

# MINUTES

## COMPTE RENDU

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Forty-Second Meeting of the International  
Committee of Legal Metrology:  
Shanghai, P.R. China, 24–26 October 2007

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ORGANISATION INTERNATIONALE  
DE MÉTROLOGIE LÉGALE

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INTERNATIONAL ORGANIZATION  
OF LEGAL METROLOGY



## **International Organization of Legal Metrology**

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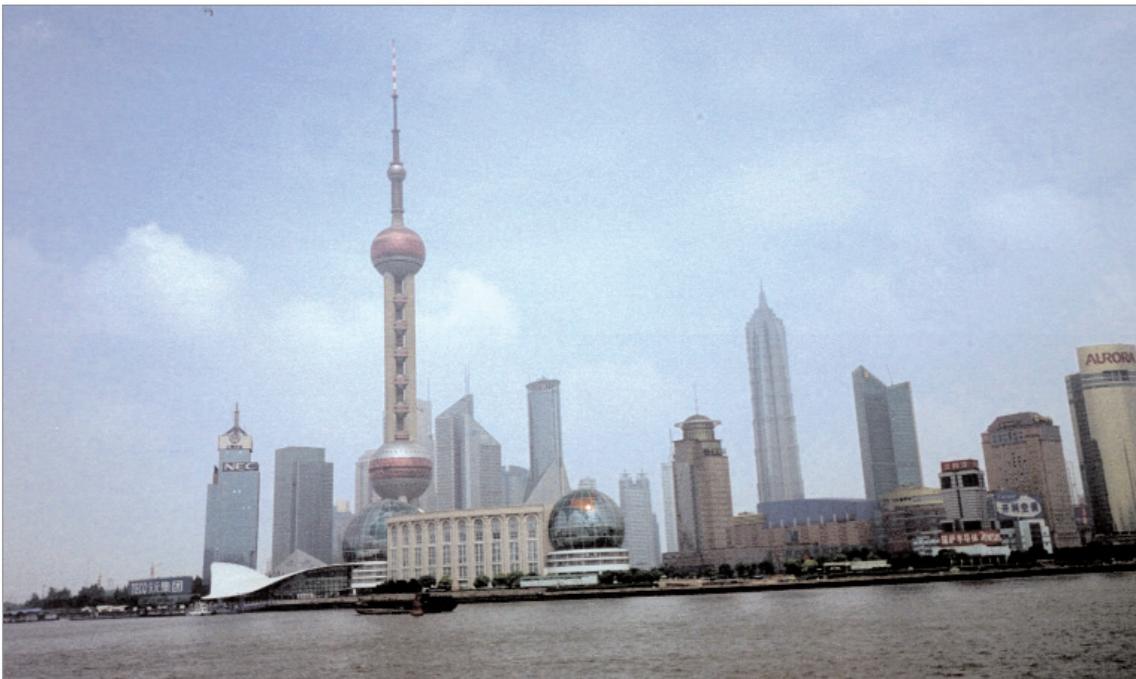
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Forty-Second Meeting of the International  
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The International Committee of Legal Metrology was convened by its President,  
Mr. Alan E. Johnston, and met on 24–26 October 2007  
at the Okura Garden Hotel, Shanghai, P.R. China.



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# Attendance

## Member States

### AUSTRALIA

Dr. Grahame Harvey .....CIML Vice-President  
Ms. Marian Haire  
Mr. Adrian Caster

### AUSTRIA

Dr. Arnold Leitner .....CIML Member

### BELGIUM

Mr. Frans Deleu

### BRAZIL

Dr. Marcos Jose Hoffmann de Senna

### BULGARIA

Dr. Katerin Katerinov .....CIML Member

### CAMEROON

Mr. Hans Ela Essi .....CIML Member  
Mr. Diabelle Mongoleon

### CANADA

Mr. Alan E. Johnston .....CIML President  
Mr. Gilles Vinet

### P.R. CHINA

Mr. Pu Changcheng .....CIML Member  
Mr. Han Jianping  
Mrs. Wang Yi  
Mr. Zhang Zhiping  
Mr. Yu Yadong  
Mr. Xuan Xiang  
Ms. Zheng Huaxin  
Ms. Ding Zhiyin

### CROATIA

Mr. Mirko Vukovic .....CIML Member  
Mr. Krešimir Vrgoè

**CUBA**

Mr. Martin Antunez Ramirez .....CIML Member

**CZECH REPUBLIC**

Dr. Pavel Klenovský .....CIML Member  
Ms. Klára Vidimová

**DENMARK**

Mr. P. Claudi Johansen .....CIML Member

**FINLAND**

Mr. Tuomo Valkeapää .....CIML Member  
Mr. Seppo Ahvenainen  
Prof./Dr. Timo Hirvi

**FRANCE**

Mr. Gérard Lagauterie .....CIML Member

**GERMANY**

Prof. Roman Schwartz .....CIML Member  
Dr. Heinz Wallerus

**HUNGARY**

Dr. Peter Pákay .....CIML Member

**INDONESIA**

Mr. Amir Saharuddin Sjahrial .....CIML Member  
Mr. Igs. Ketut Astawa  
Mr. Oke Nurwan  
Mr. Rumaksono  
Mr. Lili Suarbi  
Mr. Mawardi  
Mr. Koesworo  
Mr. Noman Duliman

**IRELAND**

Mr. Patrick Farragher .....CIML Member

**ISRAEL**

Eng. Timor Zarin .....CIML Member

**JAPAN**

Dr. Yukinobu Miki .....CIML Member  
Dr. Akira Ooiwa  
Mrs. Hiroe Sakai  
Mr. Toru Kojima  
Mr. Yuji Okamura  
Mr. Masayuki Ishikawa

**KAZAKHSTAN**

Ms. Aizhan Kopeyeva  
Mr. Yerkin Lebayev

**KENYA**

Mr. James G. Kiarie

**KOREA (R.)**

Mr. Yoo-tae Jun .....CIML Member  
Mr. Bok-hyun Nam  
Mr. Sung-wook Kim  
Mr. Myung-soo Kim

**THE NETHERLANDS**

Dr. Cees van Mullem .....CIML Member  
Mr. Gep Engler  
Mr. Pieter van Breugel  
Ms. Anneke van Spronssen

**NEW ZEALAND**

Mr. Brian Waltham

**NORWAY**

Mrs. Ellen Stokstad

**PORTUGAL**

Mr. Cartaxo Reis .....CIML Member

**ROMANIA**

Prof. Fanel Iacobescu .....CIML Member  
Mr. Marian Buzatu  
Mr. Valentin Patasanu  
Mr. Dumitru Dinu

**RUSSIAN FEDERATION**

Prof. Lev Issaev .....CIML Member  
Dr. Mardin Vasily  
Mr. Komissarov Sergey  
Dr. Kononogov Sergey

**SAUDI ARABIA**

Mr. Sirag M. Y. Massode  
Mr. Abdulaziz Abdullah M. Algossair  
Mr. Bader Nasser M. Alfaiz

**SERBIA**

Dr. Zoran M. Markovic .....CIML Member

**SLOVAKIA**

Mr. Jozef Orlovský .....CIML Member  
Mr. Jaromir Markovic  
Mr. Peter Lukac  
Mr. Jaroslav Boris

**SLOVENIA**

Ms. Nataša Mejak Vukovic

**SOUTH AFRICA**

Mr. Stuart H. Carstens .....CIML Vice-President  
Mr. Katima Temba

**SPAIN**

Dr. Fernando Ferrer Margalef .....CIML Member  
Mrs. Belen Martine  
Mr. José-Luis Manchado

**SWEDEN**

Mr. Kari Björkqvist .....CIML Member  
Mrs. Renée Hansson

**SWITZERLAND**

Dr. Bruno Vaucher .....CIML Member  
Dr. Philippe Richard

**TANZANIA**

Mr. A.H.M. Tukai .....CIML Member

**UNITED KINGDOM**

Mr. Peter Mason .....CIML Member  
Mr. John Goulding

**UNITED STATES**

Dr. Charles D. Ehrlich .....CIML Member  
Mr. Wayne Stiefel

**VIET NAM**

Mr. Pham Ngoc Tran .....CIML Member  
Dr. Thang Ngo Tat  
Mr. Diep Nguyen Hung

## Corresponding Members

### **CAMBODIA**

Mr. Kim Chandara

### **CHINESE TAIPEI**

Mr. Bo-Chang Su

### **JORDAN**

Eng. Osama Melhem

### **KOREA (D.P.R.)**

Mr. Man Ho Ri  
Mr. Kyong Man Jin

### **LIBYA**

Mr. Osama El-Massaoui  
Mr. Salah Eddin Said Tarhouni  
Mr. Subhi Mohamed Ibrahim

### **LITHUANIA**

Mrs. Irena Lazdauskaite  
Mr. Osvaldas Staugaitis

### **MALTA**

Mr. Francis Farrugia

### **MOZAMBIQUE**

Eng. Geraldo Albasini  
Mr. Alfredo Siteo

### **QATAR**

Mr. Adel Fakhro  
Mr. Abdul Hamid Al-Sheikh

### **URUGUAY**

Ms. Ana Julia Rodriguez Paz

### **ZAMBIA**

Mr. Kimon Zulu  
Mr. Kenneth Kapembwa

## Observers and Liaisons

### **CONGO D.R.**

Mr. Kanama Viki Mbuya

Mr. Gerard Faber  
CIML Immediate Past President

Prof. Manfred Kochsiek  
CIML Immediate Past Acting President

Mr. John Birch  
CIML Honorary Member

Mrs. Corinne Lagauterie  
Vice-President, WELMEC

Mr. Martin Stoll  
CECIP

### **BIML**

Mr. Jean-François Magaña  
Director

Mr. Ian Dunmill  
Assistant Director

Mr. Willem Kool  
Assistant Director

Ms. Régine Gaucher  
Project Leader (MAA)

Mr. Chris Pulham  
Editor - WebMaster

Mr. Samuel Just  
Engineer

Mrs. Patricia Saint-Germain  
Office Manager

## *Opening address by Minster Li Chuanqing*

Ladies and Gentlemen,  
Dear Members and Guests,

The 42nd CIML Meeting is being held here in Shanghai, China, in this most beautiful season. On behalf of the AOSIQ, I would like to offer my congratulations and extend my warmest welcome to all delegates from OIML Member States, Corresponding Members and other Organizations present here this week.

Three days ago, the 17th National Congress of the Communist Party of China was closed. The Congress proposed to fully implement the fundamental requirements of the Scientific Outlook on Development. It determined the new demands for the goal of building a wealthy society by giving a summary of the economic, political, cultural and social construction of socialist China, drawing the magnificent blueprint of building a rich, democratic, civil, harmonious and modern socialist country in a new era.

On this occasion the convening of the 42nd CIML Meeting in Shanghai is of great significance for China, as well as for the world, as deliberations will be centered around legal metrology which has an important influence on worldwide social and economic development. Discussions will include coordination of international legal metrology efforts, removal of trade barriers and the promotion of exchange and cooperation. Taking this opportunity I would like to make three main points.

### **1 - The critical role of legal metrology**

Firstly, the Chinese Government attaches great importance to the critical role that legal metrology plays in economic and social development.

Metrology is an important technical foundation for economic, scientific and social development, which relate closely not only to people's lives, but also to international economic, trade, scientific and technological cooperation. Legal metrology also plays an important role in maintaining economic and social order.

China has a long history of legal metrology. As early as the Shang and Zhou Dynasty 3,000 years ago, there existed weights and measures in China with the development of agricultural, handicraft and construction businesses. When Emperor Qin Shihuang united China in 200 B.C., the decree of uniform units of weights and measures was issued, thus effectively facilitating commodity exchanges. I believe this is also a significant event in the world history of legal metrology.

After the founding of the New China in 1949, the Chinese Government attached great importance to metrology work which experienced rapid development. So far, China has established 4,300 Verification Institutions which conduct mandatory verification on over 31,000,000 measuring instruments used in trade transactions, safety, defense, medicine, healthcare, and environmental monitoring. The Chinese Government has also implemented a type approval and licensing system on measuring instruments in accordance with the law, and promotes the OIML Certificate System so as to enhance product quality. Especially when developing a socialist market economy, the quality inspection and supervision authorities at all levels have intensified metrological surveillance on commodities in circulation. They regulate market trading, strictly punish illegal activities such as short measures, and hence effectively protect the legal rights of consumers and enterprises and preserve social and economic order.

The Chinese Government attaches great importance to product quality and safety. With the aim of ensuring product quality and safety and improving the international competitiveness of Chinese industry, companies and products, the Chinese Government has clearly defined enhancing product quality as being a very important task of immediate urgency, as well as a major ongoing long term task. Currently, the special rectification program for product quality and food safety is being carried out nationwide. Metrology work is an important foundation for improving product quality. With a view to fully implementing the human-oriented, harmonized and sustainable Scientific Outlook on

Development, the Chinese Government highly values the role of metrology work in promoting healthy and rapid development of the economy and society, which can be illustrated in four points:

- Firstly, China is endeavoring to implement the “Strategy of Prevailing by Quality” and the “Metrological Service Project” in order to guide and help enterprises to establish and perfect measurement testing systems;
- Secondly, the Chinese Government is engaged in building an energy-conservative and environment-friendly society by carrying out energy and resource measurement projects, advocating energy conservation, reducing emissions and developing an ecological society;
- Thirdly, the Government is striving to build an innovative country by undertaking projects on scientific metrology, speeding up and perfecting the completion of traceability systems, and providing a reliable measurement technology platform for self innovation; and
- Fourthly, the Government aims to build a socially harmonious society by deploying the project of “Metrology for the People’s Livelihood”, intensifying legal metrology work to guarantee the fundamental benefits for individuals.

## **2 - International cooperation in legal metrology**

Secondly, seeking extensive international cooperation in legal metrology is an effective way to advance work on metrology in China.

The OIML was established in 1955, in order to build a worldwide structure by uniting the legal metrology authorities of its Member States to provide solutions to issues concerning metrology and measuring instruments. The OIML aims to promote global harmonization of national metrological infrastructures. By formulating internationally agreed-upon technical documents and establishing the OIML Certificate System and the MAA, the OIML has made a huge contribution to the global development of metrological systems, and has consequently advanced the economic and social development of many countries in the world.

The Chinese Government has been actively participating in OIML activities for some time and considers that extensive international cooperation in legal metrology is an effective way to advance work on metrology in China. Since joining the OIML as a Member State in 1985,

China has taken part in numerous CIML Meetings, has participated in the meetings of several TCs and SCs, international comparisons, seminars, trainings, and has participated in the revision of many international Recommendations. It has assumed responsibility for the Secretariats of three OIML Subcommittees and has made many active contributions to OIML development.

Over the past two decades, China has been pursuing the promotion of international cooperation in metrology and has made great progress. By taking part in major OIML activities and by strengthening the information exchange on metrological systems and development with other Member States, China has effectively proceeded to reform its metrology system.

By harmonizing the technical regulations of legal metrology and participating in the OIML Mutual Acceptance Arrangement, the metrological technology institutions of China have improved their position in the measurement testing market. Cooperation with other OIML Members has helped Chinese industry to gain a competitive edge in international trade, and has contributed to better product quality, environment protection, health and safety, and to technological advancements in international trade.

Currently, the international context is undergoing profound and complex changes with further trends towards worldwide multi-polarization and economic globalization. As science and technology progress day by day, regional cooperation is booming and interdependence among countries is deepening; legal metrology development in China is facing unprecedented opportunities and challenges.

China wishes to strengthen cooperation with other OIML Members on the basis of reciprocity, seeking common ground while respecting differences, so as to deepen mutual understanding, expand consensus, harmonize actions and play a more practical and more active role in perfecting international trade systems and rules, harmonizing international Recommendations and regulations and thus facilitating international trade.

## **3 - Joint efforts of OIML Members**

My third main point is that cooperative efforts are requested on the part of OIML Members to ensure the efficient development of legal metrology in the world.

Advancing the development of legal metrology worldwide requires greater international cooperation. The Chinese Government is willing to vigorously take part in OIML activities to contribute to legal metrology harmonization among Members. It wishes to obtain help from the OIML and strengthen communication with other Members - it hopes, by participating in the annual CIML Meeting, to better promote cooperation and hence contribute to the economic, social and scientific advancement of Members.

As joint efforts of Members are required in order to make progress in legal metrology in the world, in concluding I would like to make the following three suggestions:

- Firstly, the OIML needs to take measures to encourage Members who have significant metrological resources to provide assistance to developing countries in areas such as metrology training, helping to establish national metrological systems and traceability systems, and capacity building for metrology staff;
- Secondly, the OIML should heavily promote the MAA and measures for its implementation that are more operable and easier to follow, so as to

decrease expenses for mutual acceptance and attract more members' participation and thus make significant progress for the MAA; and

- Thirdly, China agrees with the reform led by the OIML, and hopes that the OIML will come up with a practical and effective reform plan so that more Members will use OIML International Recommendations.

Ladies and Gentlemen,

Shanghai is one of the most dynamic cities in China and is the window and frontier of reform and opening up in China. I believe, during your stay in Shanghai, that you will be impressed by the great achievements that China has made in economic construction, social development, scientific advancement as well as metrology development. I hope and trust that the legal metrology authorities of our Members will, by participating in this 42nd CIML Meeting, further deepen mutual understanding and push cooperation and friendship to new limits.

I wish the CIML Meeting great success, and I wish a prosperous future to the OIML and legal metrology development worldwide.

Thank you. ■



## *Opening speech by Mr. Alan E. Johnston, CIML President*

Good morning Ladies and Gentlemen and welcome to Shanghai.

First of all Mr. Li Chuanqing (VP of AOSIQ) and Mr. Zhou Taitong (Mayor of the Shanghai Municipal Government), thank you for your very warm welcome. I would also like to thank the Chinese Government and AOSIQ for hosting this, our 42<sup>nd</sup> CIML Meeting, in Shanghai; it is an honor for us to meet here and we look forward to discovering your exciting city.

The People's Republic of China is a key country for legal metrology. The Chinese measuring instrument industry is very present on the international market and the Chinese legal metrology service, under the authority of AOSIQ, participates actively in OIML work, notably in the OIML Certificate System and the MAA.

China also plays an important role in this Region and has taken over the Chair of the Asia-Pacific Legal Metrology Forum, thus contributing to the success of Regional Metrology Cooperation.

Last but not least of course, I have to mention that the AOSIQ staff in Beijing and in Shanghai have done an excellent job in organizing this CIML Meeting in this beautiful city of Shanghai, taking care of the meeting facilities and organizing delegates' accommodation.

There are more than 120 CIML Members, OIML Corresponding Members, Observers and Liaison Organizations attending this 42<sup>nd</sup> meeting of the CIML.

Since the last CIML Meeting in Cape Town, we have two new Corresponding Members: the United Arab Emirates and Sudan. A number of other countries have also expressed an interest in becoming OIML Member States or Corresponding Members.

