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The Parliament adopts this organic law.

Chapter I GENERAL PROVISIONS

Article 1. The Scope

(1) This law establishes the structure of the national metrology system, the units of measurement allowed in the Republic of Moldova, the principles of metrology management, the categories of normative documents in the field of legal metrology, and the requirements for the measuring instruments and the measurements in the areas of public interest.

(2) The law describes the procedure of legal metrological control of measuring instruments and measurements in areas of public interest, pre-packaged products and of measuring container bottles. It also sets out the obligations of natural and legal persons operating in the field of legal metrology.

Article 2. Legislation on metrology

(1) Legislation on metrology includes the present law and other normative acts adopted pursuant to it and establishes the bases of legal metrology in order to ensure the uniformity and accuracy of measurements, the protection of natural and legal persons, irrespective of the type of property and legal form of organization, against the harmful effects of incorrect or false measurements.

(2) The manner of requesting, granting, suspending and withdrawing the permissive acts for economic operators provided for by this law shall be determined by [Law no.160/2011](#) on the regulation of the entrepreneurial activity in the areas not covered by this law.

[Art.2 amended by [Law no.185 din 21.09.2017](#), in force 27.10.2017]

Article 3. Main definitions

For the purpose of this law, the main definitions shall have the following meanings:

Pattern approval – a decision of legal relevance based on an assessment report that confirms that a type of measuring instrument meets the requirements laid down in applicable normative documents in the field of legal metrology and which results in the issuance of the pattern approval certificate;

Legal metrological control – a set of legal metrology activities, including legally metrological control of measuring instruments, measurements, pre-packaged products, measuring container bottles, as well as metrological surveillance and metrological expertise;

Putting into service – the first use of a measuring instrument intended for end-users for the purpose for which it was intended;

Designation – a decision of legal relevance based on an assessment report confirming the competence of the applicant to carry out legal metrology activities (metrological verification of measuring instruments and measurements in areas of public interest), as well as compliance with the criteria stipulated in the normative documents applicable in the field of legal metrology;

Standard – a defined relationship of a given value, with a determined value and associated measurement uncertainty, used as a reference;

International standard – a standard recognized by the signatories of an international agreement and intended for world-wide use;

National standard – a standard recognized by the central metrology authority to serve as a basis for assigning values to other standards of similar quantities;

Working standard – a standard which is currently used for calibration or verification of measuring instruments or measurement systems;

Calibration – an operation which, under specified conditions, in the first stage establishes a relationship between the values of a magnitude and the associated measurement uncertainties provided

by the standards and the indications corresponding to the associated measurement uncertainties, and in the second stage this information is used to establish a relationship that enables getting a measurement result from an indication;

Metrology expertise – a set of operations carried out to examine and demonstrate the state of the measuring instruments and to determine their metrological characteristics, including by reference to applicable normative documents in the field of legal metrology;

Measurement uncertainty – a positive parameter that characterizes the dispersion of the values assigned to a measurand based on the information used;

Placing the measuring instrument on the market – making available the measuring instrument on the market for the first time;

Pattern approval mark – distinctive sign that, by being applied on a measuring instrument, attests its conformity with the approved model;

Metrological verification mark – a distinctive sign that, by being clearly applied on a measuring instrument, attests the fact that the metrological control was carried out in accordance with normative documents of the present Law and it produced satisfactory results;

EEC initial verification mark – a distinctive sign that, by being clearly applied on a measuring instrument, attests the fact that the metrological control was carried out in accordance with the European directives and it produced satisfactory results;

Measurement – a process that comprises the experimental obtaining of one or more values that may be reasonably attributed to a quantity;

Measurand – a quantity intended to be measured;

Metrology – the science of measurements and their applications that includes all theoretical and practical aspects of measurement, whatever the measuring and field of application;

Legal metrology – part of metrology relating to activities carried out in accordance with requirements established by regulatory bodies in the field of metrology;

Measuring instrument – a measuring device, measuring system, or any part of a measuring device or a measuring system used to make measurements by itself or in combination with one or more measuring devices;

Pre-packaged products (hereinafter – *pre-packages*) – a combination of a product and the individual package in which it is pre-packaged. A product is pre-packaged when it is placed in a package of whatever nature, in the absence of a buyer, and the amount of product inside the packaging has a predetermined value that cannot be modified, unless by opening or by visible package modification of the product intended for sale;

authorized representative of the manufacturer – any natural or legal person established in Moldova who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks;

International System of Units, (SI) – a (coherent) system of units based on the International System of Quantities, with names and symbols of units and a series of prefix names and symbols, and rules for their use adopted by the General Conference on Weights and Measures (CGPM);

Metrological supervision – a mean of legal metrological control carried out in order to ascertain compliance with legal requirements. Metrological supervision includes market surveillance and supervision in the use of measuring instruments for the purposes of [Market Surveillance Law](#) as well as the [Law on state control over business activity](#);

Measuring container bottles – containers made of glass or other substances, having a rigidity and stability that provides the same metrological guarantees as glass, when such containers are capsulated or designed to be capsulated and are intended for storage, transport and delivery of liquids; have a nominal capacity of between 0.05 litre and five litres inclusive, have such metrological characteristics (design characteristics and uniformity of manufacture), that can be used as measuring containers, i.e. when they are filled up to a specified level or a specified percentage of their maximum filling capacity, their contents can be measured with sufficient accuracy;

Metrological traceability – property of a measuring result which can be compared to a reference through an unbroken chain documented by calibrations, each contributing to the measurement uncertainty;

Type of measuring instrument – defined model of a measuring instrument or module (including a group of measurement instruments or modules) where all elements that influence metrology parameters are set properly;

Unit of measurement – real scalar dimension, defined and adopted by convention that can be compared to any other dimension of the same nature to express the relationship between the two properties in numerical form;

Legal unit of measurement – unit of measure required or permitted by this Law;

Metrological verification – means of legal metrological control, executed through the procedure of assessing conformity (other than type-examination), according to the procedure established by applicable rules of legal metrology, resulting in the issuance of a metrological verification bulletin and / or implementing of bookmarks metrological verification;

Initial metrological verification – a metrological verification of a measuring instrument that has not been previously verified;

CE initial verification – the examination and confirmation of the conformity of a new measuring instrument or the one reconditioned by the 'CE pattern' approved model and / or the provisions of European directives with regard to that means and is confirmed by initial verification mark;

Periodic metrological verification – metrological verification of a measuring instrument, performed regularly at specified time intervals, according to a procedure established by applicable normative documents related to this law.

Article 4. The National Metrology System

The infrastructure of the National Metrology System includes:

- a) the central authority for metrology – the Ministry of Economy and Infrastructure;
- b) the National Metrology Institute;
- c) the National System of Standards;
- d) the National Metrology Council;
- e) metrology services of legal entities;
- f) the Agency for Consumer Protection and Market Surveillance.

[Art.4 amended by [Law no.79 of 24.05.2018](#), in force 15.06.2018]

[Art.4 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Article 5. Metrology management

(1) In order to implement the provisions of this law, the Government shall approve the following:

- a) state policies on metrology;
- b) the draft normative acts necessary for the activity of legal metrology and ensuring the traceability of the measurement results to the International System of Units (SI);
- c) legal units of measurement applied in the Republic of Moldova;
- d) The official list of measuring instruments and measurements subject to legal metrological control.

(2) The elaboration and promotion of the state policy in the field of metrology, the management and coordination of the metrology activity at national level shall be carried out by the central metrology authority.

