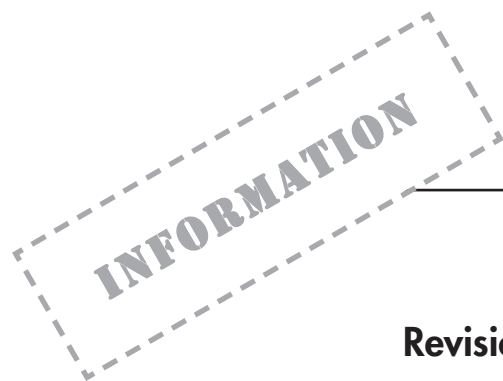


DRAFT
DOCUMENT

TC 3
(USA)



Revision of D 1

Considerations for a Law on Metrology

Draft submitted for CIML postal ballot on 2012.01.23

Voting closes on 2012.04.23.



ORGANISATION INTERNATIONALE
DE MÉTROLOGIE LÉGALE

INTERNATIONAL ORGANIZATION
OF LEGAL METROLOGY



Collated comments on Committee Draft and Secretariat’s responses:		Issue date: 19 January 2012
1CD Revision of OIML D 1:2004 “Considerations for a Law on metrology”		
CD date: 8 July 2011	Circulation date: 8 July 2011	Closing date: 8 October 2011
Secretariat: USA		

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
DE		ge	No comments.		-
PL		ge	No comments.		-
US		ge	[ISO/TC 172/SC 3 ANSI] No obvious technical errors identified.		-
NO		ge	General comment: we are pleased to see that D1 is focusing not only on “measuring instruments” under legal control, but also measurements and products. Measuring instruments are (just) a tool to produce measurements that are important for the society. We further have some few specific comments listed below.		-

Country Code	Clause/ paragraph / table	gen./ edit./ techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
NL		edit.	<p>Metrology helps meet societal goals like an increased energy efficiency and reduced consumption of resources.</p> <ul style="list-style-type: none"> • Atomic-clock research helps improve satellite navigation systems. • Electricity meters with online readout (“smart metering”). • More reliable or more sensitive sensors provide better data for close control of industrial processes, thus increasing efficiency and reducing waste. • Research on the metering of new energy sources: biofuel, liquefied natural gas, ... 	<p>Metrology helps meet societal goals like an increased energy efficiency and reduced consumption of resources.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • The atomic-clock research helps in improving satellite navigation systems. • Electricity meters with online readout (“smart metering”) helps in energy consumption control. • Improved reliability and/or sensitivity of sensors provide more adequate data for close control of industrial processes, thus increasing efficiency and reducing waste. • Support on the feasibility of research on the metering of new energy sources: (like biofuels, liquefied natural gas etc) is provided 	Accepted
JP		ge	No comments in addition to those on the 1WD.		-
SA		ge	<p>Many paragraphs have different font sizes.</p> <p>Wherever possible number bullets a), b) etc. to facilitate referencing.</p> <p>Wherever possible number paragraphs to facilitate referencing.</p> <p>Add a list of acronyms used in the document.</p>		<p>Accepted. In the final publication, the editing rules in OIML B 6-2:2011 will be followed.</p> <p>Accepted (in the final publication)</p>
RO			No comments.		-
SA	2.1	ed	Suggest adding the words “the science of” before the word “measurement”.		Accepted only in the first line
SA	2.2		At the end of the second sentence of the first paragraph add the words “through accurate and credible measurement”.		Accepted

