

LAW No. 06/L-037

ON METROLOGY

The Assembly of the Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves:

LAW ON METROLOGY

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

1. This law regulates the system of measurement units, measurement standards, metrological conformity assessment procedures, metrological requirements for pre-packaged products, authorization in the field of metrology, consumer protection and general safety from inaccurate measurement results.

2. This Law is in partially compliance with the principles and the main requirements of the Directive 2014/32/EU of the European Parliament and the Council of 26 February 2014 on the harmonization of the laws of the Member States relating to the making available on the market of measuring instruments as well as OIML D1: 2012 document.

**Article 2
Scope**

The provisions of this Law shall apply to the organization of metrological activities, usage of legal measurement units and traceability of measurement standards in the Republic of Kosovo, placing on the market and usage of the legal measuring instruments, assessment of conformity of legal measuring instruments with the described requirements, pre-packaged products, validity of foreign conformity documents and marks, as well as other metrology-related issues.

**Article 3
Definitions**

1. Terms used in this Law shall have the following meanings:

1.1. **Kosovo Metrology Agency** – the only body of state administration for metrology in Kosovo (hereinafter KMA);

1.2. **Metrology** - the science of measurement and its application;

1.3. **Measurement** – process of experimentally obtaining one or more values of quantity which reasonably may be attributed to a size;

1.4. **Measurement unit** - real scalar size, defined and adopted by convention, with which any other size of the same kind can be compared to express the ratio of the two sizes as a number;

1.5. **Metrological traceability** – characteristic of a measuring result whereby the result can be related to a reference through a documented unbroken chain of calibrations, each contributing to the measuring uncertainty;

1.6. **Calibration** - operation that, under specified conditions, in a first step establishes a relation between the values of quantity with uncertainties of measurement provided by measurement standards and corresponding indicators with associated measuring uncertainties and in a second step uses this information to establish a relation for obtaining a measuring result from an indicator;

1.7. **Measuring instrument** – in the sense of VIM, the term covers measuring instruments which can be the object of specific requirements and of specific evaluation of conformity, as in the following:

1.7.1. **Measuring instrument** – a device used for making measurements, alone or in conjunction with one or more supplementary devices;

1.7.2. **Measuring system** - set of one or more measuring instruments and often other devices, including any reagent and supply, assembled and adapted to give information used to generate measured quantity values within specified intervals for quantities of specified kinds;

1.7.3. **Material measure** - measuring instrument reproducing or supplying, in a permanent manner during its use, quantities of one or more given kinds, each with an assigned quantity value;

1.8. **Measurement standard** - realization of the definition of a given quantity, with stated quantity value and associated measurement uncertainty, used as a reference;

1.9. **National measuring standard** – measurement standard recognized by national authority to serve in a state or economy as the basis for assigning quantity values to other measurement standards for the kind of quantity concerned;

1.10. **Reference material** – material, sufficiently homogeneous and stable with reference to specified properties, which has been established to be fit for its intended use in measurement or in examination of nominal properties;

1.11. **Certified reference material** - reference material, accompanied by documentation issued by an authoritative body and providing one or more specified property values with associated uncertainties and traceability, using valid procedures;

1.12. **Verification of a measuring instrument** - conformity assessment procedure (other than type evaluation) which results in the affixing of a verification mark and/or issuing of a verification certificate;

1.13. **Initial verification** – verification of a measuring instrument which has not been verified previously;

1.14. **Regular verification** - verification of a measuring instrument after a previous verification. Regular verification includes: mandatory periodic verification, verification after repair, and voluntary verification;

1.15. **Mandatory periodic verification**—subsequent verification of a measuring instrument, carried out periodically at specified intervals according to the procedure laid down by the regulations;

1.16. **Official measurement** – a measurement carried out by KMA or authorized entity, in compliance with the decision for authorization. Official measurement shall be used as reliable evidence in procedures and decision-making of government body or courts.

1.17. **Legal metrological control** - the entire legal activities of metrology;

1.18. **Legal control of measuring instruments** - generic term used to globally designate legal operations to which measuring instruments may be subjected, e.g. type approval, verification, etc.;

1.19. **Metrological supervision** - the activity of legal metrological control to check the observance of metrology laws and regulations;

1.20. **Market surveillance** - metrological supervision aimed at measuring instruments and pre-packages intended to be placed on the market and/or put into service for the first time, to ensure that all the elements of the conformity assessment system function correctly, resulting in general compliance of the products with the provisions of the applicable regulations across a country or free trade area;

1.21. **Surveillance of the use of measuring instruments** - part of the metrological supervision which relates to examination whether the instruments that are subject to legal metrology control are correctly used;

1.22. **Accreditation** - an attestation by a state accreditation body that a conformity assessment body meets the requirements set by harmonised standards and additional requirements, including those set out in relevant sector schemes to carry out specific conformity assessment activities;

1.23. **Placing on the market** – the first making available of a measuring instrument or a pre-package on the market;

1.24. **Conformity assessment** – demonstration that specified requirements relating to a product, process, system, person or body are fulfilled;

1.25. **Pre-package** - combination of a product and the packing material in which it is pre-packed;