(3) The Central Metrology Authority is the central specialized body of public administration responsible for quality infrastructure and shall have the following functions:

- a) elaborates and coordinates the implementation of state policy in the field of metrology, including on the provision of metrological traceability;
- b) determines the needs of the national economy in metrology and identifies the priorities of state policy in this field;
- c) elaborates draft legislative and normative acts, participates in the drafting and coordination of the draft legislative and normative acts in order to ensure the metrological traceability of the measurement results to the International System of Units (SI) through procedures recognized and accepted at international level;
- d) promotes the international recognition of the national metrology system;
- e) represents the Republic of Moldova in regional and international metrology organizations;
- f) approves, within the limits of its competence, general legal metrology regulations and legal metrology rules;
- g) coordinates the metrology activities of the central specialized bodies within the public administration and the natural and legal persons operating in the field of metrology;
- h) ensures the harmonization of normative documents in the field of legal metrology with international and European practice and approves these documents;

- i) negotiates agreements with other states on the mutual recognition of metrological test results for the purpose of pattern approval, metrological verification results, technical competence of the measuring instruments laboratories;
- j) coordinates the activities of the National Metrology Council;
- k) correlates metrology activities with accreditation activities;
- l) designates legal entities to carry out metrological verifications on measuring instruments subject to legal metrological control and to carry out measurements in areas of public interest, monitors the designated legal entities;
- m) maintains the State Register of Measurement Unit Standards and the Register of Entities Designated in the National Metrology System, also manages the database of normative documents in the field of legal metrology;
- n) coordinates and monitors the metrology activities of the National Metrology Institute as well as the entities designated by the central metrology authority;
- o) performs the expertise of draft normative acts applicable to the field of metrology;
- p) coordinates training programs in metrology;
- q) ensures transparency of metrology information;
- r) approves national standards.

(4) The National Metrology Institute is a public institution subordinated to the central metrology authority, operating under the regulations approved by the Government and exercising the following functions:

- 1) general metrology functions:
 - a) implements national policy on metrology at national level;
 - b) ensures the metrological traceability of the results of the measurements carried out in the Republic of Moldova, to the International System of Units (SI) by elaborating, researching, developing, maintaining and maintaining the national standards, comparing the national standards at the regional and international levels and the Dissemination of the units of legal measurement from national standards to hierarchical low standards to work standards;
 - c) concludes and implements mutual recognition agreements for national standards and calibration certificates issued by national metrology institutes in accordance with the requirements of the International Committee of Measures and Weights (CIMP MRA);
 - d) is the national reference for determining technical competence in metrology, including standards;
 - e) consult the central specialized bodies of the public administration and the natural and legal persons on technical issues in metrology;
 - f) participates, according to its competencies, at the international and regional metrology forums and organizations, also carries out other international metrology collaboration functions delegated by the central metrology authority;
 - g) instructs and improves metrology verifiers;
 - h) organizes inter-laboratory comparisons at national level, respecting the requirements of specific international standards;
- 2) functions of legal metrology:
 - a) performs legal metrological control through pattern approvals, metrological verifications of measuring instruments in special situations, where only the National Metrology Institute is technically equipped to perform them, through metrology expertise and expertise in drafting normative documents in the field of legal metrology;
 - b) submits proposals to the central metrology authority on the requirements for the regulation of measuring instruments;
 - c) carries out agreements with other countries on the recognition of test results for the purpose of pattern approval, metrological verification results;
 - d) develops draft metrology training programs;
 - e) advises the central specialized bodies of the public administration and the natural and legal persons on technical issues in the field of legal metrology;
 - f) maintains the State Register of measuring instruments;
 - g) receives notifications in the manner provided by this law and manages the Register of natural and legal persons that repair, put into operation and install measuring instruments, as well as of the legal entities that prepares the products, production and / or import of measuring container bottles, also manages the relevant database;

h) elaborates draft normative documents in the field of legal metrology, harmonized with international and regional practice;

i) provides methodological support to the elaboration of legal measurement procedures by the responsible authorities in the field, as well as by the relevant legal entities;

j) provides technical support for metrological surveillance;

k) creates and manages the national fund of Normative documents in the field of legal metrology and also establishes the manner of using this fund.

(5) The National Standards System is the technical basis for taking over, preservation and dissemination of units of measurement.

(6) The National Metrology Council is an advisory body within the Central Metrology Authority, which includes all stakeholders and proposes metrology policy proposals. The way of setting up and organizing the National Metrology Council, the composition, the way of selecting the members and their functional attributions are laid down in the regulation of organization and functioning of the National Metrology Council, which is elaborated and approved by the central metrology authority.

(7) The metrology services of legal persons are created to ensure the uniformity and accuracy of measurements in the relevant fields of activity and perform the following functions:

a) disseminates units of measurement of the International System of Units (SIs) from hierarchically inferior standards to measuring instruments;

b) carries out the initial, periodical metrological verifications and metrological verification of the repaired measuring instruments subject to legal metrological control;

c) performs measurements in areas of public interest.

(8) The Agency for Consumer Protection and Market Surveillance exercises, on behalf of the State, the metrological supervision under [Law no.7 of 26 February 2016](#) on market surveillance concerning the marketing of non-food products, and [Law no.131 of 8 June 2012](#) on state control over entrepreneurial activity shall be subordinated to the central metrology authority and shall perform, without charging fees or similar charges, the metrological supervision of the observance by the natural and legal persons of the provisions of normative documents in the field of legal metrology, related to:

a) the proper use of the units of measurement and their symbols in accordance with this law;

b) the obligations of users of measuring instruments subject to legal metrological control;

c) the obligations of manufacturers and importers of measuring instruments when they are made available on the market and put into service;

d) the obligations of legal entities that carry out product pre-packaging, production and / or import of measuring container bottles;

e) the accuracy of the measurements specified in Article 12 (1).

(9) When conducting metrological surveillance, the Agency for Consumer Protection and Market Surveillance may involve the control bodies of the central specialized bodies within the public administration.

[Art.5 amended by [Law no.185 din 21.09.2017](#), in force 27.10.2017]

Article 6. Normative documents in the field of legal metrology

(1) For the purposes of this law, Normative documents in the field of legal metrology (hereinafter – *normative documents*) are the general legal metrology regulations, the legal metrology norms and the legal measurement procedures which establish mandatory requirements for repeated application to an indeterminate number of identical situations in relation to measuring instruments, measurements, pre-packaged, measuring container bottles, compared to legal metrological control.

(2) The General Legal Metrology Regulation sets out the principles and general rules specific to legal metrology activities and is identified by the RGML symbol. The general regulations of legal metrology transposing the provisions of the European directives which determine the way of organizing and conducting the type approval and the metrological verification of the measuring instruments, as well as the method of designation for the metrological verification of the measuring instruments and for the measurements in the domains of public interest, is approved by the Government and the other regulations are approved by normative acts of the central metrology authority.

(3) The legal metrology standard establishes the technical, metrological and / or metrological verification procedures for certain categories of measuring instruments subject to legal metrological control, is identified by the NML symbol and is approved by a normative act of the central metrology authority.

(4) Until the elaboration and approval of the legal metrology norms, the international normative documents, including regional, related to the legal metrology, adopted by the central metrology authority, shall be applied, according to the provisions of the general legal metrology regulation.

(5) The Legal Measurement Procedure establishes specifically described operations used for testing products subject to conformity assessment and measurements in public interest areas is identified by the PML symbol and is approved by a regulatory act of the Central Metrology Authority or by the authority responsible for the preparation of this document, in coordination with the central metrology authority.