Once again, we can expect our membership to continue to grow in the coming years, and we therefore now have 59 Member States and 56 Corresponding Members.

In reviewing the composition of our Committee, I have pleasure in welcoming the following new CIML Members:

- Mrs. Myrvete Pazaj, from Albania
- Mr. Sid-Ali Reda Ben El-Khaznadji, from Algeria
- Mr. Luiz Carlos Gomes dos Santos, from Brazil
- Mr. Pu Changcheng, from P.R. China
- Mr. Ntinios Hadjiconstantinou, from Cyprus
- Mr. Wondwosen Fisseha, from Ethiopia
- Mr. Mathurbootham, from India
- Mr. Seyed Mohammad Mehdi Taghaddoss, from the Islamic Republic of Iran
- Dott. Antonio Lirosi, from Italy
- Mr. Stephen O'Brien, from New Zealand and
- Mr. Peter Mason, from the United Kingdom.

I have also pleasure in welcoming a representative from the following Liaison Organization:

- Mr. Martin Stoll from CECIP.

Prof. Andrew Wallard, Director of the BIPM, is presently finalizing the organization of the General Conference of Weights and Measures, and is not able to be with us today. However, he is very pleased with the continued BIPM-OIML cooperation over the last few months and we will be giving you more details later in the proceedings.

Mr. Loesener, from UNIDO, initially planned to be present, but had to attend another meeting and has sent us his apologies.

ILAC and IAF, whose General Assembly is being held in Sydney at the end of October, also sent us their apologies.

I am also pleased to have among us today:

- Mr. Gerard Faber, CIML Past President,
- Mr. Manfred Kochsiek, CIML Past Vice-President,
- Mr. John Birch, Honorary CIML Member, and
- Mr. Eberhard Seiler, Chairman of the Permanent Working Group on Developing Countries.

It is with the deepest sorrow that I now remind you of the sad news that you heard about this summer: Dr. Samuel Chappell, CIML Honorary Member, died on 28 June this year. He was highly respected by all of us – Chuck

Ehrlich, please will you convey to his family the very sincere condolences of all those present today.

At the 41st CIML Meeting in Cape Town, I told you that I intended to review the organization of the CIML Meetings to make them more interactive and to draw more benefit from your experience and contributions. You since sent me a number of very interesting comments and suggestions and these were discussed at the Presidential Council Meeting in March. As a conclusion to this discussion, it was decided to organize a separate Round Table for the Regional Legal Metrology Organizations in order to have a deeper discussion with these Organizations and to be able to allow more time in the Committee Meeting for discussions. This RLMO Round Table was held yesterday, chaired by Grahame Harvey, and he will give you a report later in the proceedings.

During this CIML Meeting, comments by the Bureau will merely highlight any outstanding issues with items where a written report has been posted, to allow additional time for discussions. Therefore, I would ask that you be prepared when you take the floor to make comments on these items and to actively contribute to the discussions as and when appropriate.

Of course, improving the CIML Meetings is an ongoing issue and we remain open to any further comments.

Now to a short review of the last year since the 41st Committee Meeting in Cape Town. I would like to mention a number of key issues on which I expect constructive discussions to take place:

- Financial issues, including the main points on which the Bureau will base the 2009-2012 draft budget for the Conference next year;
- The Action Plan, which should be discussed and adopted following the approval of the Strategy Plan last year;
- Activities for Developing Countries, for which orientations and organizational issues have to be decided;
- Liaison activities and, in particular, the various Memoranda of Understanding and joint work programs with liaison organizations;
- Communication and web site issues, any remarks you wish to make concerning the OIML web site and the online services that you would like to see developed or improved;
- Key issues related to the OIML Certificate System and the MAA in order to have as many participants as possible in the DoMCs and to meet their needs;
- The evolutions envisaged for the Directives for the Technical Work and the possibility of changing the voting rules will be presented and submitted to your comments;
- And of course item 8, Technical Work, in which a number of publications and decisions have to be voted on.

In conclusion, we once again have a very busy and interesting agenda for this three-day CIML Meeting and I look forward to your assistance and cooperation to ensure its success.

Thank you very much for your time. ■



**Forty-Second Meeting**

**of the**

**International Committee of Legal Metrology**

**– Minutes –**

# 42nd Meeting of the International Committee of Legal Metrology

## - Final Agenda -

Roll-call - Quorum

Approval of the agenda

### **1 Approval of the minutes of the 41st CIML Meeting**

### **2 Member States and Corresponding Members**

2.1 Situation of certain Members

### **3 Financial matters**

3.1 Adoption of the Auditor's report for 2006

3.2 Assets and liabilities as at 01/01/2006 and at 01/01/2007

3.3 Financial report for 2006 and estimates for 2007

3.4 Elements for the 2009 – 2012 budget

3.5 Pension Scheme

### **4 Presidential Council activities**

4.1 Report on Presidential Council activities

4.2 Long Term Strategy

4.3 Action Plan

### **5 Developing Country activities**

5.1 Report on PWGDC and JCDCMAS activities

5.2 Report on the D 1 Seminar

### **6 Liaisons**

6.1 Presentation by the Bureau on liaison activities and joint actions

6.2 Updates by Liaison Organizations + short update

6.3 Report on the RLMO Workshop and on the Conformity to Type Working Group

6.4 MID Tables

### **7 BIML activities**

7.1 Report on BIML activities for 2006-2007

7.2 Communication, web site

### **8 Technical activities**

8.1 Approval of International Recommendations and Documents

8.2 TC/SC work

8.2.1 Proposals regarding TC/SC work

8.2.2 Information regarding TC/SC work

8.3 MAA

8.4 Nature of OIML Publications and the *Guide for CIML Members*

8.5 Progress on the revision of the *Directives*

8.6 Training sessions for OIML TC/SC Secretariats

### **9 Human resource matters**

9.1 Dispute related to the dismissal of a BIML Secretary

### **10 Future meetings**

10.1 13th Conference and 43rd CIML Meeting (2008)

10.2 44th CIML Meeting (2009)

### **11 Decisions and Resolutions**

### **12 Awards**

### **13 Other matters**

## Roll-call - Quorum

The roll call was then taken: 47 Member States out of 59 were present or represented at the opening of the 42nd CIML Meeting. The quorum (45 Member States) was therefore reached. This would be checked again on the last morning, when voting would take place.

The Committee also noted the participation of a number of OIML Corresponding Members, one Observer Country, Liaison Institutions and Regional Legal Metrology Organizations, as well as the CIML Immediate Past President, CIML Honorary Members, and members of AQSIO Staff and BIML Staff.

## Approval of the Agenda

The Draft Agenda was then put on the screen, with some explanation from Mr. Magaña, and approved. It was noted that Item 8.2, previously “Examination of the situation of certain TCs/SCs” would be split into two subdivisions, namely “Information regarding TC/SC work” and “Proposals regarding TC/SC work”. This was approved.

### 1 Approval of the minutes of the 41st CIML Meeting

Mr. Johansen, Denmark, wished to comment on the item regarding cooperation with ILAC in connection with the MAA. A list of laboratory assessors was said to exist; this caused him concern because it could mean that only specified assessors could be used, thus narrowing access. If normal accreditation of laboratories by technically qualified assessors was sufficient, no more should be required. Rather than a list of assessors, a list of criteria should be established.

Mr. Magaña replied that this issue would be on the agenda for the MAA and Liaisons items. Experts had been needed initially for peer assessments, but cooperation with ILAC had led to more need and wider scope for experts.

There being no further comments, the minutes were approved.

### 2 Member States and Corresponding Members

#### 2.1 Situation of certain Members

Mr. Magaña stated that there were no problems regarding Member States, Corresponding Members or the situation of Members, or major financial arrears. Delegates would be pleased to hear that there were two new Corresponding Members, and there had been approaches from a couple of countries which were considering setting out on the long process of becoming a Member State. It was possible that two countries would achieve this in the near future. Further information would be available when the process was complete. Interest in the OIML was growing in many countries, so the situation was good.

### 3 Financial matters

#### 3.1 Adoption of the Auditor’s report for 2006

Mr. Magaña reminded Members that they had already received the report. Before opening the matter to discussion he explained that:

- the Auditors’ report had not been translated from the French original because French was the official language; translation would be costly, and he had written a report containing further detail;

- examination of the Auditors' report implied examination of the accounts of the Bureau and justification of a sample of the expenses, together with ascertaining that the accounting methods were in accordance with OIML and international financial standards and regulations. The Auditor's conclusion was that this had been the case and that the figures gave a true picture of the financial situation and cash flow of the OIML. It was not an assessment of whether the Bureau had been well managed but rather of whether the figures gave a full and true picture. Comment on the management of the Bureau was a matter for Members. Mr. Magaña said he would also reply to any comments on the choice and performance of the Auditor.

### 3.2 Assets and liabilities as at 01/01/2006 and at 01/01/2007

Regarding the figures, in 2005 there had been a deficit of €232 000, and the 2006 deficit was very similar. The reasons for this were slightly different:

- in 2005 there had been the 50th Anniversary of the OIML which had cost about €120 000; this had not been the case in 2006, however; the cost of the Pension Scheme had been €50 000 higher than estimated;
- travel and meetings had increased by €30 000 because there had been more technical work;
- there had been slightly fewer Certificates than in the previous year;
- staff charges had been €17 000 higher than planned; and
- work done on the office had caused an increase in depreciation charges.

All the above had caused a deficit of €243 000 in 2006.

Analysis of the costs showed that the principal expenses had been:

- CIML Meetings;
- follow-up of TCs/SCs;
- liaison work – for example there had been a number of meetings and seminars with the WTO;
- publications;
- preparations for the Presidential Council, which also implied preparation for the CIML Meeting;
- the MAA;
- the Bulletin; and
- seminars, conferences and other activities for Developing Countries.

All the above represented time spent by Bureau staff, plus travel and operating costs.

Comparing assets and liabilities, most of the assets were short term, such as money in the bank; long term assets included equipment and the building. Short term assets had decreased slightly between 2005 and 2006.

Concerning liabilities, short term liabilities were lesser matters such as taxes for immediate payment; but since the OIML accountancy was now in line with international standards, long term provision for pensions, together with the current deficit, represented a major liability which had also caused a decrease in the OIML's reserve fund. The financial situation of the OIML was, however, not at all worrying, because the pension provision was for the distant future, while the financial assets were still quite considerable.

### 3.3 Financial report for 2006 and estimates for 2007

Estimates for 2007 showed a further deficit of €250 000, very similar to the €243 000 for 2006. Mr. Magaña made some comments on this:

- contributions to the Pension Scheme would decrease (an explanation for this would be given later);
- social security charges would increase slightly but not significantly;
- there was an increase in staff costs, and the overlap period during which there had been three Assistant Directors instead of two had also led to higher costs while the new Assistant Director worked alongside the previous one for 7 months.

In 2008, the situation would be completely different: a surplus of approximately €100 000 was expected due to no longer having to pay one additional Assistant Director, and to an increase in Members' contributions. A similar surplus was expected in the following years, and this would compensate for the deficits experienced in 2005, 2006 and 2007.

### 3.4 Elements for the 2009-2012 budget

The basis for the 2009-2012 budget, to be presented in 2008, consisted of the following:

Regarding resources, from 2008 there would be an increase in the number of countries with more than 40 000 000 inhabitants, which would thus be liable for higher contributions.

It was further proposed that:

- an increase in contributions in line with inflation (2.25 % in Europe) should be requested for each year up to 2012;
- Corresponding Members' fees should be progressively raised over the same period until they reached 10 % of the Member State base contributory share, their entry fee being abolished once this increase had come into effect. In the past this entry fee had represented the cost of paperwork generated by their joining; now all documentation was electronic and generated no special cost. Mr. Magaña pointed out that it was desirable to facilitate entry of new Corresponding Members, and that as there were seldom more than one or two new Corresponding Members in any given year, the entry fees contributed an insignificant amount to the budget;
- the fees for Basic OIML Certificates and MAA Certificates should be fixed at the same amount of €250, increasing in line with inflation. This was aimed at encouraging manufacturers to use MAA Certificates, and so that all OIML certification would contribute to the implementation of the MAA. This subject would be discussed in more depth during the presentation regarding the MAA;
- the OIML Bulletin subscription remain at the same price;
- concerning charges, as recalled by the Presidential Council, it had been decided by the 2004 Conference that the increase in staff costs should be 10 %, and that one additional person should be employed to deal with the MAA. Since the MAA was now in place, it would from now on only require less than half the time of one employee. However, there was now more technical work and the Bureau wished to give more staff support to TCs and SCs. This would also result in more publications, and there was also more liaison work, especially with the BIPM and ILAC and with other legal metrology organizations. 11 persons were now required to carry out the fundamental tasks. The cost of the MAA staff member - less than half of one person's time - would be covered by payments for Certificates, of which approximately 200 a year could safely be predicted, bringing in €50 000 per year.
- increases in premises and office costs would be kept to a level lower than inflation; travel and accommodation costs would remain constant, as should the cost of Meetings; and there would be no significant change in pension costs.

To summarize, therefore, charges would decrease slightly and income would increase, resulting in a surplus of approximately €100 000 per year.

Mr. Klenovský, Czech Republic, commented that he felt the number of BIML staff should not be increased on the assumption of increased membership but only once the increased income was actually being received.

Mr. Magaña replied that the decision to adapt membership fees to the condition of the country concerned had already been taken in Berlin and would be applied according to the Bureau's review of the country's situation, leaving the country two years to plan for the increased payment. This had already been applied for the previous and current years; in 2006 it had been decided that the contributions of four countries would be raised. They had been informed accordingly and their increased contributions would be receivable in 2008. In the current year another country had been identified which would pay an increased contribution from 2009.

Mr. Johansen, Denmark, said that the OIML budget had to be paid for through Members' contributions. The change of status of certain countries was not for the purpose of increasing the BIML staff, but for redistributing Members' contributions. Once the increased contributions were coming in, it was for Members to allow in the new budget for any increase in staff numbers.

Mr. Johansen added that the new programs for which additional staff were requested had not yet been decided upon. There might not be a majority consensus for projects such as pre-packaging, so the Meeting should be hesitant to approve the proposition.

Regarding the fees for MAA and Basic Certificates, he had no problem with the change being made, and this might have the effect of promoting the MAA, but it could lead to another situation: MAA Certificates had not been a success up to the present time; this might be due to time or to cost, but this was not yet known. The old Certificate System was a success. If the price were increased, however, this might prove a drawback and take-up might be reduced.

As to the suggestion that the MAA no longer be a specific project, Mr. Johansen was against this. A condition of the establishment of the MAA was that this should be a specific and self-financing project. He thought it should remain separate so that it could be clearly seen whether it was being financed through the fees.

In reply, Mr. Magaña reminded Members that what had been voted at the Berlin Conference was the base contributory share, regardless of any increase or decrease in the number of Member States. If there was a big increase in membership, consideration could be given at the Conference to redistribution of some of the surplus, as was done in the BIPM (though not without difficulties). Members would not particularly appreciate the return of a couple of euros of their contribution, which would be lost in the overall budget of their State and not used specifically for legal metrology. Mr. Magaña would be making the same proposal for the next budget and this could be discussed at the Conference in 2008. The current proposal was to use the existing contributions to employ the 11 Bureau staff necessary to carry out the tasks in hand.

Concerning the raising of the fee for Basic Certificates, a number of colleagues had told the Bureau that this would not lead to a loss of applicants – the total number of all types of Certificates issued would remain unaltered.

Regarding the MAA, the ruling principle was that it should not be financed by Members' contributions but by the fees charged for it, and this was what was about to take place. International accountancy standards did not allow for the salary paid for the part of an agent's time spent on MAA work to be shown as a separate element in the accounts. The costs and income of the MAA could, however, be identified within the new analytical system of accounts. In practice, also, several people in the Bureau would share the work. Samuel Just was doing the work for the MAA for the R 49 DoMC, Régine Gaucher remaining in charge of the MAA. The important thing was that MAA costs and income would balance.

Dr. Miki, Japan, commented that it was indeed important for the MAA to be cost effective, but since it was of great importance to the OIML, it was not absolutely essential for it to be self-sustaining in financial terms. He also questioned why meeting and travel expenses had been higher in the 2006 accounts but were estimated to be lower in the 2009-2012 budget.

Mr. Magaña responded that the increase in travel costs largely resulted from more help given in the context of OIML technical work and attendance at TC/SC meetings. As for the MAA, it had been agreed that it should be self-financing. The present intention was to link the Certificate System with the MAA in such a way that they were self financing in combination.

Mr. Johnston added that Mr. Magaña had provided him with some details of travel and meeting costs and would have discussions with him prior to the next Presidential Council with a view to perhaps making some savings in this area.

Mr. Magaña reminded Members that the Bureau had been asked to increase cooperation with sister organizations such as the BIPM and ILAC; meetings with these also incurred travel costs.

Mr. Johnston also pointed out the distance he himself had to travel to attend meetings.

Ms. van Spronssen, The Netherlands, expressed similar concern over the possible discouraging effect of any increase in the fees for OIML Certificates. She added that the income from MAA Certificates had been less in 2006 than in 2005, and further pointed out that despite new accountancy rules, the cost of the MAA could in fact be seen in the accounts that had been presented.

Mr. Magaña said that the decision to raise the price of OIML Certificates was the suggestion of a number of colleagues who had met in the Bureau, together with some Issuing Authorities and had concluded that 250 for each type of Certificate would be an acceptable charge which would not create an impediment. The forecast made by Mr. Magaña four years previously had proved to be a little optimistic, largely due to unavoidable delays in getting the system under way. There was no fundamental difference between the two types of Certificate, both of which were for the benefit of industry. It was indeed possible to see from the analytical accounts which income and expenses had been for the MAA and which for other purposes.

Commenting on the lowered charge for MAA Certificates, Mr. Farragher, Ireland, asked whether there was evidence to suggest that cost had been a factor in the relatively low utilization of the MAA.

Mr. Magaña explained that at the outset of the MAA there had been numerous issues to solve and clarify concerning interpretation of the MAA Document, and operating procedures to develop; now that this had been done the proportion of staff time spent on it was much less. He did not believe there would be any decrease in the demand for the MAA.

Mr. Valkeapää, Finland, said that he could not agree that the old, simple, flexible Certificate and MAA were similar and did not believe there was justification for setting the prices at the same level. The MAA Certificate should surely be much more valuable for the customer than the old one; if the price was the same this would give the wrong impression, devaluing the MAA.

Mr. Magaña agreed that a case could be made for charging more for the more “valuable” MAA Certificate; on the other hand, if the MAA cost more a number of manufacturers would continue to apply for the less valuable Basic Certificate. The matter could be further discussed in the context of the MAA presentation and of the future Budget. In his view, it was right for the Basic Certificates to subsidize the MAA.

Dr. Ehrlich, USA, stated that he supported the equality of fees; the fee represented a small portion of the real cost and was a good way of supporting the MAA. He also referred to the Asset and Liability Reports for 2006 and 2007, emphasizing that the deficit was a temporary phenomenon previously agreed to. Referring to the preliminary elements of the 2009-2012 Budget, he asked that judgment be withheld until the details of the financing of the additional Staff member could be seen.