1.26. **Measuring Container Bottle (MCB)** –measuring container commonly called bottle, made of glass or any other substance having such rigidity and stability that it

offers the same metrological guarantees as glass, when such containers:

1.26.1. are stoppered or designed to be stoppered and are intended for storage, transport or delivery of liquids,

1.26.2. have a nominal capacity of between 0,05 litre and five (5) litres inclusive,

1.26.3. have metrological characteristics (design characteristics and uniformity of manufacture) such that they can be used as measuring containers, i.e. when they are filled up to a specified level or to a specified percentage of their brim capacity their contents can be measured with sufficient accuracy;

1.27. **Type of a measuring instrument** - definitive model of a measuring instrument or module (including a family of instruments or modules) of which all the elements affecting its metrological properties are suitably defined;

1.28. **Type evaluation of measuring instruments** - conformity assessment procedure for one or more sample of an identified type (pattern) of measuring instruments which results in an evaluation report and/or an evaluation certificate;

1.29. **Type approval** – decision of legal relevance, based on the review of the type evaluation report, that the type of a measuring instrument complies with the relevant statutory requirements and results in the issuance of the type approval certificate;

1.30. **Inspection** – examination of a product design, product, process or installation and determination of its conformity with specific requirements or, on the basis of professional judgment, with general requirements;

1.31. **Designation** – state authorization of a conformity assessment body to perform specified conformity assessment activities;

1.32. **NAWI** – non-automatic weighing instruments;

1.33. **CIPM** - International Committee for Weights and Measures (Comité International des Poids et Mesures);

1.34. **MRA** - Mutual Recognition Arrangement (CIPM MRA) is the framework through which National Metrology Institutes demonstrate the international equivalence of their measurement standards and the calibration and measurement certificates they issue;

1.35. **ILAC** – is International Organization for Accreditation Bodies “International Laboratory Accreditation Cooperation”;

1.36. **SI** –International System of Units (Système Interstate D’unités);

1.37. **OIML** – International Organization of Legal Metrology (Organisation Internationale de Métrologie Légale);

1.38. **CGPM** - General Conference on Weights and Measures (Conférence Générale des Poids et Mesures);

1.39. **VIM** – International Vocabulary of Metrology;

1.40. **VIML** – International Vocabulary of Terms in Legal Metrology.

2. For the terms and definitions not mentioned in this Law, the definitions given in the VIM and to VIML shall apply.

Article 4

Making available to the public the measurement results

The measurement results carried out with the request of state authorities or serving to the needs of state authorities and related to official transactions, healthcare, environmental protection, public order, customer safety and protection, shall be made available to the public, in compliance with the applicable legislation.

CHAPTER II

ORGANIZATION OF METROLOGY INFRASTRUCTURE

Article 5

Kosovo Metrology Agency

1. Kosovo Metrology Agency is the only body of state administration that is responsible for the field of metrology and its application in the Republic of Kosovo.

2. KMA is an independent body of state administration that operates within the Ministry of Trade and Industry.

3. Structure and organization of KMA shall ensure impartiality and objectivity in decision-making regarding the tasks in metrology.

4. KMA is headed by the General Director.

5. Law on State Administration of the Republic of Kosovo shall apply for establishment, organization and functioning of KMA.

6. Organization and structure of KMA shall be regulated through a bylaw adopted by the Government of the Republic of Kosovo.

Article 6

Functions and responsibilities of Kosovo Metrology Agency

1. KMA shall be responsible for:

1.1. implementing the state metrology policy;

1.2. drafting the legislation in the field of metrology;

- 1.3. implementing the legal acts in the field of metrology at the state level;
- 1.4. development, realization, continuous maintenance of national measurement standards in the Republic of Kosovo;
- 1.5. establishing the traceability to the SI, depending on the quantity, either by realizing the definition of the unit or by keeping, maintaining and continuously improving the national measurement standards that are traceable to a foreign institute;
- 1.6. performing research and development activities for the national measurement standards;
- 1.7. performing the legal control of measuring instruments;
- 1.8. performing quantitative control of pre-packaged products and measuring container bottles for the purpose of controlling the fulfilment of metrological requirements;
- 1.9. determining the procedure for keeping the register of manufacturers and importers of pre-packages and bottles as measuring containers;
- 1.10. performing the metrological supervision;
- 1.11. supervision of Conformity Assessment Body(authorized body) assigned with the duties for implementation of the bylaws on metrology;
- 1.12. authorization of economic operator for repairing and preparing measuring instruments for verification;
- 1.13. performing conformity assessment of measuring instruments;
- 1.14. performing activities for metrological expertise;
- 1.15. keeping the register of measuring instruments which are subject to the legal metrological control and other data outlined;
- 1.16. providing professional assistance and delivering training sessions in the field of metrology;
- 1.17. cooperating with other state authorities, especially with those of quality infrastructure and consumer protection authorities;
- 1.18. serving as state reference for state accreditation authority for the field of calibration laboratories with regards to the calibration/testing abilities and measurement standards;
- 1.19. carrying out other activities in the field of metrology in compliance with the law;
- 1.20. representing the Republic of Kosovo in international organizations of metrology, performing duties deriving from the membership in these organizations and establishing

cooperation in the field of metrology;

1.21. participating in similar interstate activities, comparison and dedicated working groups;

1.22. studying the calibration and test equipment needed for the implementation of the legal metrology regulations and setting up this equipment in accordance with the national needs.