Country Code	Clause/ paragraph / table	gen./ edit./ techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
SA	2.2		At the end of the first sentence of the second paragraph add the words “or a service is provided or where measurements are used to apply a sanction”.		Accepted
NL	2.3	edit.	<p>Metrology underpins regulation by providing measurement references for policy advice, directives, conformity assessment, and verification.</p> <ul style="list-style-type: none"> • As an important part of consumer protection, metrological techniques determine and help enforce allowed limits for measurement errors of gas, energy and water meters, fuel dispensers, breath alcohol testers, supermarket scales, ... • “When you pay for a liter of gasoline, you want to get one liter of gasoline” • A 1% measurement error for the amount of natural gas consumed in the world every year corresponds to an economic impact of billions of euro or dollars! 	<p>Metrology supports regulation by providing measurement references for policy advice, directives conformity assessment, and verification.</p> <p>Examples:</p> <ul style="list-style-type: none"> • As an important part of consumer protection, metrological techniques determine and help in the enforcement of allowed limits for measurement errors of gas, energy and water meters, fuel dispensers, breath alcohol testers, supermarket scales, etc. • When paying for a liter of gasoline, it is expected that the one liter of gasoline has been delivered. • A measurement error of 1% in the amount of natural gas consumed in the world in a year corresponds to an economic impact of billions of euro or dollars! 	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
NL	2.3	edit.	<p>Metrology underpins the protection of the citizen, for instance through reliable measurements of radioactivity or medical measurements.</p> <ul style="list-style-type: none"> • Blood test results from one laboratory should be the same as from any other. • Unnecessary duplication of potentially harmful diagnostic procedures like X-ray can be avoided when results are accepted and usable everywhere. The metrological infrastructure ensures that during the X-raying itself you do not receive more than the required dose of radiation. • More reliable measurement of medical parameters helps determine more reliably who needs a medical procedure and who does not (Example: 10% error in the determination of cholesterol levels means 13% of the population do not get treatment although they should, and 20% receive the treatment including its unwanted side effects although it is not necessary). • Continuing refinement of methods is needed, for instance to detect falsification of food-related measurements by illegal additives. 	<p>Metrology advances the protection of the citizen, for instance through reliable measurements of radioactivity or medical measurements.</p> <p>Examples are:</p> <ul style="list-style-type: none"> • Results of Blood test to be independent of the laboratory performing the test. • Unnecessary duplication of potentially harmful diagnostic procedures like X-ray exposure may be avoided when results are accepted and usable everywhere. <p>. The metrological infrastructure will ensure that during the X-ray exposure the required dose of radiation will not be exceeded.</p> <ul style="list-style-type: none"> • Increasing reliability in measurements of medical parameters will help in a better determination on the need of medical treatment (Example: 10% of error in the determination of cholesterol levels implies 13% of the population not getting a treatment although they should, and 20% would unnecessarily be exposed to this treatment including its adverse side effects • The continued refinement of methods supports for instance the detection of falsification of food-related measurements by illegal additives. 	Accepted
CA	2.3		<p>This section has become difficult to follow as a result of the additions. The title should be reworded. The section could be streamlined.</p>	<p>Rename 2.3 to “Examples of Benefits of Metrology”</p> <p>Not all of the examples listed are benefits of metrology. For example approvals accepted from one country to another under facilitating fair trade would be an example of the benefits of a MRA or MAA.</p>	To be discussed

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	2.3 (p 6)	E and T	<ul style="list-style-type: none"> • Editorial. • Editorial. • Provides greater explanation of societal goals. 	<ul style="list-style-type: none"> • Delete current heading and replace with, “Further elaboration on the value of legal metrology”. • Bullet point missing for 3rd point under “Metrology facilitates fair trade” • Expand 2nd dot point under “Metrology helps societal goals”. Suggest the following: “Electricity meters with (near) real-time data (smart meters) enable greater efficiency through smart grids, and rationalised consumption with accessible energy usage data.” 	See other comments
UK	2.3, 5 th Bullet point	edit	Text sounds like it is enforcing measurement errors. We would prefer the emphasis to be on accuracy.	‘....and help enforce accurate measurement of gas, energy and water meters, fuel dispensers, breath alcohol testers, supermarket scales, etc within permissible errors.	Accepted
CA	2.4		Sentence reading “Therefore at least industrialized Countries have established a national quality infrastructure” should be amended.	Perhaps use wording such as “The majority (all) of industrialized countries have established a national quality infrastructure”.	Accepted. Changed to “therefore most of the countries”.

