

Legal Metrology in Azerbaijan

(in view of a new version of the Law of the Republic of Azerbaijan "On Ensuring the Uniformity of Measurements", effective from 05.04.2018)

1. Organizational structure in LM

1. The State Service for Antimonopoly and Consumer Market Surveillance (ACMS) under the Ministry of Economy of the Republic of Azerbaijan is a public administration body, responsible for maintaining the common state policy on the matters of ensuring the uniformity of measurements, as well as coordination of activities, related to the creation and operation of the System of Ensuring the Uniformity of Measurements, and also for:

- establishment and operation of the state metrology service;
- identification of a legal entity to act as the national metrology institute and a body for accreditation of legal entities (LEs) and sole proprietors (SPs), performing verification and (or) calibration;
- making proposals to the Cabinet of Ministers of the Republic of Azerbaijan on the allowance for application of the quantity units in the Republic of Azerbaijan;
- setting requirements to national measurement standards (NSs) of quantity units and measurement standards of quantity units, as well as rules for their development, approval, update and maintenance; approval of NSs;
- setting requirements for measurement techniques (methods) to be applied in measurements in legal metrology (LM);
- approving the regulation on the authorization and authorization of LEs, belonging to the state metrology service, for testing for the purpose of approval of the type of a measuring instrument (MI) or reference material (RM), for performing works on metrological test in the field of LM and other LEs for performing state verification;
- approving the requirements to be met by the LEs, which perform state verification and (or) calibration of MIs, used in measurements in LM;
- performing state metrological supervision in accordance with the legislation on control (supervisory) activities;
- approval of criteria and procedure for assigning technical devices to MIs;
- approval of the rules for conduct of metrological audit;
- making decisions on assigning technical devices to measuring instruments;
- defining the form of metrological traceability in approving NSs and in approving the type of a MI;
- representation of the Republic of Azerbaijan in international organizations on metrology as the national body on metrology etc. within the scope of its powers, etc.

2. The State metrology service is established by the State Service for Antimonopoly and Consumer Market Surveillance (ACMS) by a Decree of the President of the Republic of Azerbaijan and includes the national metrology institute (NMI) and territorial administrations, subordinate to the Institute, located in 6 cities of the Republic and authorized by it for performing works on the metrological test in the field of LM.

By decree of the President of the Republic of Azerbaijan of 10.02.2017, No 1234, Azerbaijan Institute of Metrology (AzMI), a legal entity of public law, was appointed as the NMI, responsible for:

- conducting fundamental and applied scientific research in the field of metrology;
- development and upgrade of NSs (under state programs and innovative projects);
- examination of measurement standards of quantity units and submission of measurement standards for approval as NSs based on the results of the examination;
- maintenance of NSs, organization of comparisons of NSs with international measurement standards of quantity units or with NSs of foreign states, ensuring the verification and (or) calibration of NSs;
- performing works on the recognition of NSs by foreign states;
- preparation and issue of recommendations in the field of metrology;
- coordination and scientific and methodological support of comparisons of measurement results;
- creation and maintenance of the State Information Fund for ensuring the uniformity of measurements, cooperation with the media on the issues of ensuring the uniformity of measurements;
- participation in the work of international and regional organizations on metrology within the scope of the powers, specified by The State Service for ACMS;