2. The structure of the metrology system shall integrate the holder of national measurement standards, designated conformity assessment bodies, including calibration and testing laboratories, economic operators performing metrological services and other organizations involved in the task of metrology.

3. KMA shall consult other competent institutions for drafting the state metrology policy and shall reach the consensus to:

3.1. ensure that the laws and regulations related to the metrology are considered and are in compliance with the relevant international provisions related to the metrology, and

3.2. ensure that laws and regulations do not prevent state authorities from reaching international agreements.

4. KMA shall actively cooperate with state authorities responsible for standardization and accreditation activities, as well as with relevant interstate organizations for metrology.

Article 7

Council of Metrology

1. Council of Metrology shall be an advisory body operating within KMA.

2. Council of Metrology shall identify priorities in the field of metrology in the country, propose investments, scientific and training activities, and provide professional advices about the assessments for metrology issues.

3. The manner of establishing the Council of Metrology, the scope and selection and assignment of members shall be regulated with a bylaw that will be issued by the Ministry.

Article 8

National Strategy and policy of metrology

1. KMA shall be responsible to draft, develop and implement the state metrology strategy and policy, which shall be submitted to the Government for approval.

2. This state strategy and policy shall be implemented in coordination with all structures of relevant ministries and shall address the following purposes:

2.1. consumer protection and environmental protection;

- 2.2. official measurements;
- 2.3. support of industry, including consultancy for technical regulations;
- 2.4. fair trade;
- 2.5. international recognition;
- 2.6. statement for organization of metrology infrastructure, including the Council of Metrology with representatives of all stakeholders;
- 2.7. statement for the competence of authorised conformity assessment bodies regarding the responsible persons;
- 2.8. education and/or training in metrology; and
- 2.9. mutual recognition of testing/calibration results or certificates.

3. KMA shall draft policies in the field of Metrology, which in the Private Sector Development Strategy, are incorporated in the strategic objective - Development and promotion of the quality infrastructure by approximating the legislation, as well as membership to relevant European and international organizations, as well specific objective: Increase and improvement of accreditation, standardization and metrology services.

Article 9 **Legal measuring Units**

1. In order to ensure the uniformity of measurements in the country is mandatory to be used legal units of measurement:

- 1.1. the units of International System of Units (SI) adopted by the General Conference of Weights and Measures and recommended by the OIML for legal purposes;
- 1.2. units used for quantities that are not covered by the SI, as specified by a sub-law of the Government; and
- 1.3. customary units as decided by the Government.

2. The use of SI units and other units not included in SI system, when used internationally and does not directly derive from SI system, shall be defined with a bylaw.

CHAPTER III

NATIONAL MEASUREMENT STANDARDS AND METROLOGICAL TRACEABILITY

Article 10

National measurement standards

1. The national measurement standards system and reference materials in Kosovo shall be created according to the needs of the state, in order to provide traceability to the International System of Units (SI) and to ensure international compliance and recognition. The national measurement standards shall in all cases be those that are the most accurate measurement standards of the country. The national measurement standards are part of the Kosovo national meteorological infrastructure.
2. KMA shall be responsible to develop, keep and maintain the national measurement standards providing traceability to the International System of Units (SI).
3. KMA may officially recognize any measurement standard that has been realized, conserved and maintained by a Kosovo legal entity established in Kosovo, as a National Measurement Standard in respect with the traceability to the International System of Units (SI).
4. KMA shall cooperate with other public and/or private organizations for the purpose of identifying the opportunity to develop and preserve certain national measurement standards in order to support State Quality Infrastructure.
5. For the quantities whose traceability can be easily obtained by the users and by the calibration and testing laboratories directly from the national standards of another country, and when the traceability provided by this direct reference is acceptable to the state accreditation scheme, a national measurement standard may not be necessary. KMA shall consider establishment of a regional metrological infrastructure of traceability with one or more neighbourhood states or competing organizations.
6. The responsibility for compliance with the applicable requirements for preservation and usage of national standards shall remain with the senior management of their holders.
7. Requirements to be met by a reference measurement standard in order to be declared as a national measurement standards, conditions and reasons for annulling the declaration, necessary maintenance and manners for using the national measurement standards shall be regulated by a bylaw issued by MTI.

Article 11

Reference materials

1. National measurement standards system includes a system that provides certified reference materials.
2. Certified reference materials shall be materials whose composition or characteristics are certified by organizations intended and/or accredited to provide traceability for International System of Units (SI) and to provide international compliance and recognition.
3. Certified reference material shall be accompanied by a certificate outlining one or more values of characteristics, along with uncertainties and level of reliability. The certificate shall document and confirm that applicable procedures for confirmation of characteristics and traceability have been applied.

4. Ministry shall allocate these duties to one or more destined legal entities.

5. The procedure for importing, preparing and certifying a certified reference material shall be regulated by a bylaw issued by the Ministry.

