated by Prague Castle, and is beautiful in every season, so don't worry, in the autumn of next year it will be nice for you, and ready. Allow me to show you some pictures with music by the well known Czech composer Bedrich Smetana.

*Music and slides with commentary.*

Mr. Klenovský told Members that apart from the office premises they also had four branches including the Branch Laboratory Support Institute in Prague. He showed a map of Prague on which the location of both these buildings could be seen, as well as the Clarion Congress Hotel, which would be the venue for the 46th CIML Meeting. This was a major congress facility in Prague, which had been opened in 2008, so it was very new. It was on the underground/subway, 15 minutes from the historic centre of Prague, so he hoped that all Members' requirements and expectations would be met.

The week's program would be from 9 to 14 October 2011 and preliminary plans included visits to strategic sites in Prague. The first was Strahov Library, which was a European and national treasure, for the first night's dinner. On the Thursday there would be a visit to the famous brewery for those who were interested, and then the second reception would be held at the Castle.

On behalf of the Czech Government he once again cordially invited all the Members to the 46th CIML Meeting.

Mr. Johnston thanked the Czech delegates and jokingly reminded Members that they would have to return from the brewery as there would be important business to be done!

***Draft Resolution no. 32***

*The Committee expressed its thanks to the Czech Republic delegation for its presentation on the venue of the 46th CIML Meeting in 2011.*

**12.2 47th CIML Meeting and 14th OIML Conference (2012)**

Mr. Kool said that Romania had offered to host the 14th Conference and 47th CIML Meeting in 2012. If Members had no objection, he would let Mr. Iacobescu know that his invitation had been accepted.

***Draft Resolution no. 33***

*The Committee expressed its thanks to Romania for its offer to host the 14th OIML Conference and 47th CIML Meeting in 2012.*

Mr. Kool said that for 2013, the Bureau was in contact with New Zealand to look at the possibility of holding the 48th CIML Meeting in New Zealand. This was, however, at a very premature stage. They were also in contact with the Secretariat of the APLMF, which was represented in the present Meeting by the Chinese delegation, to see whether it would be

possible to have the CIML Meeting in conjunction with the APLMF Meeting in that year. These were, however, all very premature ideas and it was necessary to see whether the projects were feasible.

## **45th Meeting of the CIML**

### **– Resolutions –**

Mr. Kool hoped that Members had found time to look at the draft Resolutions which had been circulated. He would read each Resolution and then ask for any editorial comments and then a vote would be taken. The number of abstentions would be taken first and then the number of “no” votes and then it would be seen whether the Resolution had been accepted or not. He stressed that it was not the intention to reopen discussion on the decisions that had been made and reflected in the Resolutions. He asked Members to restrict themselves to editorial comments only. After the Resolutions had been decided upon, the Bureau might still see a need to make some editorial changes.

Mr. Kool then explained the voting rules again. 49 Members were present or represented. 80 % of these must have cast a vote (not counting abstentions), and of the votes cast 80 % must be in favor.

#### **Resolution no. 1**

The Committee approved the Minutes of the 44th CIML Meeting with the following modifications:

- on page 30, 4th paragraph from 3.1, 3rd line, insert “and Asian” between “European” and “Countries”;
- on page 32, the third paragraph from the bottom, second line, delete “the drafting of”.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 2**

The Committee took note of the oral report given by its President.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 3**

Mr. Richard commented that the main point of this Resolution was that there was no written report. He therefore suggested the word “oral” be inserted before “report”. This was done.

Mr. Issaev said that it was necessary to insert in line 4 after “interim report”, the words “mainly strategic in nature”, as had been the case in the draft.

This was done. Mr. Kool apologized for this omission, saying that the amendments he had made in the meeting had been lost and he had had to reconstruct them from memory.

Mr. Flandrin did not like the word “definitive” and would prefer “final” to be used. “Definitive” seemed too absolute. This change was made:

The Committee took note of the oral report on the rapprochement with the BIPM; it requested its President to implement Resolution no. 3 of the 44th CIML Meeting and to prepare an interim report, with the assistance of certain CIML Members, to be

presented to the 46th CIML meeting with a view to taking final decisions at the 14th Conference in 2012.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 4**

The Committee noted the report on the liaison with ILAC and the IAF and expressed its appreciation of this good cooperation.

The Committee instructed the Bureau to pursue the joint work with ILAC and the IAF, also considering the future needs related to OIML acceptance and certification systems.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 5**

The Committee noted the report on the liaison with ISO and the IEC.