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	2.4 (p 7)	T	<p>(a) Current wording does not provide detail on the importance of a quality infrastructure system or its use.</p> <p>(b) Editorial. Not an accurate reflection of quality infrastructure present in various countries.</p> <p>(c) The definition of quality infrastructure should be provided at the very first instance. Current wording is unclear.</p> <p>(d) Editorial</p>	<p>(a) Suggest providing a rationale for the use of a quality infrastructure system.</p> <p>(b) First paragraph, 2nd sentence, delete current sentence and replace with, “Many nations have established a national quality infrastructure”.</p> <p>(c) Move the third paragraph to the first paragraph, so it reads as follows, “2.4 National quality infrastructure Quality infrastructure (QI) refers here to all aspects of metrology, standardization, testing and quality management including certification and accreditation. This includes both public and private institutions and the regulatory framework within they operate.”</p> <p>(d) Last sentence of present wording, insert “which” between ‘within’ and ‘they’ such that the sentence reads, “This includes both public and private institutions and the regulatory framework within <i>which</i> they operate”.</p>	<p>(a) No proposal provided.</p> <p>Accepted, see other comments</p> <p>Accepted</p> <p>Accepted</p>
AU	2.5 (p 7)	T	<ul style="list-style-type: none"> The fourth and fifth paragraphs appear to discuss the same concept. Current wording is unclear. 	<ul style="list-style-type: none"> Suggest consolidating the two paragraphs. 	Not accepted
SA	2.8	ed	Last bullet should not be a bullet, rather a concluding paragraph.		Accepted
AU	2.8 (p 9)	E	<ul style="list-style-type: none"> Editorial. 	<ul style="list-style-type: none"> Last dot point should be a new paragraph. 	See other comments

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	3.1 (p 10)	T	<ul style="list-style-type: none"> Definitions provided in the VIM or VIML need not be replicated in this document. To maintain accuracy of definitions and consistency with other OIML documents, suggest referencing the VIM or VIML for definitions. Maintain consistency and accuracy between OIML documents. 	<ul style="list-style-type: none"> Suggest deleting the first and second paragraphs and replace with “For up to date definition of terms and other definitions not included in this document refer to OIML V 1 International Vocabulary of Terms in Legal Metrology (VIML) and OIML V 2 International Vocabulary of Basic and General Terms in Metrology (VIM).” Limit definitions provided in this section to only those that are not defined in the VIM or VIML. 	Not accepted. It should be possible to understand the text without the VIM or VIML.
AU	3.1.1 (p 10)	T	<ul style="list-style-type: none"> Appreciate that member States would use different terminology for various terms. To maintain internal consistency within the document and for clarity suggest using one term. 	<ul style="list-style-type: none"> Delete phrase, “(also referred to as “Legal Document”) in heading. 	Title amended and a note added.
SA	3.1.11	ed	Definition note number 1 should be incorporated into the definition itself for clarity.		No, see VIML Note 2: delete
AU	3.1.11 (p 13)	T	<ul style="list-style-type: none"> This definition is not in line with latest committee draft (3 CD) of VIML. Maintain consistency with VIML 	<ul style="list-style-type: none"> Delete term, “Legal” in heading. 	Text brought in line with 3CD of the revision of the VIML.
UK	3.1.12 Note 1	techn	Suggest this should refer to ‘measuring instruments’ rather than ‘products’	Market Surveillance exerted by enforcement authorities, for purpose of detecting whether measuring instruments placed on the national market (i.e. sold or offered for sale) fail to comply with the regulations that apply to them.	Accepted sold: or systems...
UK	3.1.12 Note 2	edit	Neither “marketplace surveillance” nor “field surveillance” are defined		Not accepted. Note 2 provides sufficient explanation.

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AU	3.1.12 (p 13)	T	<ul style="list-style-type: none"> Maintain consistency with definition provided in OIML D 16 clause 2.23. 	<ul style="list-style-type: none"> Definition provided for market surveillance differs from that detailed in OIML D 16 (2011). Delete current text and replace current wording with that provided in clause 2.23 OIML D 16 “Form of metrological supervision aimed at measuring instruments and prepackages intended to be placed on the market and/or put into service for the first time to ensure that all the elements of the conformity assessment system function correctly, resulting in general compliance of the products with the provisions of the applicable regulations across a country or free trade area.” Also include ‘Notes’ in clause 2.23 of OIML D 16 (2011). 	Accepted
SA	3.1.12, 3.1.13 & 3.1.14		We do not agree that these definitions add any value and feel that they cause more confusion. We would prefer one definition for “surveillance”, which includes pre-market surveillance, post-market surveillance, market place surveillance, field surveillance and surveillance of the use of instruments. See also our comment 20 & 26.		Not accepted.
UK	3.1.13	edit	We would prefer ‘In service surveillance’ to ‘Post Market surveillance’.	3.1.13 IN SERVICE SURVEILLANCE	Not accepted.