Mr. Magaña agreed that the deficit was not structural but that more work would have to be undertaken in the period of the next budget. He added that if the costs of the two types of Certificate were not the same it would be hard to make forecasts about future income. The MAA had taken longer to set up than anticipated, but the number of Certificates each year was known and stable.

Mr. Björkqvist, Sweden, said that the MAA (and how to finance it) had been discussed many times in the past; Sweden supported the views of their Finnish colleagues, that the old Certificates should not be used to finance the MAA system.

Mrs. Vukovic, Slovenia, was also of the opinion that the old system was working very well and that the MAA Certificate fee should be in relation to the actual MAA costs and not be amalgamated with the old system.

Mr. Magaña asked what costs exactly were referred to.

Mrs. Vukovic replied she was merely objecting to the idea that the “cheaper” old system should subsidize the new one.

Mr. van Breugel, The Netherlands, understood the point of view which had been recently expressed but said the aim was for the MAA to replace the old system in the long run, and it was appropriate for the old system to subsidize the heavy initial costs of setting up the new one. Once take-up increased the price might be discussed again, but for the present the equalization of price was appropriate in order to build up the new system. The fee was not very large.

Mr. Johansen feared that the increase in price for the widely used Basic Certificate would lead to a decrease in the number of Certificates, for example with R 60 *Load cells*.

Mr. Magaña said that in Berlin a price of about €500 had been decided on for the MAA Certificates. A number of Issuing Authorities had told him that this was expensive and would discourage manufacturers from applying for MAA Certificates and industry would stay with Basic Certificates. Three MAA Certificates had already been issued and there would not be more than another three in the coming year; this meant that only half a dozen type approval Certificates would have to pay the cost of half an agent in the Bureau, which was an unreasonable demand to make. On the other hand, MAA Certificates should not be free of charge because Members' contributions should not be expected to cover the cost of them. Issuing Authorities considered that the difference in cost was an impediment to the development of the MAA; equalizing the cost would increase take-up. It was a problem of marketing of the MAA. Mr. Magaña was taking the advice of contacts in industry who considered that the MAA was more valuable and should be promoted.

Mr. Leitner, Austria, said that if they wanted to promote the MAA it was essential to charge the same price. If they did not want to promote it, there should be different prices. In his view, if the MAA existed it should be promoted.

Mrs. Lagauterie, representing WELMEC, felt that since the OIML had decided to set up the MAA it was important to do everything possible to make it a success.

Dr. Schwartz, Germany, added his support to the opinions expressed by the previous two speakers. He could see no alternative to developing the MAA and equalizing the price. Progress would be unacceptably slow if the MAA Certificate price had to remain at €500.

Mr. Johnston and Mr. Magaña said there was still time for comments to be made before a decision had to be taken at the 2008 Conference.

### 3.5 Pension Scheme

The Bureau had been asked to find solutions to the long term problems of the Pension Scheme. This had been difficult but Mr. Magaña believed it had been satisfactorily resolved. As explained in his report, the old system of accountancy had not shown the actual cost of the Pension Scheme. International rules were that provision must be made for all pensions to be paid in the future. Under the old accountancy system the OIML contribution to the Scheme would have been €77 000. According to international rules, it was €191 000 – a considerable difference caused by the need for a long rather than short term balance. The scheme itself had not been changed but the way of evaluating its cost had.

Mr. Magaña proposed a revision of the BIML Staff Regulations so that employees who were eligible for a French pension scheme would not use the OIML Scheme anymore. Thus, under new and renewed employment contracts, no employees would in future join the OIML Scheme, which would be used only to pay those who had already retired. Paying these pensions was not a cost because the money had already been put aside in a special account. This modification of the Staff Regulations would be submitted the following year first to the Presidential Council and thereafter to the Conference for adoption.

## 4 Presidential Council activities

### 4.1 Report on Presidential Council activities

Mr. Johnston reported that since the 41st CIML Meeting in Cape Town there had been two meetings of the Presidential Council. The first had been held in Paris in March. Topics discussed had included the search for ways to improve the CIML Meetings; Mr. Johnston had already to some extent addressed this in his opening speech:

- the possibility of holding a Regional Legal Metrology Organizations meeting; this had taken place and it was hoped that it might become a regular part of CIML Meetings, or that mechanisms would be found whereby RLMOs might share information and training;
- round tables were also a popular idea, though they had to be well prepared and well focused – any particular topic might not be of interest to everyone at the Meeting. Round tables might well be a feature of future CIML Meetings, but for the current Meeting there had been a seminar on OIML D 1 but no round table;
- it had been suggested that the Meeting might break up into smaller groups – Meetings could be quite imposing from a perspective of language and of logistics; some Members were too intimidated to express their point of view. This would be kept in mind;
- more workshops had been discussed, and the D 1 Seminar had been held;
- on technical issues, it was hoped that rather than presenting technical detail at the CIML Meeting a summary might be presented, giving openings for discussion and for Members to state what needed to be done;
- the content of the current CIML Meeting had of course been discussed, with the inclusion of the regional meetings and the D 1 Seminar;
- there had been discussion of the acceptance of manufacturers' test results within the MAA; this had also been discussed at a meeting in Japan in June, but there was still reluctance to accept these and for the time being they would not be acceptable as part of the MAA;
- the budget had been discussed at length, as was reflected in the previous agenda item;
- there were proposals to offer a training session for the Secretariats of TCs/SCs in order to encourage more people, who might not have relevant experience, to have the confidence to take up these posts;
- there was discussion of how assistance could be offered to Developing Countries; Mr. Seiler would later make a presentation on this subject;
- the revision of the *Directives for the Technical Work* would also be discussed later in the Meeting;
- there was discussion of the Action plan, on which Members' votes would be sought, and the Strategic Plan;
- there had also been liaison with ILAC and the BIPM; the reason for the Presidential Council meeting in Paris in March was that a number of other organizations also met there at the same time and it was a good opportunity for exchange of ideas between the different bodies on issues of common interest.

There had been another meeting of the Presidential Council immediately before the CIML; topics of discussion here had included principally:

- the financial budget for future years;
- *Directives for the Technical Work*;

- Developing Countries;
- further discussion of the issues raised in March;

Mr. Johnston had made a proposal for the two Vice-Presidents to chair a portion of the Meeting, to which, with a little encouragement, they had both agreed; for part of this afternoon, Mr. Stuart H. Carstens would be in the chair, and the following day Mr. Grahame Harvey.

Mr. Johnston went on to tell Members that for Mr. Bruno Vaucher, Switzerland, this was his last Meeting as a member of the Presidential Council and also as a CIML Member. He wished to thank him, first personally for his input in both capacities, and then on behalf of the Presidential Council and Members; from Mr. Johnston's earliest days he had been aware of Mr. Vaucher's fresh outlook and capacity to see things from another perspective.

#### 4.2 Long Term Strategy

Members would remember that in Cape Town the previous year they had approved the Strategic Plan, and would be asked to vote on the Action Plan this year. Some comments on the Strategic Plan had been made at that time but it had been approved subject to any additional changes that might be made. They would be asked to do the same for the Action Plan, on which a vote would be taken in the current session.

#### 4.3 Action Plan

Mr. Magaña reminded Members that they had been shown a draft strategy paper, on which they had commented, and had also been invited to send further comments to be taken into consideration in the adoption of the Strategy Plan. This had been finalized at the Presidential Council in March and sent out to Members. At the same time the Council had looked at a Draft Action Plan arising from the Strategy Plan. This was what was now up for examination. In addition to the OIML Action Plan, there was also a Joint Action Plan with the BIPM, arising from the discussions on closer liaison which, at Members' request, had been held between the two Organizations; there was a similar Joint Action Plan with ILAC. Both were annexed to the Report.

It would not be possible in the CIML Meeting to discuss every detail of each point in the Action Plan, so Mr. Magaña proposed that Members should look at them, make their comments and come to the same kind of conclusion that had been reached the previous year, charging the President to finalize the Action Plan taking into account comments made at the Meeting and sent in by the end of 2007. Its objectives were:

- 1 To build an international Legal Metrology System by issuing guidance, developing MoUs or revising existing MoUs, in cooperation with other organizations, by:
  - 1.1 improving links with other technical organizations;
  - 1.2 finalizing the draft MoU with UNIDO, though this was not now expected to be signed before 2008;
  - 1.3 fostering more links with stakeholders in general – representatives of manufacturers and users of instruments.

A start had been made on achieving most of these objectives.

- 2 To support stakeholders of legal metrology by:
  - 2.1 developing tools to assist regulators;
  - 2.2 developing guides on procedures in legal metrology control, such as the existing Blue Guide for European colleagues;

- 2.3 dealing with inquiries on non-conformities, which was important for competition between manufacturers, and also important for regulators; there would be a survey of existing systems for conformity;
- 2.4 developing an instrument based alert network.
- 3 To facilitate international trade and contact with international trading organizations such as the Federation of Grain Exporters, and links with manufacturers of tools and instruments.
- 4 To better exchange knowledge and competences among OIML Members; internet tools should be developed for RLMOs, and support mechanisms devised so that these tools could be used by all.
- 5 To improve assistance to Developing Countries, through:
  - 5.1 cooperation with international organizations such as the WTO;
  - 5.2 collation of information on legal metrology; and
  - 5.3 broadening of awareness of the subject.
- 6 To improve the efficiency of OIML technical work through:
  - 6.1 training of the Secretariats of Technical Committees;
  - 6.2 revision of the *Guide for CIML Members*;
  - 6.3 organization of seminars for national experts; and
  - 6.4 attempting to make information available not only to CIML Members but to all interested parties.

All these actions were consistent with those taken in conjunction with the BIPM and ILAC. The joint action with the BIPM was already well under way, with the production of informative and awareness documents and a joint web portal – there would be a presentation later in the Meeting of a four-page document and the portal. A number of joint one page leaflets would also be produced, together with the corresponding web information.

It had been decided that the various organizations dealing with international metrology should present a consistent view and in case of need could speak on each other's behalf. Contact lists had been exchanged and there was common organization of special events. 20 May was now traditionally World Metrology Day. Common actions had not yet been organized but were under consideration.

Discussions had begun on a number of technical issues with the other organizations.

The Joint Action plan with ILAC involved agreement on the pooling of resources, identifying experts on legal metrology whom ILAC could use if required. ILAC Members and accreditation experts would be made more aware of legal metrology issues and mutual training would be available. There was also close cooperation in the development of guides for accreditation, and a joint survey would be made of the use of accreditation in legal metrology. A workshop on this might be organized the following year.

Mr. Vaucher said his comment was triggered by the recent financial discussion and point 2.1 of the Action Plan. All agreed that the development of the MAA for mutual discussion, confidence and testing was essential. In view of this, he felt more emphasis should be laid on the MAA rather than the old system, and also that the MAA should be promoted within the CIML and to international type approval authorities.

Mr. Klenovský, Czech Republic, agreed that MAA issues should be scrutinized the following year in Sydney. He also mentioned that he was responsible for the production of Document D 16 and would like some instruction, along the lines of the Action Plan, about turning this into a Guide.

Mr. Magaña commented that work would soon begin on a publication giving guidance on the whole life of the instrument from its conception onwards. This would integrate existing Documents D 9, D 16, etc., but would take some time and there was no reason to postpone work which was already well advanced.

Mr. Johansen asked a question related to point 2(e): What was meant by an internet based alert network? He also expressed anxiety about the cooperation program with ILAC and how the joint list of assessors had been arrived at. The criteria should have been created before training programs were set up or assessors appointed.

Mr. Magaña replied that it was felt necessary to keep the MoU constantly under review – it could not be fixed for ever. Another objective was to give technical experts an introduction to accreditation so that they could participate efficiently in it, and to give assessors some knowledge of legal metrology. This Joint Working Program would be revised very soon. Some assessment bodies were reluctant to pay travel expenses for their accreditors to learn about legal metrology, which was not a major issue for them for the moment.

The creation of an internet based alert network relating to conformity to type, was under consideration and the situation might change later when other issues were presented. The matter would be gone into in later items on the agenda.

Ms. Gaucher added that some criteria for technical and metrological Experts and for lead assessors for quality and management systems had already been fixed and were mentioned in the OIML MAA 01 Document, which defined the rules for the operation of CPRs and DoMCs. These criteria were already in use to qualify the metrological and technical experts who were on the OIML list. The aim of the training was to give ILAC lead assessors information about specificities of legal metrology and to give legal metrology experts information about the way assessment was done according to ISO/IEC 17025.

Mr. Van Mullem, The Netherlands, wanted to add an action to Objective 6: thought should be given to the rules for online voting, because the small number of votes cast often invalidated conclusions.

Mr. Magaña noted that although this had not been included in the paper, it formed part of the revision of the *Directives for the Technical Work*. There might be an additional document for voting rules, because online voting and postal ballots were currently not very efficient – if there was one negative vote it was necessary to wait for the next CIML Meeting, so a lot of time was lost.

Mr. Carstens, in the chair, asked for comments on the Action Plan to be sent in before the end of the year so that it could be completed in time for the next Presidential Council meeting.

## 5 Developing Country activities

### 5.1 Report on PWGDC and JCDCMAS activities

Ian Dunmill said that the Bureau's workload had prevented there being as much activity regarding Developing Countries as would have been wished for. However, a new Developing Country Forum had been established on the OIML web site. Rather than being static, it gave an opportunity for information to be uploaded, and for responses to be posted.

The object of the new Forum was to present some of the information from the old Developing Country web site, and also to add some new facilities. It now contained:

- an introduction to the OIML's Developing Country work;
- the new discussion forum;

- a number of resources, currently limited to translations of a number of OIML Recommendations, translated into Arabic by Jordan and Syria. Some Spanish translations had been promised, and countries in possession of translations of Recommendations into languages other than English or French were asked to let Mr. Dunmill know about them so that links could be provided or the translations uploaded onto the OIML server. Links were preferred, as in this way new information and alterations became available immediately; and
- a page listing events in different countries: such events could be publicized on the web site, as could training courses (whether free or for a fee).

BIML staff had participated in two WTO regional seminars and would attend another before the end of the year.

The WTO TBT Committee had a technical assistance program for its members. The OIML participated in this, along with a number of other organizations which were considered by the WTO as being “International Standardization or Standard Setting Organizations”. ISO and the IEC also participated at most of these events, and often CODEX also, plus ILAC and UNIDO, by virtue of their accreditation interests and aid to Developing Countries. For the OIML these sessions provided a good opportunity for contact with people they would not normally meet. Metrologists were already sure of its usefulness, but others might need convincing. Government officials and junior ministers might also be present on occasion. Sessions normally covered about 30 countries from a given region, the WTO rotating the regions where they provided assistance. Two new Corresponding Members had joined the OIML in the current year following these training sessions.

Regarding the future, Mr. Seiler had two proposals to make. He then reminded Members that the previous year had been one of transition from the Permanent Working Group structure to what might be called “permanent work”. This had meant some changes. Instead of putting the workload on a few shoulders, he wanted to invite all Members to participate, to contribute and eventually to benefit from this kind of work, though this involved some changes of approach. The intention was not to establish new work plans but to react to demands for advice and support from developing metrology services. Requests for help should be sent via the OIML web site where they would be published in the Forum, and all Members were invited to comment on these requests and perhaps respond. Ideally this would run itself, but life was not so simple, so for the first stage Mr. Seiler would act as facilitator, following up the requests and contacting Members to ask for support. This was an experiment, but the OIML was used to that. One risk was that demands would not be received – it was up to Members to make sure this did not happen. The other risk was that there would be more demands than could be responded to. The outcome would soon become clear.

To stimulate this kind of work, Mr. Seiler proposed to establish an “Award for excellent contributions to legal metrology”. New ideas and achievements would be published on the web site and after a year or so the best would receive a special reward. Several possibilities had been discussed and the Presidential Council had agreed that the next step would be to draft a new proposal for the Award and put it on the OIML web site for comments and suggestions. A new version taking these into account could be prepared before the next Presidential Council Meeting in March 2008, at which the report would be finalized and presented for approval and adoption in Sydney.

Mr. Dunmill said that the web site could be accessed directly from [http://workgroups.oiml.org/developing\\_countries](http://workgroups.oiml.org/developing_countries), or through the main web site via the menu link under “Developing Countries”. An introductory page explained how the OIML tried to encourage the participation of Developing Countries, and a menu gave access to a message from the Permanent Working Group Chairman, Mr. Seiler, a link to the discussion forum with an introduction from Mr. Seiler about pre-packages. Users could reply and add to the comments posted by clicking on the reply button, in standard internet discussion forum format.

Members could also create new threads of discussion on subjects they wished to discuss. In the

Resources section there was a list which at the moment contained only translations into Arabic, but to which Members could add documents or information which they thought might be useful to Developing Countries. They were asked to let Mr. Dunmill know when they did this. Clicking on these documents would open a PDF file; Mr. Dunmill opened one at random to show Members.

It was also possible to add requests for assistance, as had been done by means of posters at the Forum for developing Countries at the Berlin Conference – this was a virtual version of the same process. There was already one request – Tanzania was asking for information about equipment. The other categories, empty so far, were for giving information on events of interest to Developing Countries, training events and any surplus equipment that might be available and that they might have a use for.

There was a link to the web site of the Forum held in Berlin and a link to the JCDCMAS web site, which coordinated technical assistance undertaken by organizations concerned with metrology, accreditation and standardization. At the moment it was necessary to ask the BIML for a user name before posting comments, though this was a temporary measure only.

Mr. John Birch wished to emphasize once again the importance for Developing Countries of having metrology recognized in their National Development Plans, because unless they had that degree of government commitment they would have very limited success in gaining assistance from bilateral and multilateral donors.

Mr. Tukai, Tanzania, wished to thank the Swiss Government for the assistance they had offered to his Country.

Mr. Magaña added that a number of Developing Country matters had also been raised in the RLMO forums.

## 5.2 Report on the D 1 Seminar

A Seminar had been organized the previous day on the OIML Document D 1 *Elements for a Law on Metrology*. Over 100 people had attended the seminar, at which there had been five presentations. The UNIDO representative had not been able to attend to give the sixth, but the file was available, along with the other presentations, on the new Forum web site. The question and answer session at the end had also been well received, numerous questions being raised and answered.

## 6 Liaisons

### 6.1 Presentation by the Bureau on liaison activities and joint actions

Mr. Magaña commented that the full report on liaisons had been posted on the web site. There had been an increase in liaison work, especially with three or four specific organizations:

- Meetings with the BIPM had led to a bilateral action plan, the production of joint leaflets and awareness documents, some technical exchange, and constant contact so that technical problems in various domains could be approached by the two organizations together. Relations were good, with several meetings per year at President and Bureau level; this good communication was expected to continue. One example of practical cooperation was that a meeting of TC 3/SC 5 the following year would be hosted by the BIPM in its meeting rooms.
- Members would remember the Memorandum of Understanding with ILAC, which had been presented to Members at the CIML Meeting the previous year and signed just after it. This MoU would be extended to the IAF for product certification and quality system issues; there was also bilateral work with them, as seen earlier.