(6) The normative documents shall be published in the Official Gazette of the Republic of Moldova.

(7) The requirements set out in the normative documents referred to in paragraphs (2) - (5) of this Article shall be enforceable for natural and legal persons acting in the fields of public interest specified in Article 11 paragraph (1), in accordance with the provisions of this law.

(8) The normative documents are elaborated on the basis of the national legislation, according to the recommendations of the International Organization for Legal Metrology and the relevant European directives.

[Art.6 supplemented by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Chapter II

LEGAL UNITS OF MEASUREMENT

Article 7. Legal units of measurement

(1) To ensure uniformity of measurements performed in the Republic of Moldova it is compulsory to use legal units of measurement. The provisions of this paragraph refer to means of measurement, measurements and size indications expressed in units of measurement.

(2) Legal units of measurement are:

a) units of measurement of the International System of Units (SI) (hereinafter –*SI units*), their decimal multiples and submultiples;

b) units which are defined on the basis of SI units but are not decimal multiples or sub-multiples thereof;

c) units used together with SI, whose values in SI units are obtained experimentally;

d) units permitted only in specialized areas;

e) compound units.

(3) Within provisions of paragraph (1), The Government shall legally approve the units of measurement, the names, symbols and definitions of the legal units of measurement, the values of the legal units that are not part of the International System of Units (SI), but expressed in SI units.

(4) The provisions of paragraph (1) shall not exclude the use in the air, sea and rail transport sectors of units of measurement other than those provided by the present law, which have been established by international conventions or agreements to which the Republic of Moldova is a party.

Article 8. Using the units of measurement in export operations

Other units of measurement agreed upon by the parties may also be used for the export of products, including measuring instruments. These units of measurement are only allowed to be used if they are accompanied by one or more size indications expressed in SI units.

Article 9. Dissemination of the units of measurement

Dissemination of units of measurement shall be ensured by a set of technical and organizational measures, confirmed by metrological traceability, which includes the activity of disseminating units of measurement from international standards or traceable standards to national standards of other states, or from national standards to the other standards and from there on to the measuring instruments.

Article 10. National standards

(1) National standards are the basis of country standards as part of the National System of Standards, being approved as national standards by normative acts of the central metrology authority at the proposal of the National Metrology Institute.

(2) National standards are public property assets, internationally comparable and traceable to international standards, owned, developed, enhanced, preserved, maintained and used by the National Metrology Institute, by covering the necessary expenditures from the state budget.

(3) The way of developing, approving, preserving, maintaining and using national standards is established by a general legal metrology regulation approved by the central metrology authority.

Chapter III **LEGAL METROLOGICAL CONTROL**

Article 11. Areas of exercise of legal metrological control

(1) Legal metrological control shall be carried out in the following areas of public interest:

- a) public health;
- b) public order and safety;
- c) environmental protection;
- d) consumer protection;
- e) levying taxes and duties;
- f) the fairness of commercial transactions.

(2) The legal metrological control shall be subject, according to the provisions of the present law, to measuring instruments and measurements in the public interest areas specified in paragraph (1), as well as pre-packages and measuring container bottles.

(3) The official list of measuring instruments and measurements subject to legal metrological control (hereinafter – *Official list*) is approved by the Government and specifies:

- a) the categories and the range of measuring instruments used in measurements of sizes, such as acoustic, chemical, ultrasound and vibration, electricity and magnetism, flow, ionizing radiation, lengths, mass and derived quantities, photometry and radiometry, thermometry, frequency and time;
- b) methods of metrological control applicable to each assortment of measuring instruments, the maximum permissible range between two successive metrological verifications;
- c) the categories of measurements performed in the areas of public interest specified in paragraph (1).

(4) The activities of natural and legal persons having as object measuring instruments and measurements in the areas of public interest specified in paragraph (1), pre-packages and bottles used as measuring vessels are subject to legal metrological control in accordance with the provisions of this law.

Article 12. Legal metrological control of measurements

(1) The following categories of measurements carried out in the areas of public interest specified in Article 11 (1) shall be subject to legal metrological control:

- a) measurements in commercial transactions or measurements based on costs for public utilities, tariffs, damages, taxes;
- b) measurements on quantities that can affect people's vital interests, such as sugar concentration and alcohol concentration in beverages, fat concentration in food, hector-litre mass and grain humidity, vehicle speed, alcoholic strength in blood, etc.;
- c) measurements made on sizes that may affect the health and safety of the population as well as the environment, such as the content of organic and metallic pollutants in water, the content of pesticides and other toxic substances, the exhaust gas content of motor vehicles etc.;
- d) measurements on pre-packages as well as on products that have weight declared without being pre-packaged.

(2) The measurements specified in paragraph (1) shall be carried out, according to the legal measurement procedures, by the authorities empowered by law with the right to carry out these measurements with appropriate metrological or calibrated means of measurement. These measurements may also be carried out by the legal entities designated by the central metrology authority according to the provisions of this law.

(3) The legal metrological control of the measurements specified in paragraph (1) shall be carried out, according to the provisions of this law, by the following means:

- a) sampling and performing comparative measurements and analyses to verify the accuracy of the declared measurement results;
- b) inspections and unannounced tests at the locations where the measurements are made;
- c) approval and registration of the legal measurement procedures provided for in paragraph (2).

Article 13. Legal metrological control of measuring instruments

(1) The measuring instruments included in the Official List, intended to carry out measurements in the areas of public interest specified in Article 11 paragraph (1), shall be subject to the legal metrological control. The software product embedded in a measuring instrument subjected to legal metrological control is not itself subject to legal metrological control but only with the measuring instrument in which it is embedded being considered as part of this measuring instrument.

(2) Measuring instruments subject to legal metrological control in accordance with paragraph (1), including measuring instrument components, auxiliary devices, measuring equipment, as well as those carrying the EC initial verification shall comply with the technical and operating requirements of the applicable normative documents. These requirements shall ensure that the measuring instruments continuously provide measurements which are sufficiently precise in accordance with the purpose for which they were carried out.

(3) For each of the categories of measuring instruments subject to legal metrological control in accordance with paragraph (1), legal metrological norms shall be developed, establishing the technical and metrological requirements specific to the respective category, as well as the metrological verification procedures.

(4) When placing on the market and / or putting into use of the measuring instruments subject to legal metrological control according to paragraph (1), except the measuring instruments and the non-automatic weighing instruments specified in Annex no. 3 to [Law no.235 of 1 December 2011](#) on accreditation and conformity assessment activities, legal metrological control is exercised, according to the provisions of the general regulations of legal metrology, by the following means:

- a) pattern approval;
- b) initial metrological verification;
- c) EC initial verification;
- d) market surveillance.

(5) Pattern approval shall be granted by the National Metrology Institute upon issuance of the corresponding pattern approval certificate. The approved measuring instrument shall be included in the State Register of measuring instruments.

(6) Measuring devices must successfully support metrological tests for pattern approval. Metrological tests for the purpose of pattern approval shall be carried out in accordance with the provisions of applicable normative documents.

(7) The term for conducting metrological tests for the purpose of pattern approval shall be determined by order of the National Metrology Institute and shall not exceed 50 calendar days.

(8) The pattern approval certificate is valid for a period of 10 years. The validity of the certificate shall be extended for successive periods of up to 10 years. The extension of the validity period shall be requested before the validity of the pattern approval certificate expires. For the extension of the period of validity, the applicant shall submit the previously approved pattern approval certificate and the documentation specified in paragraph (10) valid at the time of submission of the corresponding application. The beginning of the metrological tests for the purpose of prolonging the validity of the pattern approval certificate shall be the date of signature of the sampling act.