Article 12

Traceability of measuring results

1. To implement the law and bylaws that determine the requirements for measurement, measuring instruments, non-automatic weighing instruments, pre-packages, including MCB, it is required the traceability for realization of SI and that may be obtained:

1.1. through state measurement standards and certified reference materials, defined in Articles 10 and 11 of this Law.

1.2. through traceability for recognized the national measurement standards or certified reference materials of other states where the level of uncertainty of state measuring etalons system is not sufficient or when the system does not cover the considered size.

2. In order to confirm whether foreign measurement standards and national measurement standards meet the necessary requirements for traceability of measuring results, should be proved that the ILAC Traceability Policy and dissemination of the SI are applied. A reference should be made to CIPM MRA and laboratories accredited by national accreditation bodies which are signatories of ILAC MRA or Regional Agreements recognized by ILAC.

3. Certified calibration results, testing results and measurement results determined by KMA and entities which maintain and use national measurement standards in Kosovo, shall be traceable for realization of SI and shall be presented in compliance with recommendations of CGPM and OIML, as well as with relevant applicable national and international measurement standards.

4. Technical ability of KMA laboratories shall be determined with accreditation.

5. Metrological requirements of traceability shall be regulated by a bylaw issued by the Ministry.

CHAPTER IV

MEASUREMENT STANDARDS, MEASURING INSTRUMENTS AND MEASUREMENTS

Article 13

Calibration/testing laboratories

1. Calibration/testing laboratories shall support the state metrology infrastructure of Kosovo for:

1.1. calibration services to ensure traceability for SI;

1.2. testing services provided by designated laboratories;

1.3. services for maintenance of measuring instruments.

2. Ministry may designate bodies to perform tasks pertaining to conformity assessment, verification or inspection in application the of the legal metrology bylaws. These bodies shall be competent and impartial. They shall perform their tasks in a non-discriminatory manner.

3. Bylaws adopted for implementation of this Law must require that implementation bodies that are responsible for certain duties, be accredited.

4. Manner of authorization for conformity assessment bodies shall be regulated through a bylaw issued by the Government of the Republic of Kosovo.

Article 14

Industrial Metrology–Calibration of measurement standards and measuring instruments

1. Calibration of measurement standards and measuring instruments shall be carried out in the calibration laboratories, upon the request of the user

2. Traceability of the measurement standards and measuring instruments shall be ensured through the calibration or with certified reference materials.

3. Measurement standards with documented traceability in compliance with Article 12 of this Law shall be used to ensure the metrological traceability. Traceability of measurement results for a measurement standard shall be confirmed through the calibration certificate.

4. Depending on the applicable requirements and its usage, measuring instruments that are subject of legal metrological control may be calibrated. Except special cases provided for in applicable bylaws on metrology, calibration of measuring instruments is a decision that exclusively belongs to the user of the measuring instrument.

5. The Kosovo national calibration laboratories services infrastructure shall be organized according to the provisions of the relevant Law on Accreditation

Article 15

Conformity assessment of measuring instruments

1. Measuring instruments used for reasons of public interest, public health, security and order, consumer protection and environmental protection, collection of taxes and liabilities, fair trade, which directly or indirectly impact the daily life of citizens, shall be subject to the legal metrological control in compliance with the provisions of this Law.

2. Activities of the legal entities related to measuring instruments determined in paragraph 1. of this Article shall be subject of legal metrological control according to the designation and supervision based on this Law.

3. Conformity assessment procedures applicable for measuring instruments mentioned in paragraph 1. of this Article shall be determined through relevant bylaws, as follows:

3.1. during the phase of designing the type of measuring instrument,

3.2. during the phase of production of measuring instruments, including non-automatic weighing instruments, pre-packages and MCB, prior placing them on the market,

3.3. during the phase of installation and placing the measuring instrument in use,

3.4. during the phase of repairing the measuring instrument, before placing again on the market, and

3.5. during the duration of using the measuring instrument.

4. KMA may decide to recognize international or foreign certification systems when they provide equivalent reliability.

5. KMA shall keep a register of conformity assessment certificates issued in compliance with the paragraph 4. of this Article.

6. Bodies responsible for carrying out conformity assessment may receive and use during their work the results of international or foreign systems of conformity assessment, provided that the degree of reliability is recognized as equivalent with state procedures of Kosovo.

CHAPTER V LEGAL METROLOGICAL CONTROL

Article 16 Legally controlled measuring instruments

1. Measuring instruments used in the fields determined in Article 15, paragraph 1. of this Law shall be subject to legal metrological control, in compliance with the conformity assessment procedures, as follows:

1.1. type approval;

1.2. initial verification, and

1.3. subsequent verification.

2. The measuring instruments categories that are used in the fields determined in Article 15, the conformity assessment procedures that are applicable to each measuring instrument and the maximum period of time between two successive metrological verification, shall be regulated through a bylaw issued by the Ministry.

3. For each category of measuring instruments determined with a bylaw referred to in paragraph 2. of this Article, the Ministry shall issue bylaws, which shall determine the specific technical-metrological requirements in compliance with OIML Recommendations, ISO Standards, EU Directives and other relevant international documents.