- A start had been made on joint work with ISO on reviewing and updating an aging Memorandum of Understanding, especially to take account of two issues: Conformity Assessment, which formed part of both the OIML and ISO CASCO's work; and updating the document cross referencing the technical committees of the two organizations. Work was progressing and a draft document could be expected in 2008.
- Ian Dunmill had spoken about the important liaison with the WTO. This meant that the OIML was recognized as a standard setting organization, and OIML Recommendations would be the basis for national technical regulations. The seminars had opened the OIML to other organizations and helped to raise awareness of metrology in people who had not previously known about it.
- All the above were related to international organizations. Liaisons were also being developed with technical organizations, such as the winegrowers' organization, OIV, and Codex Alimentarius. These links were important for the strengthening of OIML technical work.
- Last but not least were the liaisons with stakeholders, i.e. manufacturers of instruments, but the BIML was also, importantly, trying to develop links with users of instruments, and was to this end also in contact with a number of other organizations.

Mr. Magaña concluded by asking Members to read the document on liaisons which had been posted and to make comments, recommendations and suggestions for improvement on the issue.

## 6.2 Updates by Liaison Organizations

Mr. Martin Stoll, of CECIP, thanked the President for inviting him to speak and to contribute to certain working groups. CECIP was the European Committee of Manufacturers of Scales. They were a federation of national trade or manufacturing organizations. They supported harmonization of regulations for weighing instruments throughout Europe. Membership was open to one organization per country. 15 countries were represented at present and Bulgaria was to join the group in 2008. In the 15 existing member countries in Europe there were about 350 manufacturers and distributors of weighing instruments.

In addition to the General Assembly, which met once per year, there were two working groups, one for legal metrology issues or technical matters and the other for business and trade, each of which met three or four times a year, depending on the issues which arose. The Legal Metrology group also participated actively in WELMEC, notably Working Group 2, which dealt with the implementation of Directive 93/84, which regulated non-automatic weighing instruments in Europe; and also in Working Group 5, Metrology supervision; Working Group 6, pre-packages; WG 7, software; and WG 8 the Measuring Instrument Directive 2004/22 EC. The MID, as Members probably knew, covered a range of 10 measuring instrument categories and only three of them, described in annexes 6, 8 and 9, had anything to do with the weighing industry.

Since the much awaited revision of R 76 had now been approved, this was no longer an issue for CECIP; they hoped that it would soon be published. A contribution had also been made to the work on the revision of the Recommendation on rail-weigh bridges, and also on R 134, which covered automatic weighing of road vehicles. Two other categories of measuring instrument affected the weighing industry: these were automatic checkweighers and multi-dimensional measuring instruments.

WELMEC WG 5 covered metrology supervision and CECIP had participated in the recent Conformity to Type meeting, so had already made known their concern as to whether metrology supervision in Europe was being carried out in an appropriate way, as indicated in the European Directive.

Mr. Stoll wished also to comment on the MAA: he had found the discussion on this topic most interesting, and industry, without changing their minds about its merits, wished to see it develop in the best way, i.e. together with industry. The discussion had been on the question of whether a Certificate should cost €250, €500 or even less than €250. From the manufacturer's point of view,

all the tests which had to be performed in order to receive such a Certificate cost many times the price of the Certificate itself. Money always mattered, but the cost of the Certificate was fairly marginal. The important thing was that the Certificates issued should be recognized. If it was merely a piece of paper not recognized by the majority of OIML Member States, then the manufacturer would be reluctant to spend money on it. If this happened, the income for the OIML would be nil. He would like to see its acceptance growing.

### 6.3 Report on the RLMO Round Table and Conformity to Type Working Group

#### i) RLMO Round Table

Mr. Magaña reported that in March it had been decided not to have extensive reports from every RLMO during the CIML Meeting but rather to organize a round table, chaired by Mr. Harvey, before the main Meeting to try to make progress on cooperation. Objectives were:

- to exchange and consolidate RLMO reports (available on the web site); and
- to explore possible common actions, both between RLMOs themselves and between RLMOs and the OIML.

Reports given had included:

- AFRIMETS, given by Mr. Carstens;
- APLMF, by Dr. Ooiwa;
- COOMET, by Mr. Issaev;
- SADC MEL, by Mr. Siteo;
- SIM, by Mr. Senna; and
- WELMEC, by Mrs. Lagauterie.

All these reports could be downloaded at <http://workgroups.oiml.org/rlmos-forum>.

During the presentations, Mr. Magaña had noticed that most organizations were addressing very similar issues. Most of them organized training sessions; most of them produced a number of guides for the implementation of OIML Recommendations, or for the verification of instruments, or simplified guides, for example the *Guide for the Verification of Mechanical Weighing Instruments*, based on OIML publications. They were also involved in technical studies of mutual, or at least regional, interest; grain moisture measurement, for example, was extremely important in the Asia-Pacific Region, but also for other regions. All were also working to build and improve mutual confidence at regional level. WELMEC was slightly different from the other organizations, in that it mostly addressed the implementation of the European Directive. It also, however, promoted the OIML for the implementation of the Directive, establishing bridges.

There had been discussion of a number of issues which were of interest to Developing Countries, for example the exchange of training material, interchange of trainees, translation (Russia had translations which could be of use to other Russian speaking countries and these could be posted on the web site).

RLMOs needed support from regional economic and political organizations, and there was a need to establish what form this should take, and how best to raise awareness. Case studies were needed for this purpose. A strong call had gone out for Members to send the Bureau stories of success or otherwise in the promotion of metrology.

It was also important to keep consistency between regional guides and OIML publications. The Bureau had some responsibility to oversee this.

Information could be exchanged between the RLMOs via a Forum on the OIML Workgroups and news and publications uploaded.

There were two conclusions:

- a small working group would be set up, chaired by Mr. Carstens, to study the collection and

distribution of information on funding resources; and

- in the interests of facilitating consistency, general rules should be established on how to work at regional or national level. ISO offered a way – where ISO standards existed they must be adhered to, but if there were none, the region was free to develop its own. The OIML intended to make a draft Memorandum of Understanding along similar lines, to be signed by the Bureau and regional organizations. This would be sent out for comment and work would begin immediately after they were received. Mr. Magaña showed members how to find the reports on the web site.

Mrs. Lagauterie, on behalf of WELMEC, thanked the OIML for allowing them to present their report in the Round Table. She thought that if this was organized in the same way the following year it should be made clear in the Schedule that there would be no presentations during the CIML itself. To solve the problem of the room being too small for all who wished to attend, perhaps it could be possible to pre-register.

Mr. Magaña agreed that the Round Table seemed to be of interest to many and the possibility of making it available to more people was already under discussion.

Dr. Ooiwa said that from the APLMF's point of view he would like to see a focus on technical cooperation in the MoU.

Mr. Magaña said some areas of the world did not yet have regional metrology organizations; the Indian Ocean had tried to create one but it had not worked; the South West Pacific organization worked only with difficulty; and so on; the question was how the creation of new organizations of this type could be aided and supported. The OIML did not have the funds to do this work itself, but felt that at least some technical support should be offered, in the form of consultancy and help with how to set up organizations.

## **ii) Conformity to Type Working Group**

Mr. Magaña said that this Working Group had been very interesting and a number of questions had been raised. It was difficult to draw clear conclusions. Several surveys had been carried out since the previous year:

- There had been only 16 responses to a survey among OIML Members, but of the countries which answered, 94 % did not have a formal conformity to type program, all relying on initial verification. The advantage of having such a program was that faults should be detected which would not be apparent if the instrument were merely looked at in the field. A conformity to type program also brought more equity in the market place and was good for fair competition between suppliers of instruments. Such a program was also beneficial to consumer confidence. A difficulty recognized by Members was that conformity to type programs were costly and a heavy drain on time and resources, and might also cause difficulties in the market when non-conformities were found. When conformity to type exercises were carried out at the initial verification of a product, a major problem was that initial verification did not include enough testing to look at all the relevant problems; there were only external observations or simple testing; and also, initial verification was often carried out by different authorities from the type approval authorities. This meant that initial verification officers or inspectors did not always have all the necessary information about type and conformity to type.
- A survey had also been sent to 300 manufacturers but unfortunately only 26 responses had been received. This made it difficult to draw conclusions, but few manufacturers could mention examples of non-compliance that they could complain about. When manufacturers were asked whether the OIML should develop a conformity to type program, 10 responded “no” and 7 responded “yes” so it was hard to see what industry wanted. Most respondents said interest in Certificates would not depend on an OIML conformity to type program.

Mr. Magaña referred to the CECIP presentation and invited Mr. Stoll to comment on the subject. CECIP appeared to be relatively satisfied with the OIML's action on conformity to type (which in

Europe was called market surveillance) but considered that it was not yet strong enough. A consequence of this was that a group of manufacturers had decided to conduct their own survey on the market or encourage states to do the same.

The Working Group had concluded that:

- TC 3 should start work to establish a “Handbook” on legal metrology control procedures, including conformity to type.
- Opinions concerning a conformity to type program were very diverse; there was no agreement in the Working Group as to whether there should or should not be an OIML system for it. No decision could therefore be taken at present, but a number of participating countries intended to carry out a study on the subject, which might produce more concrete information. The Bureau would help by drafting the terms of reference for such a study; these would be circulated for comment, and to seek volunteers to carry out the study.

Mrs. Lagauterie said that some European countries had already done some work similar to that involved in type examination and had identified some problems: whether the instrument tested was representative, and the need to prove that the non-compliance was a systematic problem for production. Another problem was the legal issue, especially concerning confidentiality of the information until all legal procedures had been completed. Also in the, admittedly limited, studies made, no serious non-conformities had been found. Furthermore, there was no case officially put at Commission level for such a problem. In Europe, at least, this did not seem to be a major problem, in view of procedures already in existence.

Mr. Magaña said this showed how difficult it was to address this problem; non-conformities found in experimental trials had almost always been minor. Nor did industry complain of horror stories of unacceptable levels of non-conformity. At the same time, manufacturers said market surveillance should be stronger, and were planning to start their own. The situation in Developing Countries might be different from that in Europe.

Dr. Harvey, Australia, agreed that if instruments were to be sampled, some of them should be from regional bodies, with sampling from less developed countries and testing where laboratories were found. European manufacturers expected surveillance, whereas Developing Countries might not. This should be taken into account in the OIML terms of reference. He also mentioned that at the meeting a couple of economies had offered to take part in testing, but a couple of others, including China, had expressed interest later. A willingness to participate was proof of a serious interest in ensuring that instruments conformed to requirements.

Mrs. Lagauterie said there was a need for risk evaluation to be included in the program.

Prof. Issaev, Russian Federation, asked whether conformity to type was “supervision” or “surveillance”.

Mr. Magaña replied this had to be discussed: it could be either. It consisted of examining whether imported instruments complied with the approved type. This raised the question of what that type was, and of initial verification or not: if it was certain that an instrument complied with type it was only necessary to adjust it. There were links with other conformity assessment procedures. The issue, and the difficulty, now, was whether it was possible to say that that instrument did not comply with the type, or to say the type should not have been approved.

Mrs. Lagauterie pointed out that the definition of the documentation was another problem – this was clearly stated in Europe but not necessarily elsewhere, and not necessarily in OIML Recommendations.

Mr. Magaña also remembered discussions with a European Commissioner who had said that it was impossible to define a type in absolute terms. A component might be changed without anyone knowing.

Dr. Harvey said that when speaking of conformity to type what was being spoken of was performance under environmental and influence testing, not necessarily minute detail. Detail could only be tested in other laboratories equipped to do that work on a sampling basis. Initial

verification only permitted external observation and a calibration check, not assessment of performance of other characteristics for which much time and money was spent on developing rules and testing initial instruments.

Mr. Lagauterie, France, wished to return to the fact that conformity to type was part of market surveillance and the responsibility of the manufacturer.

Dr. Harvey agreed; in Australia it was a criminal offence not to assure conformity to type, and action could be taken against the manufacturer.

Mr. Magaña drew Members' attention to work being done at European or WTO level about manufacturers' declaration of conformity. This information could also be circulated.

#### 6.4 MID Tables

Mr. Magaña told Members that the Measuring Instruments Directive gave three ways for the presumption of conformity:

- direct conformity with the essential requirements;
- reference to harmonized standards, which were specific documents drawn up by the European standardization bodies; and
- reference to appropriate requirements of OIML Recommendations.

In application of these, tables of correspondence had been published by the European Commission in the Official Journal (OJ), showing in the first column the reference of the applicable Directive requirement; in the second, the reference of the OIML publication, if one existed; and in the third, whether the OIML gave presumption of conformity, or not, or partially. These tables had been published about one year previously, and when Mr. Magaña had looked at them with his colleagues in the Bureau, they had concluded that they would not have drawn up the tables in the same way. They had found that there were some confusing conclusions, especially in the area of partial coverage. Partial coverage did not mean that the OIML Recommendation was inappropriate or not sufficient; in some cases it was indeed the case that the OIML Recommendation was not sufficient, but in other cases the OIML Recommendation gave presumption of conformity with one option of the Directive but not others. Both the OIML and WELMEC had considered this to be unclear, and WELMEC had published more detailed tables with explanations which were guides to how the OIML Recommendation might give presumption of conformity. This could be seen on the WELMEC web site by manufacturers and other interested persons. But Mr. Magaña considered that the OJ versions left room for improvement. Discussions had therefore begun with WELMEC on two issues:

- a number of OIML Recommendations were being rewritten and revised, so the tables would have to be updated;
- the OIML might be able to give proposals to WELMEC for consideration concerning these tables.

At the WELMEC Committee Meeting in May, Mr. Magaña had proposed that when an OIML Secretariat had completed the revision of an OIML Recommendation, and when the OIML Secretariat was held by a European country, it should not be difficult for this European country to draw up the tables at the same time. When the Secretariat was not European, a European member of the OIML Subcommittee could undertake the drawing up of the tables. In some cases the Bureau could propose tables. For example, they had made a new draft table of correspondence on gas meters and sent it to WELMEC for amendment and eventual approval and presentation to the Commission. It was hoped that this might clarify the EU tables. The Bureau could initiate this work, to be taken over subsequently by European Secretariats. It was important for the BIML to ensure that anything published about the OIML gave a good image of their work, which was not the case with the current tables.

Mrs. Lagauterie, on behalf of WELMEC, confirmed that Mr. Magaña had made this proposal, which had been welcomed by WELMEC. As well as the official Commission information in the OJ, there was a clear reference to the existing WELMEC Guides; this had been included in Mrs. Lagauterie's presentation during the RLMOs Workshop. WELMEC Members would revise the OIML drafts, and then they would be adopted officially, which included adoption by the European Commission and then publication in the official journal. WELMEC had intended the tables to be complete, and not as the European Commission had reduced and published them. Users had a link to the WELMEC interpretative guides and she did not think misunderstandings would arise from the abbreviated tables.

Mr. Magaña commented that what came out of the European Commission was not necessarily what had gone in. Technical information would be cut and the resulting simplified documents would not convey the same information.

Mrs. Lagauterie confirmed that there was no chance of the Commission publishing the detailed tables. There would always have to be WELMEC Guides.

Mr. Magaña thought the Commission should publish the detail in annexes, with cross references. The BIML had been told by Members some years previously not to do the work of the Commission by participating in the drawing up of the tables; this was one reason why they were not as they should be.

Mr. Dunmill added, for the benefit of non-European Members, that the tables were in their present form as a result of discussions he had had with Mr. Freistetter. Some years ago, the Bureau had published some sample tables with detailed comments and cross-referencing, with explanations of discrepancies; the Commission's much simplified tables were a result of the translation problems in the EU, where all Directives had to be published in every official language of the Community. Phrasing had to be as simple as possible to avoid translation difficulty.

Mr. Magaña requested permission for the Bureau to use resources to improve the tables.

Mrs. Lagauterie said both WELMEC and France welcomed the Bureau's proposal. However, the OIML Recommendations also needed to be improved, especially on the issues of documentation and software requirements, which were missing in some Recommendations, and in the implementation of D 11.

Mr. Magaña regretted that France no longer participated in the production of OIML Recommendations concerning software.

Dr. Ehrlich said he had been against the involvement of the Bureau in this activity in the past but had now changed his mind, and supported the fact that a reasonable amount of the Bureau's time would be spent on this. He hoped the Bureau would also help with drawing up the US's standards.

## 7 BIML activities

### 7.1 Report on BIML activities for 2006-2007

Mr. Magaña referred to the report of BIML activities; one matter, however, had not been mentioned there: the way in which the decisions of the previous CIML had been implemented. The Committee had instructed the Bureau:

- to prepare preliminary figures for the next budget. This had been done;
- to continue the study of the Pension Scheme. Members had seen the result;
- to develop an Action Plan for approval at the current Meeting. This had been presented and would be approved formally after Members' comments had been received;
- to conduct a survey of Members' needs for quantity in prepackages. A key meeting of TC 6 had been held in September;

- to include Developing Countries' requirements in the Strategy paper and in the Action Plan. This had been done;
- to continue cooperation with the Metre Convention and report back. Cooperation had been very active and the report had been presented;
- to agree an MoU with ILAC. This had been done and the MoU had been signed;
- to summarize comments on the draft revision of the VIM. This had been done and approved and should shortly be available on the web site, once a cover page had been finalized between the organizations;
- to draft supplements to the GUM. This was ongoing, and one supplement, relating to the recently approved Monte Carlo Method, was in preparation. Another on the subject of uncertainty in conformity assessment was also being considered;
- to produce the final report of the VIM and supplements to the GUM. This was well under way and could be expected soon;
- the Committee had urged Members to comment and vote on all draft publications within the specified deadlines. This was not an action for the Bureau, but Mr. Magaña nevertheless wished to state that there was room for improvement here: not enough online votes were being received. Any country that had difficulties with online voting could send an e-mail to the Bureau and they would try to improve the system, but ballots could not be concluded where there were insufficient votes;
- the Committee had urged all CIML Members to encourage the Secretariats of TCs/SCs to check the information on their web pages of the TC/SC database and to communicate information and updates to the Bureau as and when available. There had been some improvement but there was scope for more still; they were receiving Committee Drafts, but not enough information about planned activities, meeting schedules, planned meetings, etc;
- the Committee had urged all Members to make use of the interactive Workgroups on the OIML web site; a couple of groups had already been set up for TCs and this would be included in the proposed training for Secretariats planned for the following year. Help was also available for Secretariats in the setting up and use of such Workgroups;
- the Committee had approved the Bureau's proposal that all Committee Drafts be made publicly available on the OIML web site; this was now done, so that any manufacturer could see the progress of the work and make his comments via his CIML Member;
- the final few Committee Drafts of Recommendations were in the course of being prepared for online approval. In many cases there had not been enough online votes for a conclusion to be reached, so a vote would have to be taken at the current Meeting;
- the merger of some Subcommittees had been done. The information was in the technical documents Members had received;
- as requested by the Committee, China had volunteered to assume responsibility for TC 18/SC 1;
- Committee Members had been asked to vote promptly on draft Recommendations in order to ensure the timely delivery of projects. Reminders had been sent out and this was an ongoing activity. For some Recommendations within the Certificate System, Secretariats had to draw up documents on transformation requirements because there had been a revision of the Recommendations. The Bureau had reminded the Secretariats of this request and Mr. Magaña was sure it would be carried out as soon as possible;
- the Bureau had proposed that when a revised Recommendation was published the previous version should remain available. This was now the case – either the active or the old version could be selected on the web site;
- for the transitory period (i.e. Basic and MAA Certificates in parallel), a report would be presented under item 8.3. Consideration of the rules for appointing new Issuing Authorities after the transitory period would also be explained in this item and were also on the agenda for the next TC 3/SC 5 meeting;
- the Committee had instructed the Bureau to have the *Directives for Technical Work* ready at the

Sydney CIML Meeting. Part of this would be ready but the rest might need to be presented the following year;

- the TC 3 Secretariat had reviewed the organization of TC 3's work including that of its Subcommittees and the work on Conformity to Type. There had been some discussions with the Secretariat and progress was being made.