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	3.1.13 (p 13)	T	<ul style="list-style-type: none"> Maintain consistency with definition provided in OIML D 16 clause 2.25. 	<ul style="list-style-type: none"> Definition provided for post market surveillance differs from that detailed in OIML D 16 (2011). Delete entire section and replace with wording provided in clause 2.25 OIML D 16. Current section should read as follows: “3.1.13 In-service surveillance Form of metrological supervision aimed at establishing that a measuring instrument in use in the field complies with the statutory requirements.” Also include ‘Notes’ in clause 2.25 of OIML D 16 (2011). 	Accepted, see other comments
AU	3.1.15 (p 14)	E	<ul style="list-style-type: none"> Editorial/formatting. 	<ul style="list-style-type: none"> Delete first word in first paragraph and replace with “Third”. 	Accepted
UK	3.1.4 VIM 3.2	edit	Additional ‘carriage return’ has split the text.	‘...quantity values within specified intervals for quantities of specified kinds’	Accepted
UK	3.1.5 Note 3	edit	Prefer Latin term ‘sensu stricto’ is replaced to aid understanding by readers whose first language is not English.	‘The first one consists in the physical realization of the measurement unit from its definition and is realization in its narrowest sense .’	Accepted
AU	3.1.6 (p 12)	T	<ul style="list-style-type: none"> Maintain internal consistency of the document. 	<ul style="list-style-type: none"> Different terms used for type evaluation/approval e.g. document also refers to pattern evaluation in 3.1.7. Delete term “(model)” 	“model” deleted in the title.
AU	3.1.7 (p 12)	T	<ul style="list-style-type: none"> Maintain internal consistency of the document. 	<ul style="list-style-type: none"> Different terms used for type evaluation/approval e.g. document also refers to pattern evaluation in 3.1.7, first sentence following heading. Delete term “(pattern)” 	Accepted
AU	3.1.9 (p 13)	T	<ul style="list-style-type: none"> This definition is not in line with latest committee draft (3 CD) of VIML 	<ul style="list-style-type: none"> Maintain consistency with VIML 	It is exactly the same.

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
SA	3.10		Paragraph four (4) indicates that the OIML certificate system has not been developed which it has and no mentioned is made of the MAA. Paragraph six (6) mentions a “national legal metrology authority” which seems inconsistent with the terminology in use. Does this mean the CMA or NLMI or both?		Not accepted “(CMA or NLMI)” added.
UK	3.10 6 th paragraph	edit	Suggest using ‘Central Metrology Authority’ rather than ‘legal metrology authority’ which might be confused with the LMA.	The decision to recognize OIML certification systems or foreign conformity assessments as equivalent to the national regulatory conformity assessment should belong to the national Central Metrology Authority .	Accepted
NL	3.2.1	gen.	The area of precious metals and gem stones as well as gambling machines, voting machines we still do not consider within the scope of OIML. These areas surely are affected by metrology but not by national metrology policy. In a number of countries these areas, when in the scope of legal control and due to the need for knowledge on metrology are dealt with by the national metrology organisations.	delete	Not accepted
SA	3.2.1		Add new last bullet under examples of elements to be considered: “becoming full or associate members of a relevant regional metrology or regional legal metrology organisation”		Accepted
AU	3.2.1 (p 14)	T	<ul style="list-style-type: none"> Current wording is ambiguous. 	<ul style="list-style-type: none"> Second dot point in third paragraph reads “...as an essential component of the global national infrastructure of the country”. Delete term “global” from sentence. 	Accepted
SA	3.2.2.1	ed	In the first sentence after the word “authority” add “(see 3.2.4.3)”		Accepted
SA	3.2.2.1	ed	First bullet of second paragraph change “enter in consultation” to “consult”		Accepted