Article 17

Type approval for legally controlled measuring instruments

1. Conformity assessment procedures for measuring instruments that are subject to the Regulation for Measuring Instruments and Non-Automatic Weighing Instruments shall be carried out in accordance with these Regulations.
2. For measuring instruments not included in the Regulation for Measuring Instruments and Non-Automatic Weighing Instruments, General Director of KMA shall approve the type of the measuring instruments, following the recommendation of responsible officers of the KMA, when this measuring instrument meets the technical and metrological requirements.
3. Director shall take a decision for refusal or withdrawal from the market of measuring instruments, following the recommendation of responsible officers of the Agency, when this measuring instrument does not meet required technical and metrological requirements, determined for a testing procedure.
4. An appeal may be filed against the decision for refusal or withdrawal of measuring instruments to the professional commission for appeals, which shall be established with a decision of the Minister of the Ministry of Trade and Industry.
5. A bylaw shall determine the procedures for approval of the type of legally controlled measuring instruments.

Article 18

Certifications and conformity marks issued outside the country

1. KMA may receive conformity certificates and documents issued outside the country, if they are in compliance with the applicable Directives of European Union in the field of metrology.
2. KMA shall receive testing and verification reports, if they are issued in accordance with the requirements of the International Organization of Legal Metrology.
3. KMA shall keep a register of measuring instruments that are allowed to be placed on the market in the Republic of Kosovo, which possess conformity certificates and marks, issued in compliance with paragraph 1. of this Article.

Article 19

Initial verification

1. For new measuring instruments not included in the Regulation for Measuring Instruments and Non-Automatic Weighing Instruments and for which a certificate of type approval has been issued, the initial verification shall apply.
2. Measuring instrument must be submitted for initial verification by a local manufacturer, authorized representative/importer or authorized distributor.

Article 20

Placing on the market the legally controlled measuring instruments

1. In the market of the Republic of Kosovo may be placed and/or made available for use only those measuring instruments which:

1.1. meet the requirements deriving from this law;

1.2. meet technical and metrological requirements determined with applicable provisions of this law, as well as;

1.3. have passed the determined conformity assessment procedures.

2. Manufacturer, or his authorized representative, shall be responsible to carry out conformity assessment procedures and guarantee that the measuring instrument is in compliance with the determined metrological requirements.

3. Before being placed on the market, measuring instruments that fulfil the conditions referred to in paragraph 1. of this Article should be marked with described conformity marks and be accompanied with conformity documents according to the legal provisions.

4. Measuring instruments in use should be used in compliance with the requirements for that type of measuring instrument, in compliance with the conformity documents and instructions of the measuring instrument manufacturer.

5. Measuring instruments that do not meet the conditions referred to in paragraph 1. of this Article, which have not been marked and possess no conformity documents according to the metrological requirements, shall not be allowed to be placed on the market and/or put into use.

Article 21

Verification marks

1. If measuring instruments are in compliance with the requirements of initial verification and subsequent (periodic) verification, KMA or authorized conformity assessment bodies, shall affix to the measuring instrument the verification mark and issue the verification certificate.

2. Graphical representation, dimensions of verification marks and characteristics of the verification certificate shall be defined through a bylaw issued by the Ministry.

3. Conformity mark, supplementary metrology mark and security marks/seals placed in certain measuring instruments, which are placed on the market in compliance with the Regulation for Measuring Instruments and Regulation for Non-Automatic Weighing Instruments shall be considered as conformity marks. Declaration of conformity in this case shall be considered equal to the initial verification certificate.

4. Metrology marks – seals applied to measuring instruments shall have the same legal protection as each seal in compliance with the relevant law of the Republic of Kosovo.

5. Measuring instruments that are not in conformity with the applicable legal requirements, shall

be marked as refused and/or verification signs shall be removed, or forced to be in conformity, repaired or withdrawn from the market.

Article 22

Responsible persons for the legal measuring instruments in use

1. The user shall be responsible for legal measuring instruments in use and shall:
 - 1.1. use only measuring instruments that have been verified;
 - 1.2. keep measuring instruments in good technical conditions so they can ensure measuring accuracy;
 - 1.3. submit for verification measuring instruments in use, in compliance with this law;
 - 1.4. use legal measuring instruments in compliance with their destination;
 - 1.5. keep evidence about the maintenance and verification of legal measuring instruments in use, when this is defined.
2. Legal measuring instrument that is not in use shall be visibly marked with the mark "Measuring instrument out of use".

Article 23

Subsequent verification of legally controlled measuring instruments

1. All measuring instruments being used shall be traceable up to the national measurement standards, namely international measurement standards, as determined in Article 12 of this Law.
2. Measuring instruments in use shall meet the requirements according to the approved type of the measuring instrument and/or determined metrological requirements.
3. The approval of the type of measuring instruments determines the usage of measuring instrument, whereas the fulfilment of metrological requirements shall be confirmed with verification.
4. Verification of legally controlled measuring instruments may be initial, regular, non-regular and extraordinary.
5. The user shall be responsible to ensure regular and non-regular verification of legal measuring instruments.
6. KMA or an authorized legal entities shall be obliged to issue the certificate of verification upon the request of the applicant, even if the measuring instrument already has a verification mark affixed.
7. Measuring instruments, which do not need to be verified, shall be regularly maintained.