(9) In the event of a change in the manufacturer of the measuring instruments, the previously approved patterns shall be subject to new metrological tests for the purpose of pattern approval.

(10) In order to obtain the pattern approval for measuring instruments manufactured in the Republic of Moldova or imported, the applicant (the manufacturer, his authorized representative or the importer) shall submit the following documents:

- a) the application;
- b) the manufacturer's declaration on the conformity of the measuring instruments with the provisions of the normative documents;
- c) the technical memo, which will include a description of:
 - the construction, the operation and use of the measuring instrument, the technical and metrological characteristics guaranteed by the manufacturer;
 - non-assisted access devices;
 - setting and adjusting devices;
 - places for the application of metrological verification marks and seals;
 - state-of-the-art operating documents (technical datasheet, operating instructions);
 - copies of the pattern approval certificates in the manufacturing country, if any;

- copies of the test reports, if any.

(11) Pattern approval certificates shall be issued against a fee calculated according to the methodology approved by the Government.

(12) The National Metrology Institute, upon a court decision, shall withdraw the pattern approval certificates in the following cases:

a) the manufactured measuring instruments for which the pattern approval has been granted are not in conformity with the approved model or with the provisions of the applicable regulatory documents on the basis of which the pattern approval was granted;

b) measuring instruments manufactured in conformity with the approved model are deficient which makes them unusable in accordance with the intended purpose;

c) the conditions set out in the pattern approval decision and in the related certificate notified to the manufacturer, his legal representative or the importer are not respected;

d) the documents made available by the applicant contain false information.

The provisions of subparagraphs a) and b) shall also apply to imported measuring instruments for which pattern approval has been granted.

(13) The conditions for the placing on the market and / or putting into service of the measuring instruments and the non-automatic weighing instruments specified in Annex no.3 to [Law no.235 of 1 December 2011](#) on accreditation and conformity assessment activities shall be established by Government Decisions.

(14) The pattern approval certificates for measuring instruments and non-automatic weighing instruments, issued prior to the date of entry into force of the Government decisions referred to in paragraph (13), shall be valid until the expiry of their term of validity.

(15) Measuring instruments in operation for natural or legal persons are compulsorily subject to legal metrological control, which is performed according to the normative documents, by the following means:

a) periodic metrological verification;

b) metrological verification after repair;

c) supervision of the use of measuring instruments.

(16) The metrology expertise of measuring instruments in operation and subjected to legal metrological control shall be performed at the request of the natural or legal persons according to the applicable normative documents.

(17) The metrological verification is valid from the time it is granted for the period of time set in the Official List. The term for metrological verification of measuring instruments shall not exceed 30 calendar days.

(18) When examining a measuring instrument in service and subject to metrological verification, it shall be determined whether the measuring instrument satisfies the technical and metrological requirements laid down in the rules of legal metrology.

(19) For the measuring instruments found to be appropriate in the framework of the legal metrological control carried out in the manner specified in paragraphs 4 (a) and (b) and (15) (a) and (b), a pattern approval certificate and / or a metrological verification bulletin, applying, under the conditions laid down in the general legal metrology regulations, the following metrology markings:

a) pattern approval mark;

b) the metrological verification mark.

(20) The EC initial verification marks indicate that the measuring instruments comply with the requirements set out in the relevant regulatory documents.

(21) The placing on the market and / or putting into use of a measuring instrument shall not be prevented, prohibited or limited if the measuring instrument bears the EC initial verification mark.

(22) In order to ensure the security and integrity of measuring instruments, other markings can be applied - security, installation, repair etc.

(23) The manner of graphic representation, procedures for the application and / or recognition of pattern approval marks, metrology verification marks, including EC initial verification marks, shall be established by the Government.

(24) The expenses for the works specified in paragraphs (4) a) and b) and paragraph (15) letter a) shall be borne by the holders of the measuring instruments. Expenditure on works specified in paragraph (15) (b) shall be borne by the natural or legal persons repairing measuring instruments.

(25) The placing on the market, the putting into use or the use of measuring instruments without metrology markings or metrology markings damaged, removed or with the expired metrological

verification period for measurements carried out in the public interest areas specified in Article 11 (1) shall be prohibited. Holders and users of such measuring devices are obliged to withdraw them from the market or to put them out of service.

(26) Pattern approval certificates, metrological verification bulletins and metrology markings shall be legally protected.

(27) The means of measurement found to be inadequate in metrological supervision (without pattern approval certificates, no metrological verification bulletins or falsified documents or expired metrological verification, metadata or damaged metrological verification, falsified, removed) or those on which metrological verification marks with expired validity term are applied may not be used in the public interest areas specified in Article 11 paragraph (1).

(28) The metrological supervision in the use of measuring instruments shall be carried out under [Law no.131 of 8 June 2012](#) on state control over entrepreneurial activity.

[Art.13 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Article 14. Legal metrological control of pre-packages and of measuring container bottles

(1) The transposition of European Union legislation on legal metrological control of pre-packages and measuring container bottles is done by general legal metrology regulations approved by the Government.

(2) The legal metrological control of the pre-packages for sale in constant unit nominal quantities and measuring bottle containers.

(3) Pre-packages meeting the requirements set out in the general legal metrology regulation applicable before being placed on the market shall be marked with the letter "e" by the legal entities making the pre-packages by mass or by volume or importing this type of products.

(4) measuring container bottles which meet the requirements set out in the applicable general metrology regulation before being placed on the market are marked with the sign „3” (reversed epsilon) by the manufacturer.

(5) Pre-packages containing liquid products must bear an indication of the nominal volume of the product and pre-packages containing other products must bear the indication of the nominal mass.

(6) The legal person who placed the pre-package on the market (the packer or the importer) is responsible for matching the actual quantity of the product to the one indicated on the packaging).

(7) Legal metrological control of pre-packages shall be carried out at the premises of the packer or importer prior to placing on the market or in the trade network in accordance with the normative documents.

(8) The legal metrological control of the measuring container bottles shall be carried out at the premises of the manufacturer, his authorized representative or importer before placing on the market or in the commerce network according to the normative documents.

(9) The placing on the market of pre-packages which meet the requirements and checks provided for in the applicable general metrology regulation cannot be refused, prohibited or restricted for reasons relating to the inscriptions that must appear on such pre-packages in accordance with the normative documents, the determination of their volume or weight, the methods by which they were measured or verified.

(10) The placing on the market of measuring container bottles which meet the requirements and verifications provided for in the applicable general metrology regulation cannot be refused, prohibited or restricted for reasons relating to the volume of bottles, the determination of their volume or the methods by which they have been verified.

Article 15. Obligations of natural and legal persons in the field of legal metrology

(1) The natural and legal persons whose means of measurement are used in the public interest areas specified in Article 11 paragraph (1) and the users of such measuring instruments shall be obliged to ensure their legality by carrying out legal metrological control.

(2) The natural and legal persons acting in the public interest areas specified in Article 11 paragraph (1) are obliged to measure the products and services provided with appropriate measuring instruments placed on the market and / or put into use in the manner established by the present law.

(3) The natural and legal persons working in the field of legal metrology, depending on the activity carried out in accordance with art. 16 and 17, are obliged to have the following documents, as the case may be:

a) the pattern approval certificate;

[Let. b) para.(3) art.15 repealed by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

- c) certificate of designation;
- d) the metrological verification bulletin.