	<ul style="list-style-type: none"> – organization of training and retraining of experts in the field of metrology. <p>3. For ensuring the uniformity of measurements metrology services of public authorities, of legal entities, subordinate to public authorities, and of other legal entities can be established in the Republic of Azerbaijan.</p>
2. Units	The units of the International System of Units (SI) are applied in the Republic of Azerbaijan.
3. Law on metrology	Law of the Republic of Azerbaijan of June 13, 2013 No 686 - IVQ "On Ensuring the Uniformity of Measurements" (new versions of 14.04.2017 No 614- VQD; of 23.02.2018 No 1008-VQD, amendments are shown in italics).
4. List of MIs within the field of Legal Metrology or scope of state regulation	<p>1. State regulation is carried out in LM, which applies to measurements, made in:</p> <ul style="list-style-type: none"> – providing protection of the human life and health, providing medical assistance; – conducting the trade and transactions between a buyer (consumer) and seller (supplier, manufacturer, provider); – rendering transport, housing and public utilities; – rendering postage services and telecommunication services; – supply and (or) consumption of material resources (electric power and heat energy, gas, water, oil and oil products, other resources); – determining the tax base; – carrying out customs operations, banking operations; – carrying out control and diagnostic works on the inspection of the technical condition and design of vehicles in conducting state technical inspection, diagnosing the technical condition of vehicles, ensuring the traffic safety of all means of transport; – ensuring industrial safety, safe transportation of dangerous goods, fire, nuclear and radiation safety, protection of the population and territories from natural and man-made disasters; – carrying out geodetic and mapping activities; – providing the defense and security of the State; – providing environmental protection and natural resources management, carrying out hydrometeorological activities; – carrying out examination of goods (results of the performed works, rendered services), reliability of the provided information about the goods (work, service), examination in conducting forensic activities, state sanitary and hygienic examination, veterinary and hygienic examination, customs examination, precious metals examination, examination for electromagnetic compatibility of radioelectronic equipment and (or) high-frequency devices, examination of industrial safety, metrological examination; – carrying out works on the assessment of conformity with technical requirements; – determining the quantity of prepackages; – carrying out state metrological supervision; – holding official sporting competitions, registering records of the Republic of Azerbaijan, set by athletes during sports events. <p>2. MIs, which LEs use in their activities, are subject to obligatory metrological test in the form of <u>type approval, metrological examination, verification and calibration</u>.</p> <p>3. Metrological test and examination of MIs in LM are carried out by legal entities and natural persons, authorized by the State Service of ACMS under the Ministry of Economy and accredited by the Azerbaijan Accreditation Center; beyond LM – by accredited and other laboratories, subdivisions or individual employees of LEs.</p>
5. Type approval	<p>5.1 Legal and technical requirements for type approval</p> <p>1. Requirements for type approval (TA) are set in a normative act of the State Service of ACMS under the Ministry of Economy and adopted by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan.</p> <p>2. MIs, intended to be used in measurements in the field of LM and given in the List of MIs (see 6.3) and RMs, intended to be used in measurements in the field of LM, shall be subject to type approval of MIs or RMs.</p> <p>3. Type approval of MIs or RMs shall be carried out based on positive results of tests or metrological examination for type approval or MIs or RMs.</p> <p>5.2 Bodies, responsible for type approval</p> <p>The State Service of ACMS under the Ministry of Economy makes decisions (resolutions) on type approval of MIs and RMs and issue of certificates of type approval of MIs and RMs.</p>