Country Code	Clause/ paragraph / table	gen./ edit./ techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	3.2.2.2 (p 16)		<ul style="list-style-type: none"> There is no reference to prepackages. In particular, the final paragraph on page 16 refers to the scope of legal metrology, but limits this to only categories of measuring instruments. In general, prepackages receive little attention, despite being a major component of world trade. 	<ul style="list-style-type: none"> Add reference to prepackages. Consider the elaboration of prepackages in the document. 	“Prepackages” added.
SA	3.2.2.3	ed	First bullet change “of” to “on” where it appears before the words “the quantity” In the second bullet delete the word “the” where it appears before the words “calibration laboratories”		Accepted Accepted See NL 3.3
NL	3.2.2.4	edit.	ICD text: ..” In the case that they are themselves primary standards that independently realize the legal units, they should be regularly compared with primary standards of other countries utilizing...”	“ In the case that these standards are the primary standards that independently realize the legal units, regular comparison with primary standards of other countries should be performed utilizing.....”	Accepted
UK	3.2.2.5	edit	Would prefer a slight change in text to aid readability.	The regulations adopted in application of the law of metrology may require that implementing bodies in charge of certain tasks be appropriately accredited.	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
SA	3.2.4.1		Replace the second sentence in the fourth paragraph with the following “For example, accredited private calibration laboratories, verification laboratories or inspection bodies could take over appropriate calibration, verification or surveillance activities”.		Accepted
CA	3.2.4.1		Sentence reading “This means, for instance...perform these activities in a transparent <i>way</i> ...”	Suggest replacing “way” with “manner”. Sentence would read” :.....perform these activities in a transparent manner....”	Accepted.
CA	3.2.4.1		Sentence reading “Two ways of delegating tasks are possible”	Suggest replacing this “way” with the word “methods” This wording would carry through the section.	Accepted partially
UK	3.2.4.1	edit	Lots of duplication in last two paragraphs, suggest rationalising.		Duplicate paragraph deleted.
SA	3.2.4.3		See comment number 12. CMA relationship to NLMI and NMI must be defined. In bullet eight (8) is the legal metrology institutions the NLMI and NMI and if so, should they not be responsible for coordinating activities at LMA level [see also bullet nine (9)]. In bullet 11 are the national bodies referred to the NLMI or NMI or are they any organisation that might have been assigned a function – please clarify. In bullet 13 insert “or NLMI” after NMI.		Appropriate text on flexible use of the document is contained in the introduction Accepted
UK	3.2.4.3 18 th hyphen	techn	Suggest we add ‘trade’ to the list of topics and insert a comma after ‘safety’.	Protection of individuals by establishing and enforcing metrological requirements for measuring instruments used in trade, health, safety, law enforcement and environmental regulation;	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
SA	3.2.4.5		In the fourth paragraph 5th bullet we do not see the significance of having two sub-paragraphs which say essentially the same thing and use undefined terminology. We suggest combining the following sentence “Conduct surveillance inspections and verifications on the sale of goods including prepackages and instruments or supervise these functions when carried out by designated or licensed bodies to ensure compliance with the law in metrology and regulations promulgated by the CMA”.		Accepted
UK	3.2.4.5 Last hyphen	edit	Add semicolon after ‘correct’ to aid readability.	Accept for use, and mark, such measuring instruments that are found to be correct; and reject and order to be corrected, replaced, or removed those measuring instruments that are found to be incorrect.	Accepted
SA	3.2.4.6		See our comment 12. Is this not a NLMI or NMI function? In the 1st bullet does “Certifications” mean designation of authority, please clarify?		Not accepted No.
SA	3.2.4.7		After “CMA” add “NLMI, NMI”. Add a 5th bullet “Advise on functional matters”.		Accepted
NL	3.3	edit.	Definition 3.1.1 does not refer to traceability <i>Repeated comment:</i> Traceability to SI is not correct while this would mean traceability to a definition. It should be “traceability to the realization of the system of units (SI).”	Correct reference to: 3.1.2 instead of: 3.1.1. Implement in element 10 in the same way as is done in element 11	?
UK	3.3	edit	Suggest expanding KCDB at first use.	Key Comparison Database (KCDB)	Accepted
ILAC	3.3	edit	Change heading to “Metrological Traceability” to be consistent with --- in 3.1.2	Heading – Metrological Traceability	Accepted
UK	3.3 1 st Para	edit	Amend cross reference to ‘3.1.2’	For the application of any laws and regulations prescribing requirements on measurements, on prepackages and on measuring instruments, traceability to SI (see definition 3.1.2) shall be required.	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
NL	3.4.1	edit.	ICD text: 3.4.1 LEGAL UNITS The law specifies which units of measurement shall be authorized or made mandatory, according to the case. It is not pertinent to write in the law a full definition of the units,	3.4.1 LEGAL UNITS The law needs to specify for which applications, which units of measurement are authorized to be used or made mandatory. It is not pertinent to include in the law a full definition of the units,	Accepted
UK	3.4.2	edit	Text is the same as in element 13, can we avoid duplication?		Accepted
SA	3.6		Add the 5th bullet “ensure fair trade and level playing fields to promote trade”.		Accepted
NL	3.6.1	edit.	ICD text: - define units to be referred to in the methods of sale;	- define measurement units to be used in legal transactions; and amend element 17 in line with this modification	Accepted
NL	3.6.1	gen.	ICD text: ... including the required measurement uncertainty)	... including the required maximum measurement uncertainty)	Not accepted
SA	3.6.2		Add the word “quantity” after the word “nominal” and add an “s” to the word “method”.		Accepted
UK	3.6.2 9 th paragraph	techn	Suggest adding ‘packers’ to distinguish from manufacturers of packets/boxes.	These regulations may define the procedures and criteria for the legal control exerted by legal metrology officials on prepackages and on the sellers, packers , manufacturers and importers of prepackages.	Accepted