(4) The manufacturer or his authorized representative or the importer of the measuring instruments subject to pattern approval must affix the pattern approval mark to the applicable General Metrology Regulation.

(5) The manufacturer or his authorized representative, the importer and the user of the measuring instruments shall comply with the requirements imposed by the pattern approval certificate.

(6) The manufacturer or his authorized representative shall ensure the repair of measuring instruments subject to legal metrological control which they have placed on the market and / or put into use, including metering instruments and non-automatic weighing instruments specified in Annex 3 to [Law no.235 of 1 December 2011](#) on accreditation and conformity assessment activities.

(7) The natural or legal persons who repair, install and put into use the measuring instruments subject to legal metrological control, before commencing these activities, are obliged to register with the National Metrology Institute, by submitting a notification regarding the fulfilment of the requirements set out in art. 16 paragraph (1) and (2), including a statement issued on honour.

(8) Legal entities that carry out product prepacking, production and / or importing measuring container bottles are required to register with the National Metrology Institute before submitting information on the mark by which they can be identified and submitting a notification of compliance with the requirements set out in Article 16 paragraph (3), including a statement issued on honour.

(9) The natural or legal person who submits a notification for one or several types of activity must be registered in the Republic of Moldova.

(10) Legal persons designated for the purpose of carrying out legal metrological control of measuring instruments used in the public interest areas specified in Article 11 (1) by metrological verification shall ensure the transparency of the decisions taken in the metrological verification process by creating and managing the recording systems the metrological verification bulletins issued, compatible with the record system managed by the National Metrology Institute, and report monthly to the central metrology authority the reports on the issue of the metrological verification bulletins as established by the central metrology authority.

[Art.15 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Article 16. Registration of natural or legal persons who repair, put into service and install measuring instruments, and of legal entities that perform pre-packaging, production and / or import of measuring container bottles

(1) In order to carry out the activity of repairing the measuring instruments subject to legal metrological control, the natural or legal person must meet the following requirements:

- a) to have adequate technical and organizational conditions, namely:
 - premises which meet the requirements for the organization of the repair of the measuring instruments subject to legal metrological control and the conditions for their maintenance;
 - necessary technological equipment, measuring instruments and repair documentation;
 - qualified personnel to perform repair work;
- b) to have an agreement with the manufacturer or his authorized representative for spare parts for a period equal to at least the service life of the measuring instruments declared by the manufacturer;
- c) to provide and perform the repair of the measuring instruments subject to legal metrological control;
- d) to ensure the guarantee of repair;
- e) to ensure that the metrological verification is performed after repair, under the conditions laid down in the applicable normative documents;
- f) to submit, at the request of the metrology laboratory where the metrological verification is to be carried out after repair, the repair sheet relating to the content of the works carried out.

(2) In order to carry out the assembly and putting into service of measuring instruments subject to legal metrological control, the natural or legal person must meet the following requirements:

- a) to have the necessary technological equipment, measuring instruments and installation and putting into service documentation;
- b) have qualified personnel to carry out the assembly and putting into service;

c) to ensure and execute the installation and putting into use only of metrologically verified measuring instruments under the conditions laid down in the applicable normative documents;

d) to guarantee the work done for each measuring instrument fitted or put into service under the conditions laid down in the manufacturer's documents.

(3) In order to carry out the pre-packaging, production and / or import of the measuring container bottles, the legal person must meet the following requirements:

a) to have a documented management system relevant to the scope and volume of work performed;

b) to pre-package products, produce and / or import measuring container bottles according to applicable regulatory documents.

(3¹) The natural or legal persons fulfilling the requirements set out in paragraphs (1) - (3) shall have the right to start the activity only after the submission of the notification in the manner established by the central metrology authority.

(4) The notification shall be made at least 10 working days prior to the start of the activity in the field of legal metrology, on paper or in electronic form. The person making the notification is required to enter all data in accordance with the notification form approved by the central metrology authority.

(5) The notification is deemed to have been made at the date of its confirmation by the National Metrology Institute. Confirmation shall be made by the National Metrology Institute, either on paper or electronically, at the time of receipt of the completed notification form, without prior examination of the content of the notification. Notification of erroneous or incomplete data leads to the nullity of the entire notification and the illegal activity, respectively, in the areas set out in this article. If the notice is found to be invalid, the National Metrology Institute shall, within 5 working days, inform in writing the natural or legal person who made the notification.

(6) Within 10 business days of notification, the National Metrology Institute shall register the natural or legal person who made the notification in the Registry of Natural and Legal Entities that repairs, puts into service and installs measuring instruments, as well as the legal entities that perform the pre-packaging products, production and / or import of measuring container bottles (hereinafter – *Register*) and shall inform it on the registration. The National Metrology Institute shall, at the request of the registered person, provide it with an extract from the Registry in written form, free of charge, within 3 working days from receipt of the respective request.

(7) The registered person shall inform the National Metrology Institute of any change in the information contained in the notification no later than 10 working days after the corresponding changes have occurred, as established by the central metrology authority. For the purpose of registering and maintaining the Registry at the request of the National Metrology Institute, the registrant is obliged to provide the documents and information necessary to confirm or clarify the notified information.

(8) Suspension of registration or deletion from the Register shall be carried out by the National Metrology Institute upon the decision of the Agency for Consumer Protection and Market Surveillance, unless the suspension or deletion is requested by the registered person. The National Metrology Institute is obliged, within 3 working days, to inform in writing the registered physical or legal person about the suspension or delisting. Suspension of the registration or deletion of the economic agents from the Register shall be applied by the Agency for Consumer Protection and Market Surveillance only in the framework of state control, as a restrictive measure, in the manner and limits established by [Law no.131/2012](#) on state control over entrepreneurial activity.

(9) The following shall serve as ground for suspending the recording:

a) the request of the natural or legal person registered for the suspension of the registration;

b) the findings of the Agency for the Protection of Consumers and Market Surveillance regarding the breach of the requirements under paragraphs (1) - (3), as well as the detection of non-conformities that affect completely the activity, including the non-observance of the environmental or the working conditions, records for repaired, mounted or put into use measuring instruments for pre-packages or bottles used as measuring containers manufactured or imported.

(10) Suspension of registration in the Registry shall result in the cessation, during the suspension period, of the performance of the metrological activities indicated therein. The maximum suspension period is 30 calendar days.

(10¹) During the period of suspension, the registered person shall submit to the Agency for Consumer Protection and Market Surveillance information on the measures taken in order to eliminate

the non-conformities provided in paragraph (9) letter b), and in the event of disagreement, provide explanations, objections and evidence justifying the position saddle.

(10²) The explanations, objections and information submitted by the registered person are subject to mandatory review and are kept at the Consumer Protection Agency and Market Surveillance.

(11) The following shall serve as ground for deletion:

a) the request of the natural or legal person registered as a result of changes in its competencies;
b) the termination of the activity of the registered natural or legal person;
c) the suspension by the registered natural or legal person of his / her activity for a period exceeding 30 calendar days, confirmed by an official document;

d) failure by the natural or legal person to solve the non-conformities that led to the suspension of the performed activity;

e) repeated breach of the requirements set out in paragraphs (1) to (3), including the detection of non-conformities that affect completely the activity carried out, the non-observance of the environmental or the working conditions, the inappropriate drawing of the records for the repaired measuring instruments, in-use, for pre-packages or measuring container bottles, produced or imported;

f) the decision of deletion from the State Register of Legal Entities and the Register of Individual Entrepreneurs;

g) the detection of non-authentic data intentionally entered in the documents submitted at the notification.