Procedure, content and intervals, after the regular maintenance, shall be determined through a bylaw.

Article 24

Regular verification of measuring instruments

1. Regular verification of measuring instruments shall be carried out within set deadlines for certain types of measuring instruments.
2. Legal entities who sell thermal energy, electricity, water or gas, and all natural or legal persons possessing legal measuring instruments are obliged to take care about regular verification of measuring instruments of thermal energy, gas meter, water meter and electricity meter.
3. Manners and deadlines for regular verification of measuring instruments shall be determined with a bylaw.

Article 25

Non-regular verification of measuring instruments

Non-regular verification of measuring instruments shall be made in cases when the legal measuring instrument was not being used due to the defect or technical shortcoming, following the repairing or in the case when the instrument has not been subject to the regular verification within the set deadline.

Article 26

Extraordinary verification of measuring Instruments

1. Extraordinary verification of measuring instruments and check of the official measurements shall be made with metrological expertise when there are doubts for malfunctioning of legal measuring instruments.
2. The request for extraordinary verification of legal measuring instruments may be filed by:
 - 2.1. relevant institutions supervising the market and measuring instruments in the marked;
 - 2.2. legal entity/owner of measuring instruments;
 - 2.3. users of measuring instruments; and
 - 2.4. consumer who consider that they have been damaged from legal measuring instruments.
3. Procedure of extraordinary verification and the expenditures deriving from the extraordinary verification of measuring instruments and official measurements shall be determined with a bylaw.

Article 27

Validity of verification of measuring instruments

1. Validity of verification of measuring instruments shall be discontinued if:
 - 1.1. verification validity has expired;
 - 1.2. changes have been applied to the measuring instrument which can impact its metrological characteristics;
 - 1.3. measuring instrument has been damaged in that way that may lose any important property that is subject of verification;
 - 1.4. verification mark has been damaged;
 - 1.5. it is clearly seen that the measuring instrument has lost necessary metrological properties even if the verification mark has not been damaged;
 - 1.6. the place for installation of measuring instruments has changed.

Article 28

Measurement standards and reference materials in the legal metrology

1. For verification of legally controlled measuring instruments should be used only calibrated measurements standards that have valid calibration certificate and certified reference material that have valid reference material certificate.
2. Calibration of measurement standards and certification of reference materials that are used for verification of legally controlled measuring instruments shall be carried out by KMA or accredited calibration/testing laboratories.
3. Director General of KMA shall recommend maximum recalibration intervals for measurement standards used for verification of legally controlled measuring instruments.

Article 29

Pre-packages

1. The provisions of this law shall apply for individual, combined pre-packages without wrapping package and in measuring containers, which have been produced, placed on the market or provided for general consumption.
2. Pre-packaged products within the meaning of this law shall not be considered free samples, which are pre-packaged products used for marketing purposes.
3. Criteria and general measures for legally controlled pre-packages, metrological requirements for net quantity of pre-packages, mandatory ranges for the nominal amount of several pre-packages, referring methods for controlling net quantity of pre-packages, inscriptions and marks affixed in pre-packages shall be determined with a bylaw.

Article 30
Measuring Container Bottles

1. Measuring container bottles shall contain marks indicating the nominal and filling volume to the complete level, as well as the mark identifying the manufacturer of measuring container.
2. The bylaw defines the bottles that are legally controlled, metrological requirements for measuring container bottles, referring methods for the control of net volume of bottles, inscriptions and marks affixed on the measuring container bottles.

Article 31
Placing on the market the pre-packages and measuring containers bottles

1. Pre-packaged goods and measuring containers bottles may be placed on the market only if they meet the metrological requirements determined by this law and shall have the inscriptions and marks described up to the time of purchase.
2. Manufacturer, his authorized representative or importer shall be responsible for the compliance of the pre-packaged products and measuring bottles with measures determined in this law.
3. Manufacturer shall apply his net quantity control system for pre-packages or control system for the net volume as manufactured measuring container bottles.
4. Manufacturer, his authorized representative or importer shall be obliged to inform KMA when finding that pre-packages or measuring containers bottles placed on the market by him do not fulfil the metrological requirements in order to take appropriate measure for consumer protection.

Article 32
Registration of manufacturers and importers

1. Registration of manufacturers and importers shall be made based on their request to KMA.
2. Manner and procedure for registration shall be determined through a bylaw.
3. Manufacturers and importers shall be obliged to inform KMA for any change following the registration.

Article 33
Approval and monitoring of quantity control system of pre-package manufacturers

1. KMA shall conduct on-site supervisions of quantity control system of manufacturers, as well as shall monitor the quantity control system approved in the conditions of the manufacturer and if necessary provide recommendations.
2. Every manufacturer shall be obliged to obtain the approval of KMA for quantity control system.
3. Manufacturers shall be registered and retained only if his quantity control system has been approved.

4. KMA, may recognize the conformity of state provisions of pre-packages and measuring container bottles that hold conformity marks affixed in compliance with the legal metrology regulations of other states or according to conformity marking systems created by other international bodies.