SA	3.6.3		In bullet three the terms “in service inspection” and “field surveillance” are used, but they are not defined. This increases the confusion over the terms already defined and definitions should be combined and simplified. See our comment number six (6). In paragraph 10 change the word “shall” to “may” in both sentences. Add a new paragraph to say “These regulation may set verification periods within which measuring instruments must be re-verified”.		Reference to 3.1.12 note 2 added. Accepted Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
UK	3.6.3 13 th paragraph	edit	Suggest replacing ‘adapted’ with ‘suitable for’. When instruments have been approved they cannot be adapted for other prescribed applications without further approval.	When instruments are offered for sale, sold, or placed on the market for use subject to legal metrology requirements, the seller must inform the buyer about the legal requirements/status, and offer instruments suitable for the intended use.	Accepted
AU	3.6.3 (p 32)	T	<ul style="list-style-type: none"> Provide clarity and maintain internal consistency of the document. 	<ul style="list-style-type: none"> Fifth paragraph third dot point uses a number of terms which appear not to have been defined earlier in the document. For instance the following terms are used, “reverification”, in service inspection” and “field surveillance”. 	Reference to 3.1.12, Note 2 added.
SA	3.7.1		The wording of the sentence is not clear but we suggest that it is changed to indicate that the application of the law and enforcement of regulations will depend on the regulatory structure of a country and CMA will normally only make the laws and delegate functions.		Not accepted
CA	3.7.1		Enforcement General – list of escalating options could include seizure or removal of devices from service.	Suggest adding two bullets between “warnings” and “Civil Penalties” to address seizure and removal of devices.	Accepted
NL	3.7.3	edit.	“. obligation to declare...” is a bit strange wording	suggest to change to “obligation to give notice of installation or repair of measuring instruments when this is required.”	Accepted
SA	3.7.3		Element no. 21 – Add a reference to where NLMI and NMI fit into the relationships. We also have reservations as to the accuracy of saying that the CMA shall be in charge of organising the functions indicated.		Not accepted
UK	3.7.3 7 th hyphen	edit	Suggest replacing ‘interdiction’ with ‘prohibit’	obligation to affix legal marks on instruments and prohibit the removal of required marks.	Accepted
UK	3.7.3 9 th hyphen	edit	Suggest replacing ‘interdiction’ with ‘prohibit’	prohibit tampering with instruments,	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	3.7.3 (p 35)	E	<ul style="list-style-type: none"> The references provided for the first three dot points are incorrect. Maintain internal consistency of the document. The same references are omitted in text box, 'Element No. 21'. 	<ul style="list-style-type: none"> Delete references and replace with following: “market surveillance (see 3.1.12) post-market surveillance (see 3.1.13) surveillance on the use of instruments (see 3.1.14)” 	See other comments
SA	3.8.1		Element no. 26 – Add another bullet “Impersonate a legal metrology official”.		Accepted
CA	4.1		First sentence – regarding “only important and essential points” could be clarified	<p>Suggested wording:</p> <p>It is proposed that a “law on metrology” be developed in such a manner that it is considered “enabling legislation”. A law on metrology could address broader parameters that are not subject to change such as administration, offences, rule setting powers, relevant definitions as well as responsibilities or obligations.</p> <p>More specific matters (technical requirements, inspection frequencies) could be addressed in other instruments such as regulations, specifications, etc.</p>	Accepted
AU	5.1 (p 43-47)	T	<ul style="list-style-type: none"> Current language is heavy handed. Document should consider that member States have different methods for drafting their national laws. Wording should be changed to be that of a guidance document. 	<ul style="list-style-type: none"> Suggest deleting 5.1 and replace with the major elements of measurement legislation. 	To be discussed (Not accepted)
UK	5.1 Art. 15	edit	Suggest replacing ‘mentioned in the’ with ‘already addressed in a separate’ to aid readability.	Organization of a national calibration service, if applicable and not already addressed in a separate Law on accreditation.	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
UK	Element 21	edit	Suggest replacing 'repartition' with 'division of responsibilities' to aid ease of understanding.	The division of responsibilities between the Central Metrology Authority and the Local Metrology Authorities for carrying out these activities shall be laid down in the Legal Metrology Regulations made in application of element 19.	Accepted
UK	Element 23 3 rd hyphen	techn	Suggest adding 'packers'	request information with respect to obligations made by the law on metrology to manufacturers, packers , importers, installers, repairers and users of measuring instruments subject to legal control;	Accepted
UK	Element 25 1 st para	edit	Suggest adding a semicolon and 'and' after '... legal control' to aid readability.	The legal metrology officials (inspectors) mentioned in Element no. 23 shall be empowered according to the national judicial procedures to issue stop-use, hold, and removal orders with respect to any measuring instruments subject to legal control; and stop sale, hold, and removal orders with respect to any packaged commodities or bulk commodities kept, offered, or exposed for sale.	Accepted
UK	Element 26 7 th para	edit	Suggest replacing 'of' with 'to keep' to aid readability.	Not comply with obligations to keep records, or not make them available to legal metrology officials;	Accepted
NO	Element no.3		Having in mind the basic target group for this document, we would question that "The Gouvernement shall designate .. - carrying out and/or coordinating the research work in metrology. In my view, the basic needs (that shall) is covered by the other two point mentioned in Element no. 3.	Delete point 2 "- carrying out and/or coordinating the research work in metrology".	Not accepted
NO	Element no.6		In the first point it is stated that "those missions that are of public interest shall be funded by the State". There are examples that this not necessary is a "must" and it will be up to the different States how to regulate the funding. The basic idea, however, should be that the system of funding is not – or have the possibility to – influencing the integrity of the work.	Change point 1 to " – those missions that are of public interest shall be funded in an independent way – could be by the State".	Accepted