(11¹) If the information specified in paragraph (101) is not submitted within 30 days, the Agency for Consumer Protection and Market Surveillance shall inform the National Metrology Institute about its decision on the need to remove the natural or legal person from the Register.

(11²) Failure to submit within the set deadline or refusal to provide explanations, objections and / or evidence does not deprive the natural or legal person of the right to appeal to the court of the decision of the Agency for Consumer Protection and Market Surveillance on the deletion from the Register.

(12) The deletion from the Register shall result in the cessation of the metrological activities indicated therein. Continuing metrological activity after deletion or during the suspension of registration is forbidden.

(13) In case of the decision on suspension or deletion, the information shall be entered in the Register within 3 working days.

(14) The set of documents of the radiated entity in the Register shall be kept in the archives of the National Metrology Institute for 5 years.

[Art.16 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Article 17. Designation of legal persons in the field of legal metrology

(1) Legal entities performing metrological verifications of measuring instruments subject to legal metrological control by metrological verification according to the provisions of the present law or performing measurements in areas of public interest according to art. 12, except for the authorities authorized by law with the right to carry out these measurements before carry out these activities, are obliged to obtain the designation from the central metrology authority according to the applicable normative documents.

(1¹) In order to obtain the designation for the activities specified in paragraph (1), the applicant shall meet the following requirements:

a) to observe the principles of impartiality and independence in its activities;
b) to ensure the confidentiality of the information obtained or created during the performance of the activities specified in paragraph (1);

c) to have the status of legal person established in the Republic of Moldova;
d) to prove the implementation and maintenance of a documented management system that corresponds to the field of designation;

e) have sufficient personnel with the competence, technical studies, training, knowledge, skills and experience required to carry out the activities specified in paragraph (1), but not less than two;

f) to own, use or possess standards, equipment and means of measurement appropriate to the field of designation;

g) to have work premises for performing the activities specified in paragraph (1);

h) to hold an accreditation certificate issued by the National Accreditation Centre;

i) to have up-to-date normative documents covering the field of designation;

j) to hold the civil liability insurance policy, the amount insured being proportional to the level and nature of the responsibilities that may arise from the services provided by the applicant.

(2) For purposes of designation for metrological verification of measuring instruments or for measurements in areas of public interest, the applicant shall submit an application to the central metrology authority by attaching:

- a) the technical file of the entity requesting operation of legal metrology;

[Let. b) para.(2) art.17 repealed by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

- c) the copy of the accreditation certificate attached to it, issued for specific tasks.

(3) The designation is granted based on the assessment made by the National Accreditation Centre under [Law no.235 din 1 December 2011](#) on accreditation and conformity assessment activities, confirmed by the accreditation certificate and the appendix to this certificate. The decision on designation shall be taken within 30 calendar days of the filing of the application and the documents referred to in paragraph (2). The designation certificate is granted for the term of validity of the accreditation certificate.

(3¹) The holding of the designation gives the designated legal person the right to issue metrological verification and metrological verification bulletins within the scope of designation. In the event of the suspension or withdrawal of the designation certificate, the holder of the certificate shall ensure that the forms for the metrological verification bulletins and the marks in question are not used in the areas for which the designation certificate has been suspended or withdrawn. The way of issuing, cancelling the forms for the metrological verification or the stamping of the respective marks is approved by the central metrology authority.

(4) The designated legal person may request the extension of the designation field by submitting to the central metrology authority an application accompanied by the following documents:

- a) the additional field of designation;
- b) the supplement to the data sheet;
- c) the appendix to the accreditation certificate with extended scope of accreditation.

(5) Suspension and resumption of the validity of the designation certificate or the withdrawal of the designation certificate shall be carried out by the central metrology authority in accordance with the provisions of [Law no.235-XVI of 20 July 2006](#) on the basic principles of regulating the entrepreneurial activity, by issuing the respective order based on the decision of the court, except when the suspension or withdrawal of the designation certificate is requested by its holder, or based on the decision of the National Accreditation Centre.

(6) Suspension of the designation certificate results in the cessation of the performance of the metrological activities indicated in the designation certificate for the period of suspension.

(7) The following shall serve as ground for suspending the designation certificate:

- a) the application of the holder of the designation certificate for its suspension;
- b) suspension of the accreditation certificate;
- c) non-observance of the provisions of art.15 paragraph (10).

(8) The following shall serve as ground for the withdrawal of the designation certificate:

- a) the request of the holder of the designation certificate to withdraw it;
- b) termination of operations of the holder of the designation certificate;
- c) the suspension by the holder of the designation certificate of his activity for a period exceeding 30 calendar days, confirmed by an official document;
- d) failure by the holder of the designation certificate to solve, within 30 calendar days, the non-conformities that led to the suspension of the designation;

[Let. e) para. (8) art.17 repealed by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

- f) withdrawal of the accreditation certificate;
- g) the decision to delete the holder of the designation certificate from the State Register of Legal Entities and from the Register of Individual Entrepreneurs;
- h) the detection of non-authentic data intentionally entered in the documents submitted to the issuing authority and certain non-conformities that affect the entire activity, including non-observance of the documented management system, non-observance of the environmental conditions,

inappropriate drawing of the documentary evidence for the metrologically verified measuring instruments or for the measurements made in areas of public interest;

i) the finding of intentional transmission of the designation certificate or copy thereof to another person to carry out the type of activity.

(9) Where the documents specified in Article 15 (3) (b) and (c) have not been issued within the time limits set out in Article 16 (5) and (20) and paragraph 3 of this Article, the principle of tacit approval shall apply under [Law no.235-XVI of 20 July 2006](#) on the basic principles of regulating entrepreneurial activity.

[Art.17 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Chapter IV

INTERNATIONAL COLLABORATION IN THE FIELD OF METROLOGY

Article 18. The Role of the Central Metrology Authority in International Relations

The Central Metrology Authority represents the Republic of Moldova in international and regional metrology organizations, cooperates on the basis of agreements with the metrology authorities of other states, having the right to delegate these functions to the National Metrology Institute.

Article 19. Recognition of pattern approvals, metrological verification of measuring instruments and calibrations

(1) Under the agreements concluded, the following can be recognized:

a) the results of the tests for the purpose of pattern approval for the measuring instruments, the corresponding certificates issued;

b) results of metrological verification of measuring instruments performed in other countries.

(2) The pattern approval and metrological verification of measuring instruments manufactured and legally marketed in a state with which the Republic of Moldova has entered into a recognition agreement need not be repeated if the measuring instruments have pattern approval and metrological verifications in that state, and the requirements under which they were granted are in accordance with the technical requirements set out in the applicable regulatory document.

(3) The importer or the authorized representative of the manufacturer shall inform the National Metrology Institute regarding the placing on the market and / or putting into use in the Republic of Moldova of the measuring instruments or auxiliary devices manufactured in a state with which the Republic of Moldova has concluded a recognition agreement. Once the declaration has been submitted in accordance with the requirements laid down in the applicable general metrology regulation, the importer shall submit to the National Metrology Institute a copy of the pattern approval certificate and the results of the tests which gave rise to the grant of pattern approval as well as information on the authority carried out the initial verification, responsible for affixing the appropriate markings.

(4) The economic operators holding in their activity means of measurement in the fields of public interest specified in art.11 paragraph (1) and who have requested periodic verification in a state which the Republic of Moldova has concluded a recognition agreement with, shall inform the National Metrology Institute on the verifications made when the declaration is submitted in accordance with the requirements laid down in the applicable general metrological regulation.