The Committee instructed the Bureau to pursue cooperation with ISO, to set up similar working relations with the IEC, and to convey relevant information on these issues to CIML Members.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 6**

The Committee noted the report on the liaison with the Technical Barriers to Trade Committee (TBT) of the World Trade Organization (WTO) and instructed the Bureau to maintain appropriate contacts with this Organization and to convey relevant information on TBT issues to OIML Members.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 7**

The Committee noted the report on the liaison with CODEX Alimentarius and instructed the Bureau to:

- continue to work towards ensuring consistency of OIML publications with those of CODEX;
- examine additional fields of cooperation with CODEX other than prepackages;
- consult CIML Members before submitting any proposals to CODEX.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 8**

The Committee noted the report on the liaison with the UNECE and instructed the Bureau to inform CIML Members about progress in identifying possible fields of cooperation.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 9**

The Committee thanked the representatives of the BIPM, ILAC/IAF, the IEC and CECIP for their presentations and instructed the Bureau to take due account of the expectations expressed by these organizations in the coordination of the work of the OIML Technical Committees and Subcommittees.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 10**

The Committee took note of the conclusions of the Regional Bodies Round Table and invited the Regional Bodies to post information on the various workgroups web sites that are at their disposal.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 11**

The Committee,

Considering that Article XV of the Convention calls for the election of a President and a first and second Vice-President and that, in case the President is absent or incapable, the first Vice-President shall temporarily assume the duties of the President, and

Considering that Article XV does not deal with the case that the first Vice-President resigns or his mandate otherwise ceases before that of the second Vice-President,

Decides that after the election of the Vice-President during the current meeting, the CIML will decide which of the two Vice-Presidents will be first Vice-President; and

Instructs the CIML President to prepare a proposal to be submitted to the 14th Conference in 2012 on the interpretation of Article XV in the event that the position of first Vice-President becomes vacant and the President is incapable of performing his duties.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 12**

Mr. Ehrlich proposed making the Resolution more self-contained and clarifying the language by putting at the end of the first sentence, after the word “moment”, “as a Corresponding Member, given its outstanding arrears”. The words “concerning their debt” at the end then became unnecessary. These alterations were made:

The Committee, considering the request made by Guinea, decided that it cannot accept the request to reinstate Guinea as a Corresponding Member at this moment, given its outstanding arrears.

Guinea is encouraged to start reimbursing its arrears before submitting a request to the Conference.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 13

Mr. Ehrlich thought “web tools” would be clearer, unless there were other tools. This was added.

Ms. Lagauterie apologized for the fact that her comment was not editorial, but a number of other Members had expressed their regrets to her in the course of the Meeting that Regional Bodies did not have an opportunity to express themselves to all the Members. She wondered whether it might be possible to extend CIML Meetings by half a day, or in some other way, to allow time for this. Mr. Kool replied that this comment would be noted in the minutes.

The Committee noted the report on the activities of the Bureau and requested the Bureau to continue providing web tools for the mutual information of Regional Bodies, in particular concerning Developing Country issues.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 14

The Committee noted the confirmation of the following OIML Publications by their respective Technical Committees and Subcommittees:

- OIML R 92:1989 *Wood moisture meters – Verification methods and equipment: general provisions,*
- OIML R 127:1999 *Radiochromic film dosimetry system for ionizing radiation processing of materials and products,*
- OIML R 131:2001 *Polymethylmethacrylate (PMMA) dosimetry systems for ionizing radiation processing of materials and products,*
- OIML R 132:2001 *Alanine EPR dosimetry systems for ionizing radiation processing of materials and products,*
- OIML R 133:2002 *Liquid-in-glass thermometers.*

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 15

The Committee supports the organization of a seminar on the subject of Conformity to Type (CTT) and strongly encourages its Members to actively contribute to this seminar.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 16**

The Committee,

Recalling its Resolution no. 16a of the 44th CIML Meeting to submit the Draft Revision of R 106-1 on automatic rail-weighbridges to direct CIML online approval, and

Noting the report by the Bureau on the result of the online vote;

Decides that a revised Draft Revision of R 106-1 shall be submitted to direct CIML online approval.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 17**

The Committee instructed the Bureau to submit the Draft Revision of R 100 *Atomic absorption spectrometers for measuring metal pollutants in water* to direct CIML online approval.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 18**

The Committee,

Noting that the Draft Revision of OIML D 16 *Principles of assurance of metrological control* had been submitted to the CIML for online ballot, but that it did not receive sufficient support to be approved,

Considering the comments made by the Netherlands and Norway,

Requests the secretariat of OIML TC 3/SC 2 to prepare a revised Draft Revision of OIML D 16 with the assistance of the Netherlands and Norway; and

Instructs the Bureau to submit this revised Draft Revision to direct CIML online approval.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 19**

Mr. Schwartz suggested that the membership of the working group be proposed during the current Meeting so that some names could be in the minutes.