The Bureau had considerably increased support for Technical Committees and follow-up of technical work. A large number of publications had been approved the previous year, which had meant a considerable workload for the Bureau, and the increase in follow up work had meant a large number of publications to be approved again in the present year, with the amount of technical and editing work each increasing proportionately.

Coordination with the Metre Convention, ILAC, and the IAF had been time consuming but productive.

The Mutual Acceptance Arrangement was progressing: things were not going as fast as had been hoped a few years previously, but there was progress, and industry had assured them that the MAA would be a success and they were trying their best to make this the case. In the meantime, the Bureau had done the initial work and it was now a question of awaiting market developments, which was down to Member States and industry.

Some work had been done on basic procedures and strategy documents, planning of technical work, MoUs and joint BIPM/OIML papers; there would be a presentation on this. Members had received a list of the meetings involving the Bureau, mainly with other organizations and often in other countries.

Mr. Leitner, Austria, asked why the amendment to the GUM Monte Carlo Method had been published and then withdrawn.

Mr. Magaña replied that procedures in the JCGM and other sister organizations were quite complicated. One day he had received from the BIPM the draft document in PDF format marked "For publication" so he had it posted on the web site - then he received an e-mail from the BIPM telling him that was not what it had been intended to do; it was only a draft and not yet ready to be put on line, so it had to be withdrawn. He thought however that the final version would be similar to the draft.

## 7.2 Communication, web site

Chris Pulham outlined the main points he would be covering:

- i) Joint work with the BIPM;
- ii) Online forums;
- iii) Online voting;
- iv) The OIML Bulletin;
- v) Production of approved publications.

### **i) Joint work with the BIPM**

One main development since Cape Town had notably been joint work with Jeffrey Williams of the BIPM. Chris Pulham, together with Ian Dunmill, had met the BIPM a number of times at the BIML. A joint leaflet with the BIPM had been distributed the previous year and had elicited various interesting comments, which had led to a revision; Members should have received the revised version and more copies were available on request. The revised version was also on the web site and now included, among other things, the new definition of metrology from the VIM 3rd edition, which had been approved and which would be published in the next few months. The examples of metrology had been rearranged and reedited and the idea of the leaflet, available both

in English and in French, was to serve as a “sales tool” to explain in everyday language why metrology and legal metrology were of use, and at the same time to give explanations of the activities and roles of the BIPM and the OIML. It was short, concise and available on line. It might help Members to obtain budgets for their work in their own countries, and also contained an explanation of the World Metrology System. Members were asked to read it and to ask for additional copies if required.

The new joint web portal [www.metrologyinfo.org](http://www.metrologyinfo.org) was a brand new domain, bought jointly with the BIPM, and contained the BIPM/OIML Resource Centre. This was jointly operated by the two Organizations and existed to provide metrologists and key metrology decision makers worldwide with information about metrology, why it was needed and how everyone benefited from accurate measurements, whether on an individual or a multinational basis. This new site also served as a portal to the two Organizations’ web sites and provided useful links to other related organizations dealing with metrology.

This enterprise had developed from its first conception by the staff of the two Organizations, mainly based on the joint leaflet. It contained all the text of the joint leaflet and much more. There was a section of general information common to both Organizations and four future subsections consisting of thematic pages, one on each of the main areas in which metrology was of most use (environment, trade, safety and health); these would very soon be on line. The examples in the paper version were reproduced and developed, and the conclusion showed how the work of both Organizations came together to form what was called the World Metrology System.

There were specific pages about the BIPM, its role and work, the International System of units, scientific and technical work, technical services in support of national metrology institutes, a page about the CIPM MRA, and details of liaisons with external organizations.

There were also four pages about the OIML: Legal metrology, information and harmonization, certification and recognitions including the MAA and Certificate System, and, the same as for the BIPM, liaisons with external organizations.

A documentation page was being developed including the Convention, the two joint leaflets, and how to contact the two Organizations; there was also a standard disclaimer about the information contained on the site, and on the two logos on the Home page there were links to the web sites of the two Organizations.

## **ii) Online Forums/Workgroups**

Colleagues had already mentioned the online forums. The BIPM was attempting to expand these as much as possible with a view to increasing Members’ participation in OIML work. A couple of examples had been shown previously; Chris Pulham would be going through another and explaining how the Workgroups could hopefully increase participation in the Organization’s work.

Predominantly, these forums had been set up for all the OIML Technical Committees, for the Presidential Council, for Regional Legal Metrology Organizations, and for Developing Countries. The aim was for as much Member involvement and online participation as possible in relevant spheres. This form of communication was instantaneous: information arrived immediately and reactions and comments could be immediate, with files uploaded and information shared regardless of constraints of travel and time.

Returning to the home page of the OIML Workgroups, which could be entered from several of the main menu selections on the OIML site: some of the information was public but in other cases it was necessary to log in to access it. Within any of the forum subjects, any information could be rendered either public or private. This meant that, for example, for the Presidential Council, anyone who went to the home page but who was not a member of the Presidential Council would see a photograph of the Council and a description of its functions. Members of the Presidential

Council, however, had access to the agenda of meetings, discussion items, documents, etc. It was a medium for discussion which could be adapted to any particular circumstance. A forum had been set up for the CIML; the agenda was public, as was the zip file of the CIML Meeting documents. Any of the presentations could immediately be uploaded and five minutes later any Member could react to anything in the files, send in comments, etc.

Going into the Technical Committees Workgroups home page, Chris Pulham showed Members that forums had already been set up for a number of TCs/SCs, each managed by a member of the BIML technical staff, for the benefit of the members of these Committees. As an example, in TC 6 *Pre-packaged products*, managed by Willem Kool, there was a lot of information as Members could see, and in TC 17/SC 7 *Breath testers* managed by Régine Gaucher and Estelle Moëns, the list of 13 P-Members and 14 O-Members had been made available, as had the contact details, archives, working documents and documents to be discussed. Some of these sections were accessible only to the members of the SC: for example, concerning the revision of R 126 *Breath analyzers*, the members of this TC/SC had posted the 1CD, the 2CD and the 2CD marked version. So anyone who was a member could download the latest CD instantly and post comments on it and these comments could then be circulated among the other members.

This was just an example of what could be done with the forums. The BIML contact people for each TC/SC were encouraging the members of each to join (or even create) forums to try and both accelerate and facilitate the work. Time differences between cooperating countries ceased to be a problem, work could be done very quickly without the delays inherent in other forms of communication and it was possible for all the members of the TC/SC to react. Those interested in setting up a forum for their TC/SC should get in touch with their BIML contact person.

Workgroups would be developed for other fields and anyone who wished to suggest an idea should contact the BIML, which was keen to increase subjects and participation.

### iii) Online voting

Online voting, already referred to by Mr. Magaña, was making progress, but some countries still seemed to be having difficulties with it. Time could be saved during CIML Meetings and the whole voting system could be made more efficient if more countries could be persuaded to vote online. Some Recommendations and Documents could be accepted on the basis of only 50 % votes; but for some, such as the recent Amendment to D 2, only 26 'yes' votes had been received out of 59 Members, making it necessary to use valuable time for voting on the final day of the Meeting. All that was necessary to vote online was to log onto the Members' page with the general login and password, then with the personal login with which each Member had been supplied, which was the ISO country code, and the personal password. This enabled Members to vote online on all drafts, to change their contact details and to register: indeed, judging by the registrations for the current Meeting, most countries were fully aware of their own individual login. The voting login was the same, and Mr. Pulham commented that anyone who had registered for the present CIML Meeting could equally well vote online.

Mr. Valkeapää had pointed out that at present, when voting, no e-mail confirmation was received. On registering for the Meeting, however, an automatic confirmation was sent by the system to each Member registered; Mr. Valkeapää had suggested that there could also be e-mail confirmation of votes received, and of the comments which Members could send with their votes. This suggestion would be considered by the BIML.

Mr. Johansen, Denmark, agreed, and considered that discussion forums were more effective if e-mails could be sent informing Members when something new had been added. Members could not spend their time browsing on the off chance that something new might have arrived on the site. Something akin to the Bureau's weekly update was necessary for the Workgroups forums to be successful.

Mr. Johansen also referred to the practice of attaching a comment to a vote: this comment was not visible either by the sender or by other countries; could comments be shown as well as the voting?

Mr. Magaña concurred that votes could indeed be seen on the Members' page, but comments were fielded by the Bureau and sent to the relevant Secretariat: they were therefore not at the moment visible to Members. He would look at the question of making them available to Members, which should not present any technical problems. Commenting on the question of notification of new additions to forums, Mr. Magaña said that there might be a possibility of generating automatic e-mails to the group of users by the Secretariat but this facility was not yet ready. The question would be looked into.

### **Concluding remarks on the OIML web site**

Heed had been taken of the comments made the previous year that the e-mail notifications of every web site update were perhaps too frequent; since Cape Town, the most recent changes on the site were now e-mailed out approximately once a week. Several members had expressed approval of this system, which would therefore continue.

General plans for the future of the site included ongoing work to make the internet a reflex for legal metrology in the way it was for any other fact finding. The BIML had used techniques to reference the OIML web site high on the search engine lists: looking up a number of legal metrology subjects would bring up the OIML site in high position. The site boasted a record number of hits and pages viewed – regular statistics were received on this. The joint BIPM-OIML web portal would be further developed: thematic pages would be added, showing metrology in the different domains.

There was a long term project to redesign the web site; discussions on this had already begun within the BIML and would continue as soon as staff returned to the office; there would be discussions of how it could be improved, and based on the statistics of pages most viewed they would know which pages users went to first and try to make this information as accessible as possible.

There was an ongoing project to redesign the means of access to restricted pages; the aim was to be able to use a single login instead of the present system of the general Member's login and password followed by an individual one; this was proving more complex than expected but the structure would be changed in due course to allow it to be implemented.

### **iv) Bulletin**

The OIML Bulletin was still published four times a year, though Mr. Pulham stressed that this task was becoming increasingly difficult as the supply of articles had decreased significantly over the years; more articles were therefore urgently needed. Any papers on scientific or legal metrology or anything Members had implemented in their own country which might be of interest to others, should be submitted without hesitation. A few Members had said they did not want their opinions to be made public, but a number of authors, by going through the appropriate channels and obtaining permission, had been able to express their own views and sometimes even generate discussion through the Bulletin.

Mr. Valkeapää had suggested that the online version of the Bulletin should be made free of charge, even though the paper version was on a paid subscription basis. The Bureau agreed that this could be discussed, thereby perhaps increasing the Bulletin's exposure. Currently, the four most recent issues were password protected on the web site, but issues more than a year old were already available free of charge.

Mr. Magaña proposed that Members might volunteer to collect a number of articles, each on a given subject, so that certain editions of the Bulletin could be devoted to a specific subject. In addition to producing interesting Bulletins, this would reflect well on the Member's country.

## **v) Production of approved publications**

The vast majority of the publications approved in Cape Town the previous year had now been edited and produced (B 3 and B 10 Amendments; B 14; R 49 Parts 1, 2 and 3; B 15; the minutes of the 41st CIML Meeting; Annex D to R 81, D 10, R 65, R 75-3, R 83, R 82, B 11, R 137, R 116, and R 39).

The *Guide for CIML Members* had been re-edited (though not changed significantly) and a special edition of this would be distributed. It contained the same information; Mr. Kool would explain the reasons for the special edition.

G 16, the *Guide to the categories of OIML publications and their adoption procedures*, had been available on the web site for a few months; Mr. Kool would also explain the background to that.

## **8 Technical activities**

### **8.1 Approval of International Recommendations and Documents**

Willem Kool explained that the aim of Item 8.1 was to give countries an opportunity to discuss the Documents and Recommendations which would be voted on the following morning; in particular, those countries which intended to vote ‘no’ or to abstain were asked to express their reasons for so doing.

All the Documents, the Draft Recommendations and the one Amendment had been uploaded onto the web site some time previously to give Members the opportunity to study them. He hoped for discussion of any objections.

#### **DR 1 Combined Revision of R 4, R 29, R 45 and R 96**

##### ***Vessels for commercial transactions***

This Recommendation had been submitted for online ballot but there had been two ‘no’ votes (Germany and the UK) so it could not be approved in that way.

Dr. Schwartz explained that Germany had voted ‘no’ because it was proposed that the meniscus was to be in line with the upper edge. After discussion, this had now been changed to the lower edge, which was more consumer friendly, so they were now in a position to accept the draft.

Mr. Goulding added that the UK had put forward a proposal to the Secretariat, which had been most helpful. Under the “applications for new work” the UK would ask for a very minor amendment to be made. It was too late to expect delegates to consider and agree to the amendment at this stage and the Secretariat, on the advice of the Bureau, had agreed to put it forward for online vote. There would be further discussion under the aegis of new work projects for the TCs.

Mr. Kool replied that the intention had been to keep the proposal separate from any discussion on the Recommendation, to avoid delaying it because of the new proposal. As the new proposal was making its first appearance, the vote would not be on the proposal itself, but on the means of proceeding with it. This would come up under Item 8.2.

#### **DR 2 Combined Revision of R 117, R 105 & R 86**

##### ***Dynamic measuring systems for liquids other than water***

Here also there had been an online ballot with four countries voting ‘no’, so it could not be passed.

Mr. Lagauterie commented that France had voted ‘no’ because there was something wrong in the draft being voted on. But the Secretariat had made the necessary modification, so France was now in a position to vote ‘yes’. One minor point remained: the Secretariat had decided to

implement the new VIM Vocabulary but there were references to the old Vocabulary in the introduction. All this had to be made consistent. Another small problem was that the Secretariat had forgotten to include in the results France's comments on Chapter 4.

Mr. Kool explained that any editorial points would be taken up once the draft was being edited by the Bureau for publication.

Mr. Magaña reminded delegates that concerning references to other publications, this was an editorial matter and the Bureau would as usual check and correct such references after the vote.

Mr. Johansen said that Denmark had voted 'no', with several explanatory comments. Some of the points alluded to had been changed but the basic reason for voting 'no' had been the way conversion devices had been treated. They were still not quite satisfied but would now abstain rather than vote against the proposal so as not to block approval of the draft.

Mr. Peter Mason, UK, pointed out that, in voting 'no', they had had two concerns. The Secretariat had addressed one of these and they were prepared to concede the second and vote for the Recommendation.

Monaco was represented by France and shared their concerns and their voting intentions.

Dr. Ehrlich, as Co-Secretariat, wished to clarify the last minute amendment made regarding the section at the end the time response of the temperature sensor on the devices. They wanted to explain that this last revision returned to the original 15 second time requirement and at the same time accommodated diameter pipeline systems. The earlier change had inadvertently allowed for a shorter time interval than 15 seconds for some high flow devices, but this error had not been found until the last minute; this new wording was to set a lower limit for the time response of 15 seconds and it could be slightly higher in other cases. He asked for detailed questions on this matter to be put to him.

### **DR 3 New OIML Draft Recommendation**

#### ***Compressed gaseous fuel measuring systems for vehicles***

Mr. Lagauterie summed up the situation: on the electronic vote there had been four negative responses and numerous comments. So far as the spirit of the Recommendation was not modified, the Secretariat agreed to take some comments into consideration. Mr. Lagauterie considered that Japan might now change its vote to positive if they took into account all the positive statements of the Secretariat, but they would have to confirm this themselves. Three countries still had major reservations concerning the necessity in the draft of performing constant flow tests. He would like these three countries to agree that something might be added to the Recommendation which would not completely change its spirit but would give them the possibility of doing something other than the test at constant flow rate. The Secretariat had prepared a form of words which might be used to refer to the constant flow rate in the draft.

Mr. Lagauterie's second point was that the tests were limited because they had been intended for the previous meter. It was not known what other tests might now be effective.

Mr. Harvey added that those who were expert in these matters knew that these were the appropriate tests for flow meters; some concern had been expressed that this might not be possible with gas flow meters. However, a rig had been built in Australia which allowed this to be done, using critical nozzles, sometimes called sonic nozzles, which allowed constant flow rates even though the back pressure varied. An informative annex might perhaps be added to explain how this could be done and the test equipment duplicated elsewhere, or the tests conducted in Australia. The situation was not impossible.

Mr. Leitner, Austria, said that the constant flow rate problem was the reason for Austria's 'no' vote; he thought it would not be ideal to have all the tests performed in Australia but with the proposed alterations their vote could be changed to 'yes'. However, he also thought the Recommendation should be brought more into line with R 117.

Dr. Ehrlich said that concern about the constant flow rate test had been double: whether it could be performed, and the cost of building the apparatus to do it. He thanked the France/Belgium Secretariat for all their hard work. The Recommendation was very comprehensive, and interest in it was demonstrated by the fact that the last draft had generated over 40 pages of comments, many of which were technical in nature, and the USA felt that due to the number of technical comments, it was perhaps premature for the CIML to be voting on the Recommendation since it was not clear what would be contained in its final version. He wished to propose, independently of whether or not the CIML voted on the Recommendation in the current week, that another round of voting by the CIML be required after the Secretariat had incorporated the comments and before publication. It was not clear who would be incorporating the comments. He added that there was a precedent for this approach, which had occurred several years previously: R 111 on weights had passed the CIML vote but due to the large number of comments received, the Secretariat had incorporated them and submitted the new draft for vote by the CIML to achieve a better consensus.

The Chairman agreed that the situation was difficult.

Mr. Lagauterie did not see the significance of the double vote. He proposed the alternative of accepting the Recommendation in the course of the CIML Meeting and immediately putting it into revision which would allow for the addition of any desired improvements. But in the meantime a much needed official Recommendation would be available.

Mr. Van Mullem said The Netherlands had also voted 'no' because of their problems with constant flow rate testing and also because of the need for changes to technical detail in several parts of the Recommendation. On the other hand, they were in favor of the Secretariat's proposal to accept it and then make any necessary changes.