(5) The initial verification carried out in a state with which the Republic of Moldova has entered into a recognition agreement shall be valid from the moment it is granted until the end of the year following that in which the original verification mark was applied. Periodic metrological verifications carried out in a state with which the Republic of Moldova has concluded a recognition agreement shall be valid from the moment of its granting for the period specified in the Official List.

(6) Recognition of calibrations shall be carried out on the basis of mutual recognition agreements of national standards and calibration certificates issued by national metrology institutes.

(7) Recognition of the EC initial verification shall not apply to the measuring instruments specified in annex 3 to [Law no.235 of 1 December 2011](#) on accreditation and conformity assessment activities, which are freely placed on the market and / or put into use according to signs and markings applied.

(8) The presence on a measuring instrument of the relevant EC verification mark shows that it has been subject to appropriate controls and therefore, when the measuring instrument is imported or put into service in the Republic of Moldova, it is no longer necessary repeat controls that have already been performed. The initial EC verification shall be valid from the moment of its issue until the end of the year following that in which the EC initial verification mark was affixed.

(9) The Agency for Consumer Protection and Market Surveillance, in the manner and within the limits stipulated by law, initiates actions for recall or withdrawal, as the case may be, of the measuring instruments that hold the EC initial verification, the pattern approval and the metrological verification obtained in a Member State of the European Union or in a state with which the Republic of Moldova has concluded a recognition agreement, with the presentation of the information of the central metrology authority, in the following cases:

a) the measuring instruments do not comply with the approved model or with the provisions of the applicable normative documents;

b) the metrological requirements specified in the model description, which is attached to the pattern approval certificate, are not complied with;

c) the measuring instruments present, in use, a general defect making them unsuitable for the purpose for which they were intended.

(10) In the cases specified in paragraph (9), the Agency for Consumer Protection and Market Surveillance, in the manner and within the limits stipulated by law, shall take measures to prohibit the placing on the market and putting into use of the measuring instruments concerned.

(11) The Central Metrology Authority shall immediately inform the European Commission and the States with which the Republic of Moldova has concluded a recognition agreement on the actions and measures referred to in paragraphs (9) and (10), stating the reasons for its decision.

[Art.19 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Chapter V

TRANSPARENCY OF METROLOGICAL INFORMATION

Article 20. Access to any measurement result of public interest

(1) Citizens and other interested parties may have free access to any result of measurements in areas of public interest as long as the communication of this information does not harm any natural or legal person.

(2) Those responsible for publishing or transmitting measurement results to the public may be required to justify the relevance and safety of these results.

(3) The central metrology authority is designated by this law as an independent and impartial source of advice on the reliability, legality and credibility of metrological information. The information support and expertise required for the consultancy are provided by the entities of the national metrology system infrastructure specified in art. 4.

Article 21. Information on the documents and registers of the national metrology system

The persons concerned shall have free access to the State Register of Measurement Unit Standards, the Register of Entities Designated in the National Metrology System, the State Register of Measuring Instruments, the Registry of Natural and Legal Entities that repair, commission and install measuring instruments, as well as of the legal entities that carry out the pre-packaging of the products, the production and / or import of the bottles used as measuring containers, the general regulations of legal metrology, the norms of legal metrology, the legal measurement procedures.

[Art.21 amended by [Law no.185 of 21.09.2017](#), in force 27.10.2017]

Chapter VI

FUNDING METROLOGY ACTIVITIES

Article 22. Sources of funding

Sources of financing of metrology activities shall be the following:

a) the funds from the state budget;

b) the collected revenues of the National Metrology Institute, made up of:

- the fees charged for the dissemination of legal units of measurement from national standards to hierarchically inferior levels, in accordance with Article 5 (4) (1) (b);

- fees charged for pattern approvals, metrological verification of measuring instruments, metrological expertise, according to art. 5 paragraph (4) point 2) letter a);

- rent or lease of premises;

- donations, sponsorships and other legal money;

c) resources from externally financed projects.

Article 23. Destination of funds

The funds from the state budget as well as the collected revenues of the National Metrology Institute shall be used for:

- a) preparation, research, development, improvement, maintenance and preservation of national standards;
- b) participation with national standards in regional and / or international comparisons;
- c) maintenance of the National Metrology Institute;
- d) representation of the Republic of Moldova as a member of the European, international and inter-state metrology organizations, including payment of membership fees;
- e) metrology research;
- f) drafting of normative documents;
- g) collaborating with the metrology institutes of other states;
- h) training and management of the national fund of normative documents in the field of legal metrology;
- i) implementing and maintaining within the National Metrology Institute management systems conforming to European and international standards;
- j) strengthening the institutional capacities of the National Metrology Institute, including by training its staff.

Article 24. The budget of the National Metrology Institute

(1) The revenue and expenditure budget of the National Institute of Metrology is approved annually by the central specialized body of the public administration responsible for the quality infrastructure, in compliance with the provisions of the present law.

(2) The National Metrology Institute presents to the central specialized body of the public administration responsible for quality infrastructure reports on the implementation of the budget of revenues and expenditures, as established by the legislation.

(3) The revenues from the provision of the services referred to in Article 5 (4) (2) (a) and (i) by the National Metrology Institute shall be constituted and used in accordance with the Regulation on Establishing and Use of Revenue Collected.

(4) The funds from the state budget for the National Metrology Institute shall be managed through the treasury system in the manner established by the legislation.

(5) The amount of fees for services rendered for consideration by the National Metrology Institute shall be determined in accordance with the methodology presented in the Annex.

Chapter VII

FINAL AND TRANSITIONAL PROVISIONS

Article 25.

(1) This law transposes the provisions of the OIML D1 International Legal Metrology Organization's 2012 "Considerations for a Metrology Law" and of Directive 2009/34 / EC of the European Parliament and of the Council of 23 April 2009 on common provisions on measuring instruments and methods of measurement metrological control (Text with EEA relevance), published in the Official Journal of the European Union L 106 of 28 April 2009, partly compatible with them.

(2) This law is partially compatible with the provisions of Articles 2 and 30 of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products repealing Regulation (EEC) No 339/93 (Text with EEA relevance), published in the Official Journal of the European Union L 218 of 13 August 2008, with the provisions of Article 4 of Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonization of the laws of the Member States relating to making available on the market (Text with EEA relevance), published in the Official Journal of the European Union L 96 of 29 March 2014, with the provisions of the Annex to Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and repealing Directive 71/354/EEC , published in the Official Journal of the European Communities L 39 of 15 February 1980, with Articles 2, 3, 4, 5 and Annex I to Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States prepackaging, depending on the weight or volume, of certain pre-packaged products, published in the Official Journal of the European Communities L 46 of 21 February 1976, as well as the provisions of Articles 1, 2, 3 and Annex I of Council Directive 75/107/EEC of 19 December 1974 on the

approximation of the laws of the Member States relating to bottles used as measuring containers, published in the Official Journal of the European Communities L 42 of 15 February 1975.

Article 26.

(1) This law shall enter into force six months after the date of publication.

(2) Within 12 months from the date of publication of this law, the Government shall:

a) submit to the Parliament proposals to bring the legislation in force into line with this law;

b) bring its normative acts in accordance with this law;

c) approve the normative acts necessary for the execution of this law.

(3) On the date of entry into force of this law, [Law on Metrology no.647-XIII of 17 November 1995](#) (republished in the Official Gazette of the Republic of Moldova, special edition of 15 April 2008), as subsequently amended and supplemented, shall be repealed.