Mr. O’Brien said that he was pleased at the response to his request for nominations to this small working group. He thought this probably reflected the importance of the work and acknowledged the offers of support from Germany, the Netherlands, USA, Canada, France, Australia, China, UK and New Zealand. This was a representative group which could form an effective workshop committee.

Mr. Kool said that the names would be recorded in the minutes but not in the Resolution:

The Committee,

Considering the proposals by its Member for Australia for a new project and a new (Sub)Committee on Conformity to Type (CTT), and

Considering the comments received during the consultation of the members of the Presidential Council and the subsequent consultation of all CIML Members and relevant liaison organizations,

Resolves that a decision on the proposals shall be postponed until after the conclusions of a seminar on CTT, mentioned in Resolution no. 15, have become available; and

Instructs the Bureau to facilitate an electronic working group, chaired by the Member for New Zealand, with the objective to prepare the program for that seminar, taking into account the issues raised in the comments received.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 20**

The Committee approved the following project:

- Revision of OIML D 29 *Guide for the application of ISO/IEC Guide 65 to assessment of measuring instrument certification bodies in legal metrology*,

to be undertaken by OIML TC 3/SC 5 following the publication of ISO 17065, superseding ISO/IEC Guide 65.

The Resolution was passed without abstentions or “no” votes.

#### **Resolution no. 21**

(Removed)

#### **Resolution no. 22**

(Removed)

#### **Resolution no. 23**

The Committee approved the withdrawal of OIML TC 11/SC 2’s project ‘p2’ on standardized thermocouples.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 24

Mr. Ehrlich said he would accept the Resolution but hoped that the BIML would make the inquiry a very neutral one, and would provide information obtained to date as background information. He would highly appreciate that the BIML circulate the draft inquiry to the working group members before distributing it to CIML Members.

Mr. Dunmill pointed out that the proposed voting rules applied to all publications and not only to the examples given in the draft Resolution. Mr. Kool substituted the word “publications”.

Mr. Dunmill commented that a list of the current members of the working group could be found on the web site. This was the official list, established when they had asked for Members who would be interested in participating in the group.

The Committee,

Noting the report by the Bureau on the revision of the *Directives for the technical work* (OIML B 6-1),

Considering that the ad hoc working group for this revision, after several meetings, has not been able to reach consensus on a number of issues, and

Considering the comments made by some of its Members on subsequent drafts for the revision of OIML B 6-1,

Instructs the Bureau to consult all CIML Members by way of an inquiry on their position with regard to specific issues, such as the structure of the technical work, the proposed Technical Management Committee and the voting procedures for the adoption of OIML Publications, with a view to preparing a new Draft Revision, to be considered for adoption by the CIML at its 46th Meeting.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 25

The Committee approved the 2008 and 2009 accounts and instructed its President to present them at the 14th OIML Conference.

The Czech Republic and Spain abstained and the Resolution was passed without “no” votes.

### Resolution no. 26

Mr. Miki said that Japan would like to ask the BIML to continue its efforts to increase the efficiency of the budget and management. If others supported him he would like words to this effect to be added to the Resolution.

Mr. Klenovský supported this addition, which was duly made.

Mr. Flandrin thought that it had been good to have an audit done by an external organization. The first audit had been requested by the CIML, the second had perhaps followed rather too closely on its heels; should there not be a third to settle the matter? He believed that regular external audits would be good practice.

Mr. Kool said that this comment would certainly be recorded in the minutes. He reminded Members not to return to the substance of the discussions, but to look at the Resolutions to see whether they reflected what had been decided.

Mr. Ehrlich said that the US approved the Resolution but wanted to encourage a quick resolution of all of the pending items resulting from the audit.

Mr. Kool replied that this had been noted.

The Committee took note of:

- the information provided by the BIML Director concerning the report of the financial and management audit carried out in February 2010;
- the actions taken by the Bureau; and
- the Action plan proposed by the Bureau.

The Committee instructed its President to:

- send the report of this audit and the BIML Director's comments on that report to CIML Members,
- continue to follow up on this issue, and
- report back on it at the 46th CIML Meeting.

The Committee instructed the Bureau to continue its efforts to increase the efficiency of its finances and management.

The Resolution was passed without abstentions or “no” votes.

### **Resolution no. 27**

The Committee took note of the report on the pension system and of the comments made by Mr. Peter Mason and Dr. Philippe Richard.

The Committee noted that the re-evaluated assets cover much more than the value of the rights acquired and that there will be no need to call for any additional Member State contributions to face this liability.