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	Foreword (p 3)	T	<ul style="list-style-type: none"> Provides clarity. In accordance with the Template for OIML Recommendations 	<ul style="list-style-type: none"> An explanatory note providing detail for the reasons for revision. 	Noted
NL	gen.		<i>In future please provide for each draft an overview of amended clauses using e.g. track changes</i>		
AU	General comment	G	<ul style="list-style-type: none"> The document has grown in size and broadened in scope so that it is now in danger of becoming less accessible to its target readership. 	<ul style="list-style-type: none"> The document needs to be made more succinct and accessible by removing duplication and pruning sections not directly related to legislation. 	Noted
AU	General comment	G	<ul style="list-style-type: none"> There are currently three documents that discuss various aspects of legal metrology: D1 (Elements/Considerations for a law on metrology), D9 (Principles of metrological supervision) and D16 (Principles of assurance of metrological control). As the scope of each broadens in attempting to be more complete, there is a danger that contradictions will be inadvertently introduced. 	<ul style="list-style-type: none"> While we understand the need for revising D1, it is recommended that D1 should focus on “considerations for a law on metrology”. Any discussion regarding the socio-economic benefits of legal metrology should be covered in the OIML Strategy and possibly another document. Also there is overlapping scope amongst the VIML, D1, D9 and D16. It is recommended that the main definitions should only appear in the VIML and that other documents, including D1, should reference the VIML and include only additional definitions as needed. In our view, it would have been preferable to review the scope and content of this suite of documents before undertaking the review of D1. 	Noted.