	<p>5.3 Bodies, responsible for testing for type approval Testing for type approval of MIs or RMs shall be performed by authorized and accredited testing laboratories of the LEs of the metrology service (structural subdivisions of AzMI).</p> <p>5.4 Recognition of OIML certificates The Republic of Azerbaijan is a corresponding OIML member. Currently the Republic of Azerbaijan does not take part in the OIML Certification System.</p>																																																
<p>6. Verification</p>	<p>6.1 Legal and technical requirements for initial and periodic verification Requirements for verification arrangements are set in a normative act of the State Service of ACMS under the Ministry of Economy, adopted by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan. 1. In type approval of MIs the compliance of the time interval between state verifications with the interval given in the Resolution of the State Service of ACMS (see chapter «Verification/RVIs for 20 categories of MIs») shall be determined, and the procedure for verification of MIs of the type being approved shall be adopted. 2. Verification shall be carried out before the sale of MIs, as well as during their operation. 3. The results of the verification shall be certified by a certificate of verification and (or) by applying a verification mark to the MI, or if this is not practicable, to its operating documentation.</p> <p>6.2 Bodies for verification State verification shall be performed by LEs, authorized for performing state verification, from among LEs, accredited in accordance with accreditation rules for verification.</p> <p>6.3 RVIs for 20 categories of MIs 1. Currently the general list of categories of MIs and RVIs is given in the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan of 16.12.2014 No 391, No 393 "On approval of the list of areas within the scope of state regulation". Valid intervals are set for a particular approved type of MIs and are given in the <u>State Register of Measuring Instruments of the Republic of Azerbaijan</u>. 2. In the Republic of Azerbaijan the following RVIs (years) are currently valid for the following 20 categories of MIs:</p> <table border="1" data-bbox="427 1041 1495 1809"> <tr><td>1. induction based Ferraris electricity meters</td><td></td></tr> <tr><td>- single phase meters</td><td>8</td></tr> <tr><td>- three phase meters</td><td>4</td></tr> <tr><td>2. electronic electricity meters</td><td></td></tr> <tr><td>- single phase meters</td><td>8</td></tr> <tr><td>- three phase meters</td><td>4</td></tr> <tr><td>3. diaphragm gas meters for households</td><td>5</td></tr> <tr><td>4. mechanical water meters for households</td><td>5</td></tr> <tr><td>5. heat meters</td><td>3</td></tr> <tr><td>6. weights</td><td>1</td></tr> <tr><td>7. non-automatic weighing instruments</td><td>1</td></tr> <tr><td>8. automatic weighing instruments</td><td>1</td></tr> <tr><td>9. truck scales</td><td>1</td></tr> <tr><td>10 tyre pressure gauges</td><td>1</td></tr> <tr><td>11. clinical thermometers</td><td>1</td></tr> <tr><td>12. thermometers in pipes and storage tanks</td><td>1</td></tr> <tr><td>13. mechanical length measuring instruments</td><td>1</td></tr> <tr><td>14. exhaust gas analyzers</td><td>0,5</td></tr> <tr><td>15. metal storage-jars</td><td>1</td></tr> <tr><td>16. fuel dispensers</td><td>0,5</td></tr> <tr><td>17. speed measuring instruments (e.g. speed radars)</td><td>1</td></tr> <tr><td>18. taximeters</td><td>1</td></tr> <tr><td>19. breath alcohol analyzers</td><td>0,5</td></tr> <tr><td>20. grain moisture meters</td><td>1</td></tr> </table> <p>6.4 Other national requirements for verification MIs in the field of LM are subject to registration upon their state verification in accordance with the rules of metrological test.</p>	1. induction based Ferraris electricity meters		- single phase meters	8	- three phase meters	4	2. electronic electricity meters		- single phase meters	8	- three phase meters	4	3. diaphragm gas meters for households	5	4. mechanical water meters for households	5	5. heat meters	3	6. weights	1	7. non-automatic weighing instruments	1	8. automatic weighing instruments	1	9. truck scales	1	10 tyre pressure gauges	1	11. clinical thermometers	1	12. thermometers in pipes and storage tanks	1	13. mechanical length measuring instruments	1	14. exhaust gas analyzers	0,5	15. metal storage-jars	1	16. fuel dispensers	0,5	17. speed measuring instruments (e.g. speed radars)	1	18. taximeters	1	19. breath alcohol analyzers	0,5	20. grain moisture meters	1
1. induction based Ferraris electricity meters																																																	
- single phase meters	8																																																
- three phase meters	4																																																
2. electronic electricity meters																																																	
- single phase meters	8																																																
- three phase meters	4																																																
3. diaphragm gas meters for households	5																																																
4. mechanical water meters for households	5																																																
5. heat meters	3																																																
6. weights	1																																																
7. non-automatic weighing instruments	1																																																
8. automatic weighing instruments	1																																																
9. truck scales	1																																																
10 tyre pressure gauges	1																																																
11. clinical thermometers	1																																																
12. thermometers in pipes and storage tanks	1																																																
13. mechanical length measuring instruments	1																																																
14. exhaust gas analyzers	0,5																																																
15. metal storage-jars	1																																																
16. fuel dispensers	0,5																																																
17. speed measuring instruments (e.g. speed radars)	1																																																
18. taximeters	1																																																
19. breath alcohol analyzers	0,5																																																
20. grain moisture meters	1																																																
<p>7. Conformity assessment for MIs</p>	<p>7.1 Brief description of the system 7.2 Bodies for assessment of conformity with the type In the Republic of Azerbaijan the assessment of conformity does not currently apply to measuring instruments (by analogy with Directives 2014/31/EU (NAWID) and 2014/32/EU (MID)).</p>																																																