The Committee instructed the Bureau to:

- implement the IPSAS standards for the 2010 accounts, by registering the full rights acquired in the OIML liabilities and the reevaluated value of the BIML buildings in the OIML assets;
- prepare a presentation of the 2008 and 2009 accounts along these lines with a view to presenting them at the 14th OIML Conference; and
- include in the revision of the OIML Financial Regulations this implementation of the IPSAS standards, and specify the rules and periodicity for the re-evaluation of the OIML building in the OIML assets.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 28**

The Committee elected Mr. Peter Mason (UK) CIML President for a 6-year term.

According to the rules laid down in publication OIML B 14, he will take up office at the opening of the 46th CIML Meeting in 2011.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 28a**

Mr. Flandrin wished for the words “official language of the Organization” to be used in the Resolution. He was speaking on behalf of other Members as well as the French who also wished for this outcome. Mr. Kool made the desired amendment:

The Committee noted the comments by the French CIML Member on the use of French as the official language of the Organization and requested the President-elect to be attentive to this issue.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 29**

The Committee elected Dr. Roman Schwartz (Germany) CIML Vice-President for a 6-year term.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 30**

Mr. O’Brien suggested that for the sake of clarity the term “employment contract” should be used.

Mr. Flandrin suggested that “will” be a condition ... should be used instead of “should”; Mr. Kool made the desired amendment:

The Committee appointed Mr. Stephen Patoray BIML Director.

The Committee confirmed its expectation that the commitment to be proficient in French will be a condition of Mr. Patoray’s employment contract.

The Resolution was passed without abstentions or “no” votes.

**Resolution no. 30a**

The Committee,

Recalling its Resolution no. 11,

Following the election of a new Vice-President,

Elects Dr. Grahame Harvey first Vice-President.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 31

Mr. Mason said that the Resolution should specify what it was that had been awarded, a Medal and Certificate.

Mr. Kool replied that this could be done but that the OIML Award consisted of a Medal and a Certificate. There was no other form of award except a letter of appreciation.

Mr. Mason pointed out that in English “Award” was a transitive verb – something had to be awarded.

Mr. Kool inserted “the OIML Medal” after the word “awarded”.

The Committee awarded the OIML Medal to:

- Dr. Nikolai Zhagora of Belarus;
- Dr. Heinz Wallerus of Germany; and
- Mr. Brian Beard of South Africa

for their outstanding contributions to the development of international legal metrology.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 32

Mr. Leitner said that the whole Czech Republic delegation and not merely Mr. Klenovský should be thanked. The wording was altered accordingly:

The Committee expressed its thanks to the Czech Republic delegation for its presentation on the venue of the 46th CIML Meeting in 2011.

The Resolution was passed without abstentions or “no” votes.

### Resolution no. 33

The Committee expressed its thanks to Romania for its offer to host the 14th OIML Conference and 47th CIML Meeting in 2012.

The Resolution was passed without abstentions or “no” votes.

### **Concluding remarks**

Mr. O’Brien suggested that as an agenda item at the next CIML Meeting, when the minutes of the previous Meeting were reviewed and approved, it would be useful also to review the Resolutions from the previous Meeting, so that the Committee could see whether they had been carried out. Mr. Magaña replied that although he had not done it correctly this year, this should form part of the report of the Bureau.

Mr. Johnston wished to take the opportunity to congratulate Messrs. Mason, Schwartz and Patoray on their election and also wished to thank Mr. Magaña for his service to the OIML. He also appreciated the thanks for his own term as President. He would of course be remaining in that office until just before the next CIML Meeting. It had been a lot of fun and a lot of work. He had already spoken with Mr. Mason; he wished him good luck and would be willing to help him in any way he could.

Mr. Kool commented that he had been asked several times for electronic copies of files, presentations, etc. All the presentations had been uploaded to the CIML workgroups web site, including the presentations from NASA and the Resolutions.

Ms. Van Spronsen said they had thanked other Member States for their invitations to future Meetings, but she wished also to express thanks to the United States for hosting the current Meeting and for the excellent hospitality they had shown.

Mr. Flandrin wished to thank the interpreters; he had found their services very useful.

Mr. Schwartz said that Mr. Carstens, his predecessor as Vice-President should also be thanked. He had been in office for a long time and had done a very good job. All agreed.

Winding up the 45th CIML Meeting, Mr. Ehrlich thanked everybody for coming, all the speakers for their presentations and Dot Morgan and Jo Kells of the Doubletree Hotel staff for running the event, and, once again, the interpreters (Denys Gontard and Dominique Gutierrez). He thanked Lisa Warfield and Mary Lou Norris from the NIST staff, and the BIML staff both present and in Paris for their outstanding support.

Mr. Johnston concluded the Meeting by saying he looked forward to seeing Members the following year in Prague, and wished them a safe journey home.