Country Code	Clause/paragraph / table	gen./edit./techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
AU	General comment	E	<ul style="list-style-type: none"> Maintain internal consistency of the document. Formatting. 	<ul style="list-style-type: none"> Throughout the document, a number of different terms are used to refer to the following: <ul style="list-style-type: none"> (a) document: document, international document and etc. Suggest using term ‘document’ when referring to the document. (b) nation, country, State and etc. Suggest using term ‘member States’ when referring to a country to maintain consistency with OIML wording. Throughout the document, different formatting styles are used for the headings and text. Rewrite sentences so that they don’t use ellipsis (‘...’) or the term ‘etc’. 	<p>Notid</p> <p>Accepted</p>
AU	General comment	E	<ul style="list-style-type: none"> The document is to be used as guidance for member States who intend on developing a national legal metrology infrastructure. The language used should reflect the (guidance) nature of the document. 	<ul style="list-style-type: none"> Current language used in the document is rather high-handed. For instance the text boxes in Part 3 “Elements” use the term “shall”. This should be replaced by “recommend”, “should” or “advisable”. 	Noted. However, the “Elements” are intended as examples of texts in regulations.
UK	Part 1, last paragraph	edit	Believe the last paragraph should say that many of these provisions also relate to the ‘unregulated’ sector.	Suggest changing the last ‘regulated’ to ‘unregulated’	Accepted
AU	Part 2: Rationale	T	<ul style="list-style-type: none"> Current structure/wording is not clear. A number of different topics/issues appear to be repeated. For instance sections 2.2 and 2.5 appear to discuss the same concepts and the benefits discussed in 2.2 are repeated in ‘2.6 Why is a metrological infrastructure necessary’. 	<ul style="list-style-type: none"> Revise structure of Part 2. Suggest placing current “2.3 Further elaboration of what legal metrology is good for” after “2.6 Why is a metrological infrastructure necessary”. 	See other comments
AU	Part 3 (p 10)	T	<ul style="list-style-type: none"> Current wording is ambiguous. 	<ul style="list-style-type: none"> Last paragraph only makes reference to Part 5 of the document. What about Part 4. 	Accepted

Country Code	Clause/ paragraph / table	gen./ edit./ techn.	COMMENTS	PROPOSED CHANGE	OBSERVATIONS OF THE SECRETARIAT on each comment submitted
SA	Part 4		Un-numbered section at the beginning paragraph three (3) bullet three (3), does this mean the conformity assessment procedures will replace verification procedures or does it mean that the verification function could be privatised? Please clarify.		Noted. Text amended.
SA	Part 5 Article 20		New terminology “Market inspection”. See our previous comments on simplification of terminology.		Noted.
AU	Part 5 (p 43)	T	<ul style="list-style-type: none"> Current wording is ambiguous. 	<ul style="list-style-type: none"> Third paragraph delete sentence and replace with, “The elements of Part 3 should be (re)worded taking into consideration the drafting practice of the member State”. 	Accepted
ILAC	Part 6 References (or Part 7, Further Information)	edit	Provide website links for reader who seek further information.	Add general website details for OIML/BIPM, BIPM/CIPM and ILAC/IAF etc.	Accepted