Japan supported the USA proposal. Manufacturing colleagues in Japan thought that the constant flow tests could be done but with difficulty.

Mr. Magaña said that there were two solutions to situations like this: one was to vote, and the Recommendation was accepted or rejected; the other was to accept the Recommendation and ask for its immediate revision. If a second vote were asked for after the amendments were incorporated, there would be another round of comments. His suggestion was that they vote on the Recommendation and say that if accepted, it would not be published until the constant flow amendment had been voted on. This amendment alone could be submitted to electronic vote and when it had been approved the Bureau would amend and publish the Recommendation. This was not exactly in line with the *Directives for the Technical Work* but he believed it would facilitate matters because it would focus attention on a single point; afterwards, the new Secretariat could revise the Recommendation fully.

Mr. Harvey suggested putting the proposal to CIML vote but having a backup position in case it were rejected.

Mr. Lagauterie considered it important to have a Recommendation, even an imperfect one, rather than none at all. Countries would be developing national regulations and it was preferable for these to be based on a Recommendation approved by 80 or 90 percent than on purely national opinion.

Mr. Harvey concurred that many Recommendations were imperfect but it was always better to have something than nothing.

#### **DR 4 New OIML Draft Recommendation** ***Measuring systems for gaseous fuel***

Mr. Kool recalled that the USA had voted 'no' online; Dr. Ehrlich informed the Meeting that they were now changing their vote to an abstention.

**DR 5 Revision R 21*****Taximeters***

Here again the single online ‘no’ vote had come from the USA. Since the Secretariat had taken many of their comments into consideration, the USA were now prepared to change their vote to ‘yes’, though they would be sending in further questions and comments.

**DR 6 Revision of R 107-1*****Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers)******Part 1: Metrological and technical requirements - Tests***

Once again the USA told the Meeting they had reviewed the amended text, thanked the Secretariat for taking their concerns into account and were prepared to change their vote to ‘yes’. They were still concerned, however, about the automatic zero-tracking feature on these devices and wanted to make sure that everyone was aware that this was not permitted on devices sold in the USA.

**DR 7 Revision R 35*****Material measures of length for general use.******Part 1: Metrological and technical requirements***

There had been one ‘no’ vote, from Germany. Germany was concerned about the temperature variation of  $\pm 1$  °C, which led to a variation in length of  $\pm 4$  mm; the Secretariat had promised to consider this concern and make changes. Assuming this had happened, Germany was prepared to vote ‘yes’.

**DR 8 Revision of R 107-2*****Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers).******Part 2: Test report format***

The USA had voted ‘no’, but thanked the Secretariat for taking their comments into account and were now prepared to change their vote to ‘yes’, providing that a note was added to the checklist on automatic zero-setting, saying - as in R 107-1 - that national regulation should specify the types and modes of zero-setting required on an instrument.

**AM 1 Amendment 2 to Document D 2*****Legal units of measurement***

This Amendment had not passed the electronic vote because there had simply not been enough responses – but there had not been any ‘no’ votes.

Mr. Leitner explained that the only reason for this very minor amendment was the change in the definition of the SI units in the 8th edition of the SI Brochure. In 2001 the CIPM had decided that “SI units” and “units of the SI” should be regarded as names that include both the base units and the coherent derived units, and also all units obtained by combining these with the recommended multiple and sub-multiple prefixes. This minor detail therefore had to be incorporated into D 2.

**8.2 TC/SC work****8.2.1 Proposals regarding TC/SC work**

Mr. Kool told Members that BIML Circular 07/514, dated 3 October 2007, gave details of the following proposals on which they would be asked to vote.

A The proposal to merge TC 8/SC 7 *Gas metering* and TC 8/SC 8 *Gas meters*. Annex A to BIML Circular 07/514 gave more details.

B The proposal to Revise R 79 *Labeling requirements for prepackaged products*; Circular 07/514 Annex B gave more information about this.

On this point, Mr. Magaña asked Mr. Kool to enlighten the Meeting about cooperation between CODEX Alimentarius and TC 6 (responsible for R 79).

Mr. Kool referred to a recent meeting of TC 6, in which one of the items was in the frame of an IQ mark scheme for prepackaged products; they would also look at labeling and other issues and try to connect their activities with others being run in parallel with other international organizations. The CODEX Alimentarius Committee had a few commissions, one of which was on certification systems and another on labeling; there would be liaisons to ensure that requirements in OIML Recommendations were in line and compatible with those of CODEX. He added that this new work item should also be seen in context with other activities of TC 6.

C The proposal to reallocate the responsibility for *Measuring container bottles* (MCB) from TC 8 to TC 6.

The USA was opposed to this action: they felt that all that was happening was voting on DR 1, the combined revision of R 4, R 29, R 45, R 96, and that this vote undid the other one; TC 6 already had a lot to do and should not be asked to take on more. If it were to be done, they did not understand why casks and barrels were not also being moved to TC 6. Their feeling was that things should be left as they were for the present.

Mr. Valkeapää added that this move seemed unnecessary. There were other ways of ensuring collaboration between TCs. Expertise in uses of container bottles was certainly in TC 6 but probably the best technical expertise on these topics was within TC 8, so both were needed. Finland thought other means of collaboration should be used, rather than shifting the subject to TC 6.

Mr. Leitner said Austria also concurred with the opinion of the USA.

D The proposal to revise R 81 *Dynamic measuring devices and systems for cryogenic liquids*. Again, more information was to be found in BIML Circular 07/514 Annex D.

The UK commented that they were shown as voting against this revision, but in fact the UK had voted to reaffirm, since they had no strong feelings on the subject.

E The proposal to grant dispensation to section 3.4 of B 6-1 *Directives for the technical work* for the revision of R 99.

This was a proposal regarding TC 16/SC 1, which had formed a joint working group with ISO TC22/SC5. Because procedures within ISO and the OIML were not fully in line, the Secretariat was asking the Committee to endorse this move, contrary to what was stated in the Technical Directives, viz. that the 1 CD was being sent out with a request for a vote, rather than just comments as was usually the case. The background information was already in BIML Circular 07/514; any remaining questions could probably be answered on the spot.

The USA supported doing this in the present case but wished to point out the difficulties of liaisons with other organizations and developing joint publications. This should be taken into account when the Directives were revised, devising a mechanism for dealing with this issue. In these cases it was hard to know who was in charge of a document and what their voting cycles would be; more attention needed to be paid in the future.

F The proposal to submit the DR of the revision of R 71 *Fixed storage tanks. General requirements* to direct CIML online approval.

A 3CD was currently out for comments, with a 2 November 2007 deadline, and the DR was expected to be ready by late 2007 or early 2008.

Dr. Ehrlich asked for clarification on this item: the USA was not sure why there needed to be CIML authorization for putting the Document online for CIML approval.

Mr. Magaña said CIML authorization was needed before proceeding to approval between two sessions of the CIML.

Mr. Dunmill further clarified that this was necessary because it was not for a preliminary ballot but for full direct CIML approval – a process which usually took place during the Meeting.

Dr. Ehrlich asked whether there would still need to be no negative votes or whether other rules would apply.

Mr. Magaña confirmed that online approval needed there to be no negative votes and a sufficient number of yes votes, as the Convention and Directives stated.

Mr. Johansen asked why the fast procedure was needed in this case, rather than the more usual practice of waiting for the next CIML Meeting.

Mr. Magaña explained that a number of Recommendations were urgently needed for the implementation of the MID, and also, if Recommendations could be approved between sessions, more time could be allocated in the CIML for discussion of various issues of general interest to Members.

- G The proposal to submit the DRs of the revisions of R 85-1, R 85-2 and R 85-3 to direct CIML online approval.

This point concerned *Automatic level gauges for measuring the level of liquids in stationary storage tanks*. There were no comments.

- H The proposal to submit the DR of the revision of R 80-1 *Road and rail tankers* to direct CIML online approval. There were no comments.

- I The proposal to submit the DR of the new Recommendation on *Thermographic instruments* to direct CIML online approval. There were no comments.

- J The proposal to submit the DR of the new Recommendation on *Automated refractometers* to direct CIML online approval.

One Member said that he supported these proposals for online approval but care must be taken that the number of votes was high enough. It was proposed that those Member States which never voted online should be contacted - what were their reasons? Were they not equipped to do so? Were they not aware when votes were happening?

Mr. Lagauterie had seen the draft but wanted Members to know that there was another OIML publication on refractometers for grape must; he invited the Secretariat to make it fully clear that this publication was not affected by the publication in Proposal J.

Mr. Johansen wished Members to be aware of the extent to which all the proposed online voting represented a departure from established working procedures.

Mr. Magaña assured the Meeting that there would be a presentation and discussion under Item 8.5 about preparation and revision of the *Directives for technical work*. He felt that discussion in the meetings was limited by the absence of technical experts, and online voting gave rise to more informed comment. He wanted online approval to be the norm and preferred method of working in the future.

Mr. Dunmill concurred with this point of view and reiterated that the matter would be raised for discussion under Item 8.5. This was by no means the first time this method had been used.

Mr. Johansen pointed out that this was going from two-step approval to one-step approval. He had previously asked for Members to be allowed to see all comments made by other countries; this would be indispensable if the new way of doing business were to become the norm.

Mr. Magaña conceded that two-step approval did allow Members to comment and to reconsider their vote, and that this aspect must be seriously considered.

Mr. Dunmill said the Bureau would look at the possibility of making the comments visible on the detailed votes page.

K The proposal to withdraw D 4 *Installation and storage conditions for cold water meters*.

This followed a favorable vote within TC 8/SC 5. Mr. Lagauterie wished to be reminded of the reasons for this action. Mr. Mason explained that at the last meeting of the SC, which was in the UK, this proposal was made, as it seemed very few people even knew of the document, much less used it. After familiarizing themselves with the content, the SC had voted 10-2 in favor of withdrawing it. Additionally, the main Recommendation, R 49, already contained some requirements to have lengths of straight pipe upstream of the meter, and similar requirements.

Mr. Magaña suggested there might be conflicting issues between this document and R 49.

Mr. Johansen said the main purpose of D 4 was to avoid flow disturbances and R 49 contained several tests regarding these. This might be part of the reason for withdrawing D 4.

L The last item in BIML Circular 07/514 concerned TC 7/SC 1; this was an outstanding item from the Cape Town CIML Meeting, about what to do with R 24 *Standard one metre bar for verification officers*, and R 66 *Length measuring instruments*. The current proposal was that R 66 be revised, due to the requirements of the MID, and that R 24 be reconfirmed, as it might still be useful in some countries.

Mr. Issaev, Russian Federation, referred to the change of date of issue of international Recommendations on the BIML web site, related to those handled by TC 17: R 70, R 73 and R 108. The issue had been changed. Two years previously it had been decided to prolong the life of these Recommendations, so it was necessary to change them.

With reference to the Recommendations on refractometers, he felt Members had not had a chance to familiarize themselves with them before being asked to vote on them.

Mr. Dunmill explained that if a Recommendation had not been republished, even though it might have been reviewed, the date was not changed, though this might give the wrong impression of the topicality and relevance of its content. The Bureau should look at indicating the date the Recommendation had last been examined. Regarding R 24, some necessary minor editing changes would mean that it was republished with a new date.

CECIP commented on R 76 and R 51. The MID was now in force in Europe, and this being the case, normative documents such as OIML Recommendations were accepted. R 51 was one such “normative document”, but only the new R 51. This had already been voted and approved but was not yet available: this was causing major problems. R 76, on the contrary, had not been accepted as a direct normative document, therefore the European standard had to be used; but this was very similar to R 76. Work was beginning on revising the European standard, but it was important for this to be in full conformity with the new OIML R 76 – which had not yet been published. It was vital that it should be accepted and published with all possible speed. [BIML Note: R 76-1 (2006) has since been published].

Mr. Dunmill confirmed that both Recommendations would be available very soon after the current meeting. Publishing them involved a significant amount of work. Furthermore, the Commission tables on the compatibility of R 51 with the MID used the draft R 51, which had subsequently been changed for CIML approval.

Mrs. Lagauterie, for WELMEC, referred to the difficulties caused by this situation and asked for TCs to look at Recommendations well in advance so that the draft submitted to the Committee should be the final version and not modified thereafter.

Mr. Magaña agreed with Mrs. Lagauterie about the delays caused by late changes to Recommendations. This was one of the reasons why training was being set up for TCs/SCs.

M The proposal to submit the Draft Amendment to DR 1 Combined Revision of R 4, R 29, R 45 and R 96 *Vessels for commercial transactions* to direct CIML online approval.

The vote would concern not the Amendment itself but the procedure, which was to put the proposal to direct online CIML approval.

The UK, which had submitted the above proposal, thanked the Swiss Secretariat for its help and cooperation and apologized for putting up a late change. Their concern was that one of the definitions in terminology effectively defined the test. They would like to change the definition: their proposal was on display - they felt there was a need to allow authorities to use appropriate testing methods, whereas the current definition imposed undesirable restrictions.

Mrs. Lagauterie felt that as the matter was linked with the MID it required some scrutiny. It seemed to her to be more than merely editorial.

Mr. Kool pointed out that this was the reason for disconnecting this matter from the DR 1 itself.

### 8.2.2 Information regarding TC/SC work

Three items of information were contained in a document which had been circulated and put on the web site – BIML Circular 07/515. Mr. Kool presumed that Members had already taken note of these items. One was about the work of TC 16/SC 1, on exhaust gas metering; one on OIML TC 3, the *Handbook* on modules for metrological control procedures; and one on TC 3/SC 5 for the document on uncertainty in measurement in legal metrology applications.

Mr. Johansen reminded Members that at the meeting on Conformity to Type there had been discussion of the possibility of expanding the TC 3 project with something about procedures in conformity to type.

Mr. Kool said that the guide in question would describe the various modules that could apply in metrology control or supervision. The terminology used would also be looked at, as would issues such as sealing – whether this should be in this document or in a separate horizontal one.

The USA had been considering the need for a separate activity or project on sealing; they intended that after discussion at the Presidential Council a study might be set in motion by TC 3 to look at this issue and its handling, and to see whether it would be appropriate to have a horizontal document on the subject.

Mr. Harvey expressed appreciation to the USA for this.

### 8.3 MAA

Régine Gaucher began with a chronological summary of MAA events since the previous year's CIML Meeting:

- three MAA Certificates had been issued by New Zealand and Japan for non-automatic weighing instruments according to OIML R 76;
- in March 2007 the provisional R 49 Committee on Participation Review had been set up and held its first meeting in Denmark on 24 and 25 May;
- the third meeting of the R 60 and R 76 Committees on Participation Review had been held on 6 and 7 June.

Ms. Gaucher also mentioned additional documents related to the MAA which had been published. These were:

- the Amendment to OIML B 3 *OIML Certificate System*;
- the Amendment to OIML B10-1, *MAA*; and
- the OIML MAA 06 Document which had been discussed during the third R 60/R 76 CPR meeting. In fact this last document clarified the requirement to allow OIML Issuing Authorities to issue OIML MAA Certificates before a Declaration of Mutual Confidence had been signed or revised. All the above documents were of course available on the OIML web site under the heading MAA, 'General documentation'.

Concerning the R 49 DoMC, three Issuing Participants and five Utilizing Participants had applied for participation. The CPR Secretariat was held by Samuel Just (BIML).

Regarding the progress of this DoMC, registration forms were being signed by participants, and their official registration and publication by the BIML was expected by the end of November.

On the R 60 DoMC, at present five Issuing Participants and eleven Utilizing Participants were registered. Two new Issuing Participants and two new Utilizing Participants had applied; the acceptance forms for Issuing Participants and Utilizing Participants with additional national requirements were currently being signed, and individual registration forms would probably be circulated in November and the revision of this DoMC was expected by the end of the current year, probably in December.

For the R 76 DoMC, seven Issuing Participants and eight Utilizing Participants were currently registered; three new Issuing Participants and two new Utilizing Participants had applied for participation; again, acceptance forms were currently being signed. Individual registration forms would be circulated in November and it was expected that the DoMC would be revised in December. In fact this would be the first revision.

During the R 49, R 60 and R 76 CPRs meeting, application files of new Issuing Participants had been examined. CPR members had also reviewed additional requirements submitted for inclusion in the DoMCs, and CPR Members had examined new candidacies proposed for Technical and Metrological Experts.

Ms. Gaucher reminded Members that candidacies for Technical and Metrological Experts could now be submitted also by countries which were not participating in the DoMCs. They should, however come from Member States or Corresponding Members. The qualifications required for this were specified in the OIML MAA 01 Document, which defined the operating rules of the CPRs and DoMCs.

One additional issue discussed by the R 60 and R 76 CPR had been maintenance of the DoMCs, because the DoMCs had been signed in September 2006 so it was necessary to think about maintenance, since the first intermediate assessment would be completed by the end of September 2008. The intermediate assessment included an examination of the most recent internal audit report for peer assessed laboratories or of the most recent accreditation assessment report for accredited laboratories.

Another point debated had been revision of the R 76 DoMC scope, considering the new edition of R 76, approved in 2006. The CPR had concluded that of the current five exclusions, by then only one would remain, related to the reading requirement. CPR members had also agreed that all the new requirements, such as evaluation of families, of modules and of software would be included in the revised scope. This would constitute the second revision of the R 76 DoMC and was expected at the beginning of 2008, of course after R 76-1 and R 76-2 had been published.

Additional general updates included the following:

- The Memorandum of Understanding between ILAC and the OIML had been signed the previous October and its extension to the IAF would be signed the following Sunday at the ILAC/IAF General Assembly in Sydney.
- A joint ILAC/OIML working program had been developed for 2007 and 2008. Its implementation had started in March and the program was available on the web site, together with an implementation progress table.
- The BIML participated in ISO/CASCO/WG29, which was responsible for the revision of ISO/IEC Guide 65. The first meeting had been held in April. This work was of course in relationship with OIML TC 3/SC 5 project p5, related to guidance for the application of ISO/IEC Guide 65 to legal metrology.

On OIML TC 3/SC 5 some updates could be given:

- The second CD of project p4, relating to the application of ISO/IEC 17025 to legal metrology, had been submitted for vote and comments within the Subcommittee; only one further vote was needed to enable the draft document to be submitted for CIML approval. Also, so few comments had been received that it seemed pointless to draw up a 3CD, but unless another vote materialized this would have to be done. Seven P-members of the TC had not yet voted.
- OIML TC 3/SC 5 would meet in Paris in the last week of May 2008 to start discussing the revision of OIML B 3 and B 10. This would also provide an opportunity to discuss project p2, related to uncertainties.

Dr. Ehrlich added that the project could now move forward at last. The difficulty had arisen from the need to treat the terms “uncertainty” and “error” at the same time and in the same context. This difficult problem had never been fully resolved until the discussion within the VIM Committee, but now it was possible to do it. The GUM had stipulated that “error” was an idealized concept and discouraged its use, but in the OIML it had to be used constantly. A strategy had now been developed whereby the OIML document could be consistent with the GUM. This was alluded to in point 8.2 in the document previously shown by Mr. Kool, and as work proceeded explanatory articles would be published in the Bulletin.