Article 34

Applicable sub-laws for special fields of interest of Government

1. This Article shall be applicable only in cases there are products of interest for several important fields for the trade, manufacturing or assets of the country.

2. Ministry shall identify fields in which regulations should be drafted, as follows:

- 2.1. Regulation on Measuring Instruments;
- 2.2. Regulation on Non-Automatic Weights;
- 2.3. Regulation for Pre-packaged Products;
- 2.4. Regulation for Measuring Container Bottles.

Article 35

Designated conformity assessment bodies

1. When a conformity assessment body demonstrates its conformity with the criteria determined in applicable bylaws, standards and guidelines, it proves that it complies with applicable provisions of this Law.

2. For the implementation of this Law, the Ministry, through bylaws, shall require that conformity assessment bodies that are responsible for applicable fields of legal metrology be accredited.

3. Ministry, through a relevant bylaw on the manner of designation for conformity assessment bodies, shall regulate the assessment procedures to designate conformity assessment bodies in specific fields of legal metrology.

4. Designated conformity assessment bodies shall maintain the database along with the relevant registers for measuring instruments that have been subject to the legal metrological control in compliance with their competence.

5. Designated conformity assessment bodies shall assume the obligation to ensure the damages caused against third parties in regards to the activities for assessing conformity of measuring instruments.

6. Procedures for organization and manner on how to perform the legal metrological control for designated conformity assessment bodies shall be determined through a bylaw for metrological supervision that will be issued by the Ministry.

7. Applicable requirements for conformity assessment bodies that provide services of conformity assessment for the field of legal metrology shall be determined with bylaws that will be issued by the Ministry, in compliance with the applicable standards.

Article 36

Authorization of legal entity for repair and preparation of measuring instruments for verification

1. The General Director of KMA may authorize economic operator who meets the conditions for carrying out repair and preparation of legal measuring instruments for verification.

2. The authorized legal entity who does the repair and preparation of measuring instruments for verification pursuant to paragraph 1. of this Article cannot perform verification of measuring instruments.

3. The authorization may be granted if the economic operator:

3.1. possesses necessary technical equipment and space to perform activities that require authorization;

3.2. has ensured traceability of the measurement standards and measuring instruments that are used,

3.3. employs professionally trained persons to perform the tasks provided by the authorization;

3.4. guarantees for compensation of damages incurred by their work, and

3.5. is not undergoing bankruptcy procedure.

4. Through bylaw are determined technical metrological conditions and criteria for authorization of legal entity to perform activities for repairing services and preparation of measuring instruments for verification.

Article 37

Timeline for issuing the authorization

1. For authorization under Article 36 of this Law, within thirty (30) days from the date of submitting the application, the General Director of KMA shall issue the decision for authorization.

2. The decision for authorization determines the field and volume of authorization.

3. Authorization is valid for three (3) years.

Article 38

Annulment of the decision

1. Decision for authorization may be partially or entirely annulled if the authorised entity partially or completely:

1.1. fails to fulfil requirements defined in this Law, provisions for its implementation and decision for authorization;

- 1.2. does not perform its duties as foreseen by the law;
- 1.3. shows professional and technical deficiencies in performing the duties in the field of authorization;
- 1.4. upon request of the entity.

2. The authorized entity whose decision has been annulled, with the justification that he/she did not work in compliance with provisions, professionally and in conformity with authorization, cannot submit a new application for authorization during a three (3) year time limit, starting from the day of its annulment.

Article 39

Invalidity of authorization

1. The authorization becomes invalid when:
 - 1.1. its validity expires;
 - 1.2. is issued the decision to revoke the authorization
 - 1.3. the authorized entity makes a written request to withdraw from authorization.

Article 40

Publication of the authorization decision

The decision on the authorization, changes and discontinuance of validity of the authorization shall be published in the web page of the KMA.

Article 41

Obligations of authorised entity

1. Authorized entity shall:
 - 1.1. perform his/her activities in compliance with provisions, with professionalism and in conformity with authorization decision;
 - 1.2. immediately notify KMA about the discontinuance or modification of the conditions of authorization;
 - 1.3. perform the duties regarding administrative issues in the field which has been authorized in compliance with provisions, if it is not otherwise regulated with this law or provisions regarding implementation;
 - 1.4. within determined deadlines and in regular basis present to KMA the data on activities for repair of measuring instruments.

2. Present to KMA the necessary information within the set deadline according to procedures for

registration of legally controlled measuring instruments in the appropriate register.

Article 42
Inspection, supervision and surveillance

1. The KMA is the responsible authority for:

1.1. supervision and surveillance of the bodies to whom tasks have been assigned for the enforcement of the legal metrology regulations;

1.2. market surveillance in field of metrology;

1.3. surveillance of the use of legally controlled measuring instruments, and

1.4. surveillance of obligations resulting from the regulations in force which are related to this Law.

2. Market surveillance in the field of metrology and metrological supervision shall be carried out by inspectors who have the relevant knowledge of measuring instruments and for the process they supervise.