<p>8. Prepackages</p>	<p>8.1 Legal requirements for controlling prepackages State regulation applies to measurements, made in determining the quantity of prepackages. The State Service of ACMS sets the requirements for determining the quantity of prepackages, inter alia for the rules of its indication on the package during the production (prepackaging) and (or) sale of prepackages.</p> <p>8.2 Documents, setting requirements for prepackages – International Recommendations OIML R 79: 2015, R 87:2016 – Guide OIML G 21 :2017</p> <p>8.3 Bodies, involved in control of prepackages In conducting state metrological supervision of compliance with requirements for prepackages – Inspectorates of state metrological supervision of the State Service of ACMS.</p> <p>8.4 Other national requirements for prepackages -</p>
<p>9. Metrological supervision</p>	<p>1. State metrological supervision shall be conducted by the State Service of ACMS under the Ministry of Economy with regard to the compliance with the requirements of technical regulations and standards and of state metrological supervision of the State Service (hereinafter – bodies of state metrological supervision) in the form of random inspections, unscheduled inspections, preventive and precautionary measures. The State Service of ACMS plans, organizes and coordinates work of the bodies of state metrological supervision when conducting state metrological supervision.</p> <p>2. State metrological supervision is conducted by officials of the bodies of state metrological supervision, who are state verification officers, certified in accordance with the procedure, established by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan of 31.07.2014 No 268 “<i>On approving the certification procedure for state inspectors for state metrological supervision</i>”</p> <p>3. Entities, subject to state metrological supervision, are organizations, their separate subdivisions, having a payer’s identification number, representative offices of foreign organizations, SPs and other entities, defined by the President of the Republic of Azerbaijan, involved in relationships in the field of ensuring the uniformity of measurements, regulated by the legislation on ensuring the uniformity of measurements.</p> <p>4. State metrological supervision shall be conducted in accordance with the procedure, established by legal acts, and includes state metrological supervision of:</p> <ul style="list-style-type: none"> – application of units; – application of measurement standards of units; – application of MIs and RMs; – application of measurement procedures (methods); – activities of LEs and SPs on production, sale, lease, including rent, of MIs and RMs; – performance of works on the assessment of the competence of LEs and SPs, involved in metrological testing; – testing for type approval of MIs and RMs, as well as metrological examination of single specimens of MIs and RMs, intended for use in measurements in the field of LM, results of their theoretical and experimental research for type approval of a single specimen of MIs or RMs; – performance of verification, calibration, certification of measurement procedures (methods); – testing and making measurements in carrying out works on the assessment of conformity with technical requirements; – meeting the requirements for prepackages; – meeting other requirements in cases, specified in legal acts.
<p>10. Legal metrology practitioners</p>	<p>Verification in legal metrology shall be performed by state verification officers, who underwent the obligatory confirmation of conformity for the staff’s competence. The requirements for the competence of state verification officers shall be adopted by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan.</p>

11. Sanctions	<p>Code of Administrative Offences of the Republic of Azerbaijan, approved through the law the Republic of Azerbaijan of 29 December 2015 No 96-VQ.</p> <p>Article 538. Violation of requirements in the field of ensuring the uniformity of measurements:</p> <ol style="list-style-type: none">1. Release, including sale, lease of MIs intended to be used in the field of LM, which did not undergo verification or calibration in accordance with the established procedure, shall result in a warning or imposition of a fine of 1000 to 2000 manats, and for a sole proprietor or legal entity – a warning or imposition of a fine of 3000 to 5000 manats.2. Use in the field of LM of faulty MIs, MIs, which did not undergo verification or calibration in accordance with the established procedure, violation of measurement procedures or rules of MI use, shall result in a warning or imposition of a fine of 1500 to 2000 manats.
----------------------	---