Ms. Gaucher went on to list promotional occasions planned for 2008 for the OIML MAA and OIML conformity assessment procedures in general at the CECIP General Assembly, the NCSLI and perhaps also at the ILAC/IAF General Assembly.

In view of the MoU between ILAC and the OIML, it had been intended to use Lead Assessors from ILAC Full Members to conduct OIML peer assessments with Technical and Metrological Experts, but when ILAC had invited its members to apply, very few had done so. This reflected the fact that legal metrology was only a small part of accreditation schedules and national accreditation bodies were not sufficiently aware of metrology conformity assessment procedures. This was another reason for plans to promote and inform national accreditation bodies about these during the ILAC/IAF General Assembly. This item would also figure on the agenda of the next ILAC/IAF/OIML meeting in March.

Questions relating to test results from manufacturers had been extensively discussed at the third R 60/R 76 CPR meeting; the conclusion had been that taking into account test results from manufacturers to issue an MAA Certificate was not acceptable to most participants in the DoMC outside Europe; in some countries national regulations forbade it, and the European Directive only allowed it under certain conditions in the issue of EC type approval. Taking manufacturers' results into consideration was not expressly forbidden in OIML B 3; nevertheless, if it were done

it should be clearly specified in the evaluation report in order to draw the attention of report users, so that national type approval bodies might be free either to accept these results or to request independent tests. OIML B 10 stipulated that testing laboratories should be evaluated according to ISO/IEC 17025. The effect of this was that tests by manufacturers were excluded from the MAA and it was not possible to issue an OIML MAA Certificate as long as tests from manufacturers were taken into account. Based on discussion at the CPR meeting, and after discussion with the CIML President, CPR members had proposed that for the time being:

- manufacturers' tests should be kept outside the scope of the MAA;
- MAA and OIML Basic Certificate tests should exist in parallel and participants in the DoMC should be authorized to issue an OIML Basic Certificate in cases where manufacturers' test results had been taken into account.

Thus the MAA Certificate would be issued only when all the requirements of OIML B 10 had been fulfilled, i.e. by third party testing. Ms. Gaucher added that this proposal could answer a question raised the previous year by Mrs. van Spronsen as to whether new Issuing Authorities could be authorized to issue Basic Certificates. A time limit would of course be set on this, while they prepared their application to issue under the DoMC and to get an accreditation.

It was also proposed, as Mr. Magaña had explained earlier, that the fees for the Basic Certificate and the MAA Certificate should be the same. To summarize, therefore, when a manufacturer applied for certification, either they could have all the testing done by accredited laboratories and acquire an MAA evaluation report and Certificate; or, on the other hand, if some or all of the tests had been done by the manufacturer, only an OIML basic evaluation report and Basic Certificate could be issued. If, however, some of the tests had been performed by third party evaluated laboratories, those particular test reports could bear the MAA logo in order for the laboratory to promote its credentials.

The above proposal would be discussed the following year in TC 3/SC 5, and would be submitted formally in conjunction with the 2006 proposal on the transitory period. The end of the transitory period for R 60 and R 76 had been fixed for December 2008; so at the 43rd CIML Meeting a new resolution would be submitted for CIML approval, taking both these matters into account.

It was proposed to submit one resolution in the current year to the CIML for approval to promote the MAA; this was:

*The CIML strongly encourages Member States and Corresponding Members to participate in the DoMCs. The objective of this is to establish for the future a global MAA in which each Member State and Corresponding Member would have a specified field of participation according to the DoMC in which it could participate; and thus create a situation more or less equivalent to that in the existing CIPM MRA.*

Mr. Mason asked Ms. Gaucher to clarify how the MAA logo could appear on the Basic Certificate.

Ms. Gaucher explained that the document issued under the MAA was the OIML Certificate with the evaluation report. If all the tests were performed by DoMC Issuing Participants, using the DoMC evaluated testing laboratories, the OIML MAA report and Certificate would bear the MAA logo. What was being suggested was that, if some of the tests had been performed by third party evaluated testing laboratories and others by manufacturers, the Certificate would be basic but those tests performed by evaluated laboratories could bear the MAA logo in that section of the report alone.

Mr. Magaña further elucidated that where accreditation had been used in some tests, those test reports should bear the MAA logo and perhaps also the accreditation logo. So the report would be in two parts: the manufacturers' tests section would not bear the MAA logo but the accredited laboratory part would have it.

Mr. Johansen commented that he believed the December date for ending the present R 60/R 76 was provisional only, due to be reviewed the following year.

Ms. Gaucher concurred with this.

Mr. Magaña said the proposed amendments had resulted from discussions held between the Bureau and existing and potential Issuing Participants (and also linked with discussions on the fees), who had good knowledge of the market and had assured the BIML that such actions would facilitate the growth of the MAA.

Mr. Harvey said it had been suggested at the RLMO Round Table that anyone could make use of MAA test results for national approvals; he asked Ms. Gaucher to comment on this.

Ms. Gaucher said there were two kinds of Utilizing Participants: those who applied for additional national requirements to be included in the DoMC and those who did not. Those without additional requirements had no formal application to submit but it was important for them to sign the DoMC, at least to make the manufacturer aware of the possibility of having the report recognized. For those with additional national requirements, the associated detailed procedures were examined in depth and approved by CPR Members, and this led to formal reference to these testing procedures in the DoMC, to allow Issuing Participants to be able to perform the tests.

Mr. Han, P.R. China, asked whether laboratories which had previously issued OIML Certificates but which had not joined the DoMC could continue to issue Basic Certificates.

Ms. Gaucher pointed out that this was linked to the provisional transitory period: once this period had elapsed only Issuing Participants in the DoMC, and no others, could issue either MAA Certificates or OIML Basic Certificates. The problem lay not with Issuing Authorities but with Testing Laboratories, which needed evaluation or peer assessment before they would be permitted to carry out tests.

Mrs. van Spronsen asked the meaning of the term “the global MAA”.

Mr. Magaña replied that this was a matter still up for discussion, regarding future development of the MAA; the idea was that in the long term it might be better to have a single evaluation system rather than multiple DoMCs. This would be similar to the CIPM MRA, where a number of countries had signed and each NMI had capabilities described in an annex. This was envisaged for the future, following discussions, with the aim of minimizing bureaucracy.

Dr. Schwartz pointed out that the highly successful CIPM MRA was based on cooperation with regional organizations; to achieve equivalent results, the OIML should perhaps also think in terms of involving its regional organizations.

Mr. Magaña pointed out that there were differences with the CIPM situation, in that they had many more participants. The OIML should ideally have as many Utilizing Participants as possible, but fewer Issuing Participants.

#### 8.4 Nature of OIML Publications and the *Guide for CIML Members*

Willem Kool drew Members’ attention to two Guides: G 16, the *Guide on the categories of OIML publications and their adoption procedures*, which clarified the categories to which publications appeared and detailed the appropriate adoption procedure for each of them, and secondly the *Guide for CIML Members*. Both were available on the web site.

He explained that the categories of publications included in G 16 were:

- Basic Publications, describing the Organization and operation of the OIML itself or fundamental issues in legal metrology;
- Vocabularies: the term was self explanatory;
- International Recommendations, which were models for legislation containing metrological requirements, normally for measuring instruments;
- International Documents, generally containing guidelines or information, mostly horizontal documents, to be used by TCs and SCs in developing Recommendations;

- Guides, which provided explanation and information but no extra requirements; and
- Other minor categories, including Expert Reports.

The principal adoption authorities were the CIML, the Conference, the CIML President, and the BIML Director. The Guide would inform Members on which procedure was appropriate.

The second publication Mr. Kool wanted to mention was the Special Color Edition of the *Guide for CIML Members*. Each country had received one copy. This had been updated (rather than actually revised) in 2007 from the previous 2000 edition; in the interim, a number of changes had taken place in the way the OIML operated - for instance, the way the internet was now used. It was anticipated that updates would become more frequent. It had been produced in an attractive format to encourage Members to consult the Guide.

The Guide was in two parts. The first described the OIML and its structure and functions, and could be used for compatriots who wanted to know more about the OIML. The second part dealt with the dual responsibilities of CIML Members under the Convention: CIML Members represented their countries in the OIML, which brought with it certain responsibilities; but they also represented the OIML in their own countries; under the Convention, this also brought some responsibilities, which were explained in more detail in this Guide.

### 8.5 Progress on the revision of the *Directives*

Ian Dunmill reminded the Meeting of the current project to revise the first part of the *Directives*, which gave the procedures for developing publications. At the moment, the *Directives* related to developing Recommendations, but it was intended to extend this to all publications, to clarify how the rules were applied.

The existing *Directives* had been published in 1993 and were based on ISO Directives. ISO was a much more complicated and extensive organization, and its procedures were therefore more elaborate than was required for the OIML, where the number of Technical Committees and Recommendations was much smaller.

A first draft revision had been produced in 2006 and distributed to a Working Group for comment by May 2007. The Working Group had held a three day meeting in Paris in June, at which there had been discussion of comments received and future plans. The reasons for revising the *Directives* were:

- to simplify them - the procedures were so complicated that in many cases they were not being followed;
- because the current structure of the technical work, which dates from the early 1990's, was no longer the most appropriate;
- to review voting procedures: at present many problems were encountered in getting Recommendations accepted, due to the voting rules currently being used; and
- to examine how the approval process worked; nobody wanted to make the process less democratic, but something needed to be done about the way work was currently being slowed down by the voting procedures. The whole process needed to become more efficient.

At the meeting, considerable time had been devoted to speaking of the structure of technical work. This operated at a number of different levels:

- the Conference was the highest level, with responsibilities for sanctioning Recommendations;
- the CIML had to approve Recommendations for putting to Conference for formal sanction;
- the Working Group had felt that underneath the CIML something should be established, for the moment labeled a "Technical Management Council", which would oversee the whole of the technical work;
- underneath this again, the WG wanted Project Committees, which would be responsible for the real detail of the technical work; and

- the BIML, as usual, would provide the necessary support for publication and would help to ensure that there was consistency across the Project Committees.

At the moment TCs or SCs might have numerous projects, often too many to make good progress with any of them. Some had one project and some had none. The Working Group had proposed that there should be one project per Project Committee. This might be a Recommendation in several parts, all of which would form one project and normally lead to one publication. Occasionally, linked aspects might make more publications necessary, but one would be the norm. These Project Committees would consist of P-Members, which could only be Member States of the OIML, and there would be rules obliging them to vote. Currently they had an obligation to vote, but the rules were not strictly applied. If progress were to be made, the voting rules had to be clear and infringements would lead to removal of P-Member status.

O- (Observer) Members would continue to exist. These could be Member States, Corresponding Members or Liaisons of the OIML. As at present, these people would be able to register an interest in a given project, make comments and receive all the papers, but they did not have a vote and were not obliged to react in any way. All Committee Drafts and comments received would be made public through the web site in the form of the kind of forum sites discussed earlier in the Meeting.

The Working Group had also considered the possibility of reversing the system of accepting Committee Drafts to become Draft Recommendations. At the moment there had to be a certain percentage of 'yes' votes, which caused problems when people did not vote or when they abstained. At present a single online 'no' vote prevents approval by the CIML. The Working Group had considered the possibility of counting the 'no' votes instead of the 'yes' votes. Not voting would be deemed to convey acceptance. This tied in with WTO principles on establishing consensus, in that then consensus meant a lack of sustained objection to documents rather than a need for positive agreement.

There would be a single Technical Management Committee, which would oversee the work of all the Project Committees; it would be a small group of five or so people, which would not become too large or burdensome. It had not yet been clarified how this group would be selected, and this would be further discussed. The BIML would act as its secretariat, and over all, the committee's responsibilities would be establishing and disbanding the Project Committees, setting their terms of reference, dealing with any internal conflicts within them, long term planning and priority setting for all the technical work, monitoring progress and then confirming and recording the CIML ballot. Some of these functions were currently undertaken by the whole of the CIML and it did not seem a very efficient use of their time. The Committee would make recommendations to the CIML on important policy matters. The CIML would set up the Committee, would receive regular reports from it and would still have to approve draft Recommendations. The proposal was that here also a limit should be set for the number of 'no' votes. At the stage of the CIML vote there would not be an opportunity for comments; this would mean that those interested in developing a Recommendation should be involved at Project Committee stage, which was where all the technical work should be done. Once it reached CIML level there should be a simple yes or no decision. This was similar to the way in which at present Recommendations put forward to the Conference were merely for sanction and not open to comment. It would also mean that once a publication reached draft stage it would be known that there would be no more technical changes to it. Any 'no' votes would have to be justified by comments. The Conference would have to approve this new structure for technical work and any changes to voting rules, and also perhaps written reports from the Technical Management Committee. The Bureau would have administrative responsibilities towards the new structure, which would involve establishing liaisons with various international and regional organizations, industrial federations, users' committees or whatever was necessary. When there was a new project the Bureau would be responsible for calling for interest amongst members in participating. It would handle the processing of Recommendations for the CIML and assembling the results. The Bureau would also remind people of deadlines for voting and, as at present, be responsible for the final editing of publications to try to ensure consistency. The BIML would also initiate reviews of publications.

At the moment there was a five year review period. This period would be reconsidered, but the BIML would ensure they took place and would supply other support as necessary to the Technical Management Committee.

The next stages proposed by the Working Group were:

- as regards voting, they would look at the words of the Convention and whether they were currently being interpreted correctly. They would make proposals on that to the 2008 Conference;
- a new draft revision of the *Directives* would be produced as soon as possible;
- some pilot projects might be carried out under the new structure before its formal inception, to see whether there were any problems with the proposed procedures;
- they would ask existing Secretariats what kind of internet tools would be useful to them in running their Secretariats, and try to integrate their suggestions into the new procedures.

At this point, Mr. Dunmill suggested, general rather than detailed comments would be appropriate.

Mr. Harvey thanked the Working Group and agreed that major changes were indeed involved.

Mr. Magaña reiterated that the proposals comprised two parts: procedures and voting rules. Alterations to the latter required a decision of the Conference, either in 2008 or 2012. It was therefore urgent to solve the problems in the next few months.

Mr. Johansen saw this as a major change. He could not see how a proposal could be ready for 2008. All Members would need an opportunity to express their views some time before the Conference, otherwise there would be a risk of rejection or delay.

Mr. Dunmill agreed that this was a major change to the way in which work was done. The major decisions that needed to be taken by the Conference concerned the principles of altering the structure and way of voting, rather than the detail of how it was done. The intention was to expedite matters as much as possible. The changes would not necessarily be made immediately following the Conference.

Mr. Magaña agreed that the detail was unlikely to be ready before 2009, but the changes to the voting system were essential for the effective working of the OIML. Otherwise there would be a four year delay.

Mr. Vaucher, Switzerland, considered this a major step forward and wished to encourage the Working Group in their efforts. He asked what reasons there were for maintaining Observer membership when all working documents would be available on the web site.

Mr. Dunmill replied that O-Membership was also under consideration. The problem was that Members were not willing to go and look for newly posted information. There had been discussion of the possibility of only Project Committee members having access, but the feeling of the group had been that O-Members could express general interest in matters where they did not have the technical expertise or time to participate, and could still be notified when something had changed.

Mr. Magaña added that O-Members had access to comments made and this was a source of technical information.

## 8.6 Training sessions for OIML TC/SC Secretariats

Ms. Gaucher informed the Meeting that the Presidential Council had studied the Bureau's proposal to offer training to Secretariats of TCs/SCs and Members had received a BIML circular in March asking Secretariats to apply for participation. The deadline was the end of September. The participants were to be experts responsible for OIML Technical Committees or

Subcommittees or for working groups which might be established within TCs and SCs. The first session would be held in Douai, in northern France, in the Ecole des Mines, an engineering school, which would provide rooms, computers, accommodation and meals. Of the 52 people responsible for OIML TCs and SCs, 21 had applied for the course. There was a maximum of 20 places on each course, so the first one was now full. Secretariats which had not yet applied were invited to contact Ms. Gaucher so that she could plan a second session, if required, and find the most appropriate date and venue for it.

The date and detailed program for the first course was now on the web site under the heading 'OIML Meetings'. Participants would shortly receive full information, in particular so that they could make appropriate travel arrangements, bearing in mind that the OIML would pay travel and accommodation costs. She showed a graph of the current situation, and commented that the operation was proving to be so successful that one more session would certainly be necessary; this would probably take place in Europe.

The BIML intended to organize one session every three years in order that newly appointed experts could attend training not too long after undertaking the task. After the first training session an interactive web site would be set up, to provide materials to assist experts, and to maintain up to date information.

Ms. Gaucher also mentioned a one-day information session on OIML activities and technical work. The BIML would develop and maintain training materials to be used by CIML Members and TC/SC Secretariats to organize information in their countries. BIML staff could also give such a one-day information session; the program could be adapted to the needs of the recipient.

## 9 Human resource matters

### 9.1 Dispute relating to the dismissal of a BIML Secretary

Mr. Magaña explained that this matter had legal rather than human resource implications. As explained the previous year, there had been some complex legal issues about the secretary dismissed from the Bureau, regarding which court had jurisdiction in the matter. The BIML Staff Regulations stipulated that disputes over staff issues should be dealt with by the International Labor Organization (ILO), but it transpired that the OIML had never in fact been registered with the ILO. (BIML Note: Since this issue, the OIML has now been registered with the ILO).

Therefore, the French Industrial Tribunal, after due consideration, declared itself competent to pass judgment on the case, but the BIML took this decision to the French Court of Appeal. The latter made a clear and good decision, viz. that this special case would be dealt with by the French courts, which should base their decision on the BIML Staff Regulations and not on French law, but that any future problem should be dealt with by the ILO.

The resulting French Industrial Tribunal's judgment, based on the BIML Staff Regulations, had been a compromise and not entirely satisfactory to either the Bureau or to the dismissed secretary but the President had decided that to appeal again would be even more expensive and perhaps not beneficial. The main point was that the BIML Staff Regulations applied and that the ILO would deal with any future cases.

Dr. Miki said he hoped that no further such incidents would occur.

Mr. Magaña said that the BIML had no legal expert on its staff but the BIPM did have one and legal problems could be referred to him. The BIML had also consulted a second lawyer, recommended by the BIPM, since the first one had not been competent in international issues. So there would be better procedures in the future to avoid disputes. The lawyer had stated that the Staff Regulations should be clarified by a legal adviser, because they had not been worded by professionals. This would be done, though not by that same lawyer. Mr. Magaña would add to the

Resolution: “The Committee instructed the Bureau to undertake a review of the legal aspects of the BIML Staff Regulations, with the assistance of a competent legal counsel, so that there no longer existed any uncertainty as to the applicable jurisdiction”.

Mrs. Vukovic asked how much compensation had been paid.