HE PRESIDENT OF THE PARLIAMENT Andrian CANDU

Nr.19. Chisinau, 4 March 2016.

Annex

**THE METHODOLOGY
for the calculation of tariffs for metrological services
provided by the National Metrology Institute**

1. The methodology aims at establishing the way of determining, approving and updating tariffs for services rendered for payment by the National Institute of Metrology to individuals and legal entities.

2. The methodology is based on the principle of access to services on fair, reasonable and non-discriminatory terms, as well as on the recovery of incurred expenses.

3. Tariffs (T) shall be calculated by applying the formula:

$$T = N_t \times C_{1 \text{ hour}},$$

where:

N_t – the service time rule expressed in hours;

$C_{1 \text{ hour}}$ – the cost of a time unit (in particular the cost per person / hour) when performing the service.

4. The cost of a time unit is determined as the ratio between the sum of direct and indirect costs and the amount of hours worked annually:

$$C_{1 \text{ hour}} = (CH_{\text{dir}} + CH_{\text{ind}}) / Q,$$

where:

CH_{dir} – direct expenses;

CH_{ind} – indirect expenses;

Q – the amount of hours worked annually by the institution's employees.

5. Depending on the specificity of each service and the time required for its performance, direct expenses (CH_{dir}) are determined according to the formula:

$$CH_{\text{dir}} = CS_{\text{sal}} + CS_{\text{mat}} + CS_{\text{ind}},$$

where:

CS_{sal} – consumption on labour remuneration;

CS_{mat} – consumption of materials;

CS_{ind} – indirect production consumption.

6. The following shall be added to the consumption of labour remuneration (CS_{sal}):

a) consumption on the remuneration of the personnel directly involved in the provision of the service, including the salary and the supplementary salary (bonuses and bonuses to the basic salary),

as well as other incentive and compensation payments calculated in accordance with [Wage Law No.847-XV of 14 February 2002](#) and [Government Decision No.743 of 11 June 2002](#) on the remuneration of employees in financially autonomous entities;

b) the compulsory state social security contributions and compulsory health insurance premiums related to the wages of the personnel directly involved in the provision of the service.

$$CS_{sal} = C_{labour} + S_{as} + S_{am},$$

where:

C_{labour} – the cost of the expenses related to the remuneration of the staff directly involved in the provision of the appropriate service;

S_{as} – the amount of compulsory state social insurance contributions paid by the employer, determined by the application of the approved tariff to the labour costs (C_{labour});

S_{am} – the amount of compulsory health insurance premiums paid by the employer, determined by the application of the approved labour cost (C_{labour}).

7. The value of materials used directly in the process of providing the service are added to the consumption of materials (CS_{mat}), including:

- a) auxiliary materials;
- b) fuels and lubricants;
- c) other materials.

8. Indirect production consumption (CS_{ind}) include:

a) maintenance costs of fixed assets used in the process of providing the service (expenditure on maintenance technical assistance, on current, medium and capital repairs);

b) maintenance and servicing of the technical means of communication, signalling;

c) amortization of intangible assets used in the course of the service;

d) wear of small and short objects;

e) the costs of ensuring proper working conditions and security techniques related to the particularities of service provision;

f) security costs;

g) expenses for services rendered by third parties, contracted directly by the National Metrology Institute while rendering the service;

h) other expenses attributable to indirect service consumption in accordance with the Methodological Guidance on production cost accounting and costing of products and services.

9. Indirect costs (CH_{ind}) on the provision of the service include commercial, general and administrative expenses and other operational expenditure, are determined according to the following formula:

$$CH_{ind} = I_{ind} \times CH_{dir},$$

where:

I_{ind} – Indirect expenditure index.

10. The indirect expenditure index (I_{ind}) is determined in two steps:

a) the total annual indirect costs of the National Metrology Institute attributed to the services is determined (CH_{ind}) by the formula:

$$CH_{ind} = (CH_{tot} - CH_{inv} - \sum C_{dir}) \times 0,1,$$

where:

CH_{tot} – the total annual expenditure of the National Metrology Institute;

CH_{inv} – expenditure on capital investment (procurement of fixed assets, etc.);

0,1 – the share of total annual indirect costs attributable to services in the total annual indirect costs of the National Metrology Institute;

b) The indirect expenditure index (I_{ind}) is calculated by the formula:

$$I_{ind} = CH_{ind} / \sum C_{dir}.$$

11. Commercial expenses include the following costs related to marketing the service:

a) packing and shipping costs (normative metrology documents, the "Metrology" magazine and other metrology publications);

b) marketing services related to the conclusion or termination of contracts (agreements);

c) advertising costs, participation in exhibitions.

12. General and administrative expenses include:

a) expenditure on the remuneration of the administrative, management, auxiliary and household staff, including the salary and supplementary salary (basic salary increases and top-ups) and other incentive and compensation payments calculated in accordance with [Wage Law no.847-XV of 14 February 2002](#) and [Government Decision no.743 of 11 June 2002](#) on the remuneration of employees within financially autonomous entities; compulsory state social security contributions and compulsory health insurance premiums related to these expenses;

b) the use of fixed assets for administrative purposes, the depreciation of intangible assets, including metrology software, the value, wear and repair of small-value and short-term objects within the established ceiling;

c) expenditure on the purchase of office supplies, record forms, reports of general and administrative purposes;

d) expenditure on utilities (water and sewage, electricity, sanitation etc.);

e) general and administrative travel expenses;

f) postal and telecommunication expenses, including e-mail;

g) printing costs;

h) expenditure relating to the maintenance and servicing of the information centre, signalling devices and other technical means of command;

i) expenditure on office and administrative-household objects, ensuring their protection against fires;

j) representation (protocol) costs;

k) expenditure on staff training and development;

l) payment for general and administrative services rendered to the National Metrology Institute, in accordance with contracts concluded with commercial banks, advisory, legal, informational organizations, as well as translators;

m) expenditure on scientific research;

n) legal proceedings costs;

o) taxes and fees, according to the legislation in force;

p) expenses for the acquisition of specialty literature and standards, for subscriptions to special editions (newspapers, magazines, etc.) required in the activity of the National Metrology Institute, including the expenses for the training, management and updating of the national fund of normative documents in the field of legal metrology;

q) expenditure on health care, for the organization of leisure and rest of employees according to the legislation;

r) the expenses necessary to ensure the proper working conditions and security techniques related to the service provision provided by the legislation in force;

s) business travel expenses;

t) compulsory insurance of assets in accordance with the legislation in force;

u) other expenditure attributable to general and administrative expenses in accordance with the Methodological Guidance on production cost accounting and costing of products and services.

13. Other operational expenditure include the costs of changing the methods of valuation of current assets related to these valuations, interests on loans and borrowings contracted by the National Metrology Institute for the performance of core activities and other expenses incurred in operational activities, compliance with the Methodological Guidance on production cost accounting and costing of products and services.

14. Under the statute of the public institution, the National Metrology Institute is a non-profit institution and the revenues from the services rendered will be redirected to:

a) staff training;

b) acquisition of metrological testing equipment for the purpose of pattern approval of measuring instruments, metrological verification and metrological examination of measuring instruments;

c) maintenance and servicing of metrological laboratories within the National Institute of Metrology;

d) maintenance of the technical-material basis of the National Metrology Institute;

- e) editing and disseminating the "Metrology" magazine and other specialized publications;
- f) charities and actions to promote the image of the National Metrology Institute;
- g) organizing the training of local metrology specialists;
- h) organizing and conducting meetings in regional and international organizations in the field of metrology.