Mr. Magaña replied that the employee had had four remaining years on her five year contract. The court had decided that two years’ compensation should be paid, amounting to some €40 000.

Mrs. Vukovic asked whether the €40 000 had been paid out of Members’ contributions, to which Mr. Johnston replied that this was indeed the case, since it was the OIML’s only source of revenue.

Dr. Miki again asked for corrective action to be taken to avoid any repetition of this incident.

Mr. Johnston assured Dr. Miki and Mrs. Vukovic that the Staff Regulations would be reviewed and proper safeguards put in place to avoid, or at least as far as possible to reduce the possibility of such a situation arising.

## 10 Future meetings

### 10.1 13th Conference and 43rd CIML Meeting (2008)

Mrs. Marian Haire, Australia, took pleasure in inviting Members to the city of Sydney for the 43rd CIML Meeting and 13th Conference in 2008. The Meeting would be held in a 5 star hotel complex called Star City in the heart of Sydney. The dates were Monday 27 to Friday 31 October 2008. Those wishing to attend the Round Table should notify in advance as the room was small. Slides of the hotel complex and the draft program were shown to Members and would shortly be available on the web site, and a film of the city of Sydney was shown.

### 10.2 44th CIML Meeting (2009)

Mr. James Kiarie, Kenya, through the Kenya Department of Trade and Industry and the Department of Weights and Measures, invited Members to hold the 44th CIML Meeting in Nairobi, Kenya, in 2009. Further details would be given at the 2008 CIML Meeting, when also informational videos would be shown.

Mr. Johnston thanked Mr. Kiarie and said Members would be looking forward to seeing the video.

## 12 Awards

Mr. Johnston presented Letters of Appreciation to the following individuals:

- to Mr. Peter Brandes, of Germany, to be passed on by his colleague Mr. Roman Schwartz. The letter thanked Mr. Brandes for his work from 2002 until 2006 in TC 9/SC 1, dealing with the revisions of R 76-1 and R 76-2, work made swift and efficient by Mr. Brandes’ 30 years of experience with non-automatic weighing instruments.
- to Mr. Mikhalchenko Vassily Nikolaevich for his significant work in developing the legal metrology infrastructure in Kazakhstan and in furthering his country’s participation in OIML work. Kazakhstan’s online votes and comments were always promptly received. In the absence of Mr. Mikhalchenko, the letter was given to his colleague, Mr. Gabit Mukhambetov of Kazakhstan to pass to him.
- to Mr. Charles (Chuck) Ehrlich, United States. His career in research and development dated from 1984, when he had joined NIST; he had been involved in OIML work since 1987 and had

later assumed responsibility for the International Legal Metrology Group. He had made many contributions to OIML objectives, including development of the MAA; revision of D 1 (Law on Metrology); VIM revision; the supplement to the GUM: Monte Carlo Method was being finalized; and 15 TCs were being run by USA Secretariats.

Mr. Johnston next presented an OIML medal to Mr. Romain Eggermont (Belgium); Mr. Eggermont had started as a civil servant in 1968 and undertaken his first legal metrology assignment in 1968. He had been responsible for liquid gas mass and force measurements and had participated in a number of international working committees. From 1990 he had participated in the long and difficult preparation of the European Measuring Instrument Directive, being a strong advocate of its compatibility with OIML Recommendations and its mentions of OIML publications. He had then taken responsibility for the Secretariat of TC 8/SC 7 on gas measuring systems, which had later become a Co-Secretariat with France. He had been appointed Director of Belgian Legal Metrology Service in 1997 and was CIML Member for Belgium. Mr. Frans Deleu accepted the medal on his colleague Mr. Eggermont's behalf.

Mr. Johnston presented an OIML medal to Mr. Bruno Vaucher (Switzerland). This being Mr. Vaucher's last CIML Meeting, Mr. Johnston thanked him for his contributions to the Presidential Council and to legal metrology in general. Mr. Vaucher had worked for the implementation of bilateral agreements between Switzerland and the European Union; he had monitored the adapting and modernization of Swiss legal metrology; he had set up meaningful metrology supervision; representing Switzerland in both the OIML and the Metre Convention, he had put much energy into the removal of barriers to trade, especially border controls, in all fields of metrology. Since his appointment to the Presidential Council in 2005 he had made an important and useful contribution to this body.

Mr. Vaucher said he had not expected this medal. He had attended CIML Meetings for 12 years, the first being in Beijing in 1995 and for his last he was back in China for the present Meeting in Shanghai. He had received much benefit from the OIML, including help in setting up a Swiss national metrology system, as well as the friendship of the community. He thanked Members and bid them farewell.

Mr. Johnston presented an OIML medal to Mr. Wayne Stiefel (United States); Mr. Stiefel's career had included research in fire assessment; risks standards; product life cycle; costing to consumer products; and serving as a Project Leader for the development of management information concepts to supporting the accomplishment of state and local weights and measures missions. He had recently retired from the International Legal Metrology Group of the Weights and Measures division at NIST; he had given over 40 years of dedicated service in the areas of conformity assessment, document standards development and promoting the principles and work of the OIML. Most recently he had held the Secretariats of TC 8/SC 6 and TC 10/SC 5, seeing a number of Recommendations successfully through the balloting process. He had been an active member of OIML TCs and SCs, including most of TC 8's Subcommittees, especially TC 8/SC 1. He had also recently received an award from the Asia Pacific Legal Metrology Forum (APLMF).

Mr. Stiefel expressed surprise at the honor and said he would treasure the medal. His memories of working with the OIML were very significant, both CIML Meetings and many TC/SC meetings had brought much comradeship and friendship, during and after the meetings.

Mr. Johnston next presented an OIML medal to Mr. Gerard Lagauterie (France); Mr. Lagauterie had begun his career in the French public service in the late 1970's; he had been appointed Head of the Department of Measurements for Agriculture, Environment and Health in 1984, and in 2000 he had become Head of the Bureau de la Métrologie, the French legal metrology authority. His involvement in OIML work had always been very active; he had been the originator of R 126 and active in a number of other issues since the 1990's; he had shared with Romain Eggermont (Belgium) the very difficult Secretariat for gas measuring systems and compressed natural gas measuring systems for vehicles, which had resulted in the draft Recommendation submitted for approval at the present CIML Meeting. Mr. Lagauterie had also been one of the major

contributors to the WELMEC Working Group for the implementation of the MID. While chairing the WELMEC WG 8 he had continuously supported the OIML implementation in conformity to the European Directive. This was Mr. Lagauterie's last CIML Meeting, as he would be retiring in the next few months to work full time on his hobby - music - and helping his wife around the house! Mr. Johnston said he personally would miss Mr. Lagauterie, having enjoyed his company, and wished him well in his retirement.

Mr. Lagauterie said making a speech of thanks in English was his last difficult job in the OIML! He told the Meeting that participating in OIML work had been difficult, but a pleasure. He liked the role, and the friendships he had gained. He thanked Members for everything, and hoped similar gold medals would be won by the French athletes who would visit China in 2008 for the Olympic Games.

Mr. Johnston presented an OIML medal to Mr. Ali Tukai (Tanzania); Mr. Tukai was also said to be about to retire, and Mr. Johnston would certainly miss him, though this rumor had been going around for several years and had not yet been proved true! Mr. Tukai was one of the most long standing Members of the CIML and had been among the most active since the early 1980's. He had contributed to discussions many times, mainly in Africa but also in the CIML. He could always be counted on for a good laugh just when things were getting tense, and he would always suggest moving things along when lunch time was approaching. He had been a member of the Development Council for a number of years, had been very supportive of legal metrology within Africa and would be hard to replace.

Mr. Tukai thanked the President, Director and his colleagues. There had been many changes in the OIML and the BIML in the previous ten years. Many institutions seemed to avoid collaboration with others, but the BIML had set an example of trying to make all institutions work towards a common end. WTO, ILAC, IAF, BIPM, UNIDO and the rest, today had a common goal towards mankind, development and humanity.

## 11 Decisions and Resolutions

The Meeting first voted on the draft Publications and technical work proposals presented to them the previous day under Items 8.1 and 8.2 of the agenda. Mr. Kool explained the different voting rules which would apply: The Convention laid down that:

- for a Committee vote to be valid, 75 % of the Members of the Committee had to be present or represented, and that of these, 80 % had to vote: so a maximum of 20 % of those present or represented might abstain for the vote to be valid, and 80 % of the votes cast must be in favor - "the 80-80 rule".
- The voting procedure for International Documents, which also applied to Test Report Formats, was that more than 50 % of the Members present or represented had to vote in favor - "the 50 % present rule".

For new work items, laid down in the *Directives for Technical Work*, a majority of all CIML Members had to be in favor.

The roll call was taken and 48 Member States were present or represented, so the necessary quorum of 45 was obtained. There could be a maximum of 9 abstentions for Recommendations.

## 13 Other matters

No other matters were raised and the Meeting was formally closed by the President. ■

**FORTY-SECOND MEETING  
of the  
INTERNATIONAL COMMITTEE of LEGAL METROLOGY  
Shanghai, 24–26 October 2007**

**- DECISIONS -**

**FORTY-SECOND MEETING**  
**of the**  
**INTERNATIONAL COMMITTEE of LEGAL METROLOGY**  
**Shanghai, 24–26 October 2007**

**DECISIONS**

**Opening addresses**

The Committee took note of opening addresses given by Mr. Li Chuanqing, Minister; Mr. Zhou Taitong, Deputy Mayor and Mr. Alan E. Johnston, CIML President.

**Roll-call – Quorum**

48 Member States out of 59 were present or represented at the opening of the 42nd CIML Meeting. The quorum (45 Member States) was therefore reached.

The Committee also noted the participation of a number of OIML Corresponding Members, one Observer Country, Liaison Institutions and Regional Legal Metrology Organizations, as well as the CIML Immediate Past President, CIML Honorary Members, and members of AOSIQ Staff and BIML Staff.

**Approval of the agenda**

The Committee approved the Draft Agenda with the addition of a report on the Conformity to Type Working Group under Item 6.3.

**1 Approval of the minutes of the 41st CIML Meeting**

The Committee approved the minutes of the 41st CIML Meeting without modification.

**2 Member States and Corresponding Members**

**2.1 Situation of certain Members**

The Committee noted that two additional Corresponding Members (United Arab Emirates and Sudan) had joined the OIML.

### 3 Financial matters

#### 3.1 Adoption of the Auditor's report for 2006

The Committee approved the Auditor's report for 2006 and requested its President and the BIML Director to submit it to the Thirteenth Conference in 2008.

#### 3.2 Assets and liabilities as at 01/01/2006 and at 01/01/2007 and

#### 3.3 Financial report for 2006 and estimates for 2007

The Committee took note of the report given by the BIML Director.

#### 3.4 Elements for the 2009 – 2012 budget

The Committee approved the orientations presented by the Bureau and instructed the Director to prepare a draft budget on these lines, taking account of the comments expressed and of comments that Member States are invited to send to the Bureau no later than 31 December 2007.

#### 3.5 Pension scheme

The Committee approved the orientations proposed by the Director of the Bureau and instructed him to prepare a draft revision of the OIML Staff Regulations based on these orientations, to be submitted to the CIML for approval at its 43rd Meeting.

### 4 Presidential Council activities

#### 4.1 Report on Presidential Council activities

The Committee took note of an oral report presented by the CIML President.

#### 4.2 Long Term Strategy and

#### 4.3 Action Plan

The Committee examined the Action Plan and instructed the CIML President to finalize and approve it on its behalf, taking account of the comments made at this Meeting and of any further comments that could be sent in by CIML Members no later than 31 December 2007.

## 5 Developing Country activities

### 5.1 Report on PWGDC and JCDCMAS activities

The Committee took note of presentations given by Mr. Dunmill and Dr. Seiler and instructed the Bureau to prepare, with Dr. Seiler, a procedure to identify and reward exemplary actions carried out by Developing Countries for the progress of legal metrology. This procedure will be submitted to the CIML for approval.

### 5.2 Report on the D 1 Seminar

The Committee took note of a report on the Seminar held on Tuesday 23 and expressed its thanks to Dr. Seiler for organizing and chairing it.

## 6 Liaisons

### 6.1 Presentation by the Bureau on liaison activities and joint actions

The Committee took note of a report given by the BIML Director on Liaison activities with other Organizations and instructed the CIML President to sign the extension of the existing ILAC-OIML MoU to also include the IAF.

The Committee asked the CIML President to monitor and update, if necessary, the joint working programs with the BIPM, ILAC and IAF.

### 6.2 Updates by Liaison Organizations

The Committee took note of a presentation given by Mr. Stoll, CECIP.

### 6.3 Report on the RLMO Round Table and Conformity to Type Working Group

The Committee took note of a report given by the BIML Director on the RLMO Round Table, noted that presentations given by RLMOs were posted on the OIML web site and agreed to set up a working group on funding resources, chaired by Mr. Carstens.

The Committee instructed the Bureau to:

- draw up a draft MoU between the OIML and RLMOs;
- set up a web based forum to facilitate exchange of information between RLMOs.

The Committee took note of a report given by the BIML Director on the CTT WG and instructed the BIML to draw up draft terms of reference for a study on conformity to type.

These ToR will be submitted to the CIML President for approval.

### 6.4 MID Tables

The Committee took note of a presentation given by the BIML Director and instructed the Bureau to continue its cooperation with WELMEC on this issue, and requested the European participants of the appropriate TCs/SCs, to draw up the first draft tables of correspondence with the MID requirements as soon as a Recommendation reaches DR status.

## 7 BIML activities

### 7.1 Report on BIML activities for 2006-2007

The Committee took note of a report given by the BIML Director.

### 7.2 Communication, web site

The Committee took note of a presentation given by Mr. Pulham, notably concerning the advancement of joint BIPM-OIML projects, developments in the interactive parts of the web site, and future developments envisaged in this domain.

The Committee reiterated its request to CIML Members to make extensive and timely use of the online facilities for voting and commenting on drafts, and updating information.

## 8 Technical activities

### 8.1 Approval of International Recommendations and Documents

The Committee approved the following Publications:

- DR 1 Combined Revision of R 4, R 29, R 45 and R 96 *Vessels for commercial transactions*;
- DR 2 Combined Revision of R 117, R 105 & R 86 *Dynamic measuring systems for liquids other than water*;
- DR 3 New OIML Draft Recommendation *Compressed gaseous fuel measuring systems for vehicles*;
- DR 4 New OIML Draft Recommendation *Measuring systems for gaseous fuel*;
- DR 5 Revision R 21 *Taximeters*;
- DR 6 Revision R 107-1 *Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers). Part 1: Metrological and technical requirements – Tests*;
- DR 7 Revision R 35 *Material measures of length for general use. Part 1: Metrological and technical requirements*;
- DR 8 Revision R 107-2 *Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers). Part 2: Test report format*;
- AM 1 Amendment 2 to D 2 *Legal units of measurement*.

### 8.2 Proposals regarding TC/SC work

The Committee approved:

- the proposal to merge TC 8/SC 7 *Gas metering* and TC 8/SC 8 *Gas meters* (BIML Note: Secretariat The Netherlands - the resulting SC will be TC 8/SC 7 and will retain the same title);
- the proposal to Revise R 79 *Labelling requirements for pre-packaged products*;

- the proposal to reallocate the responsibility for *Measuring Container Bottles (MCB)* from TC 8 to TC 6;
- the proposal to revise R 81 *Dynamic measuring devices and systems for cryogenic liquids*;
- the proposal to grant dispensation to section 3.4 of B 6-1 (Directives for the technical work) for the revision of R 99;
- the proposal to submit the DR of the revision of R 71 to direct CIML online approval;
- the proposal to submit the DRs of the revisions of R 85-1, R 85-2 and R 85-3 to direct CIML online approval;
- the proposal to submit the DR of the revision of R 80-1 to direct CIML online approval;
- the proposal to submit the DR of the new Recommendation on *Thermographic instruments* to direct CIML online approval;
- the proposal to submit the DR of the new Recommendation on *Automated refractometers* to direct CIML online approval;
- the proposal to withdraw D 4 *Installation and storage conditions for cold water meters*;
- the proposal to approve the revision of R 66 *Length measuring instruments* as a new work item;
- the proposal to re-confirm R 24 *Standard one metre bar for verification officers*;
- the proposal to submit the Draft Amendment to DR 1 Combined Revision of R 4, R 29, R 45 and R 96 *Vessels for commercial transactions* to direct CIML online approval;
- the proposal to revise DR 3 New OIML Draft Recommendation *Compressed gaseous fuel measuring systems for vehicles* as a new work item in (the new) TC 8/SC 7.

### 8.3 MAA

The Committee took note of a report given by Ms. Gaucher on the progress of the MAA implementation.

It instructed the Bureau to draw up a resolution to be submitted for approval by the CIML at its 43rd Meeting, concerning the transitory period and the intention to maintain the Basic Certificate System for Issuing Participants of the DoMCs.

The Committee strongly encouraged Member States and Corresponding Members to participate in the DoMCs.

The Committee instructed TC 3/SC 5 to take account of comments expressed during the Meeting in the revision of B 3 and B 10.

### 8.4 Nature of OIML Publications and the Guide for CIML Members

The Committee took note of a presentation given by Mr. Kool concerning the two Guides:

- G 16 *Guide on the categories of OIML Publications and their adoption procedures*;
- G 17 *Guide for CIML Members*.

### 8.5 Progress on the revision of the Directives

The Committee took note of a report given by Mr. Dunmill on the progress in the revision of the Directives for Technical Work.

## 8.6 Training sessions for OIML TC/SC Secretariats

The Committee took note of information given by Ms. Gaucher on training sessions for those responsible for TC/SC Secretariats and on the development of training material for one-day training sessions to be organized by CIML Members.

## 9 Human resource matters

### 9.1 Dispute related to the dismissal of a BIML Secretary

The Committee took note of a report given by the BIML Director on a dispute concerning a dismissal.

It noted that this affair had now been settled and that there no longer existed any uncertainty as to the applicable jurisdiction.

The Committee instructed the Bureau to undertake a review of the legal aspects of the BIML Staff Regulations with the assistance of a competent legal counsel.

## 10 Future meetings

### 10.1 13th Conference and 43rd CIML Meeting (2008)

The Committee thanked Australia for presenting the venue at which the 13th Conference and 43rd CIML Meeting will be held in Sydney in 2008.

### 10.2 44th CIML Meeting (2009)

The Committee thanked Kenya for its invitation to hold the 44th CIML Meeting in 2009, and accepted.

## 12 Awards

The Committee made Awards to the following individuals in recognition of their outstanding contribution to legal metrology:

Mr. Romain Eggermont (Belgium); Mr. Gerard Lagauterie (France); Mr. Wayne Stiefel (United States); Mr. Ali Tukai (Tanzania); and Mr. Bruno Vaucher (Switzerland).

It also gave Letters of Appreciation to:

Mr. Peter Brandes (Germany); Mr. Charles Ehrlich (United States); and  
Mr. Mikhailchenko Vassily Nikolaevich (Kazakhstan). ■