3. Inspectors have the authority to:

3.1. request the information required for implementing Article 21 of this Law

3.2. exercise legal control on pre-packages defined in Article 31 of this Law;

3.3. request information with respect to obligations made by this law to manufacturers, importers, installers, repairers and users of measuring instruments and producers and packagers of pre-packages, subject to legal control;

3.4. perform inspections on measuring instruments subject to legal metrological control;

3.5. affix rejection marks and/or remove conformity marking in application of Article 22 of this Law, and

3.6. perform surveillance of the bodies appointed for implementing paragraph 2. of Article 13 of this Law.

4. The findings of inspectors concerning violations defined in Article 46 of this Law, may be transmitted to the administrative or prosecution authorities for further action.

5. All the persons subject to regulations under this law have the obligation to allow enforcement authorities to carry out surveillance tasks and to provide them with relevant information upon request.

6. The metrology inspectors shall in accordance with the Regulation on measuring instruments and Regulation on non-automatic weighing instruments, shall be authorized to access the buildings of legal entities who place measuring instruments on the market or in use, and access

the building of users of measuring instruments and take actions to enforce the law if necessary.

7. The metrology inspectors, upon presentation of their credentials and in order to perform their duties, shall have the right to access all industrial establishments or commercial premises or vehicles, where measuring equipment is subject to legal control, or may be installed, kept or used.

8. The metrology inspectors shall be authorized according to the state judicial procedures to issue stop-use, hold, and removal orders with respect to any measuring instruments subject to legal control, and stop sale, hold, and removal orders with respect to any pre-packaged commodities or bulk commodities kept, offered, or exposed for sale. Metrology inspectors should have the right to access the buildings where pre-packages are located, or may be filled, labelled, kept or offered for sale.

9. The metrology inspectors shall be empowered according to the state judicial procedures to seize and use as evidence, without formal warrant, any measuring instrument, package, or commodity found to be used, retained, offered, or exposed for sale or sold in violation of the legal metrology requirements.

10. The metrology inspectors are authorized to issue administrative and minor offence measures.

11. The metrology inspector keeps an inspection record sheet reflecting acquired information. This inspection record sheet is maintained in two (2) copies, one of which is handed over to the inspected subject.

Article 43

Complaints procedure

1. Against the decision of KMA, the unsatisfied party may file a complaint to the Commission for Complaints Review (hereinafter: Commission) within thirty (30) days, from the day of receiving the decision.

2. The Commission shall be composed of three (3) members, two (2) of them shall be permanent and one (1) member shall be appointed from case to case, and established by decision of the Minister of MTI.

3. The Commission is responsible for reviewing and decides on all appeals filed by the parties against the decisions of the KMA.

4. The Commission performs its work independently, honestly, conscientiously and impartially.

5. For all matters related to administrative complaints that are not regulated in this law, the relevant provisions of the applicable law on administrative procedure shall apply.

6. Against the decision of the Commission, a lawsuit can be filed to the competent court within thirty (30) days.

CHAPTER VI INTERNATIONAL COOPERATION

Article 44 International activities of KMA

1. KMA is an associate member of the European Cooperation in Legal Metrology – WELMEC, and aims to join other international/regional metrology organizations.
2. The certified calibration results, test results and the results of measurements carried out by national metrology institutes, which are traceable to the International System of Units (SI) and are presented in accordance to the recommendations of the CGPM and the OIML, and to relevant international standards, are recognized by the KMA.
3. The KMA has the authority to enter into mutual arrangements and agreements with Metrology Institutes of other countries, for recognition of certificates and test reports or conformity marks, if they are in compliance with documents and recommendations of OIML, as well as with relevant international documents/standards in the field of metrology.
4. KMA is responsible for scientific and legal metrology missions, as well as for entering into international agreements by determining the equivalence of metrology systems in the participating countries.

CHAPTER VII FEES AND TARIFFS

Article 45 Service fees and tariffs

1. Metrological activities realized by the KMA and authorized conformity assessment bodies are carried out under tariffs approved by the bylaw issued by the Ministry.
2. The authorized conformity assessment bodies and national measurement standards laboratories outside the KMA for performing various metrological services shall use tariffs approved by Ministry with bylaw.
3. Duties on conformity assessment and verification, which are carried out by authorized bodies, shall be carried out upon the request of a natural or legal person who is responsible for conformity.

Article 46 Punitive provisions

1. The metrology inspector for the violation found based on this law shall impose the following fines:
 - 1.1. with fine in the amount of five hundred (500) up to one thousand and five hundred (1.500) Euro, shall be punished the legal entity, while with a fine in the amount from two

hundred and fifty (250) up to seven hundred and fifty (750) Euro shall be punished the natural person and responsible person of the legal entity in the following cases:

1.1.1. for usage of measuring units in violation of regulations specified under the provisions of this Law and provisions of bylaw which regulates the usage of measuring units, as provided for in Article 9 of this Law;

1.1.2. possession within a business a measuring device which is not in use and which is not visibly marked with the sign "measuring instrument out of use", as provided for in paragraph 2. of Article 22 of this Law;

1.1.3. failure to provide periodical verification of measuring instrument within specified intervals, according to Article 22, paragraph 1. and sub-paragraph 1.5. of this Law;

1.1.4. failure to provide measuring devices for periodical verification upon their repair, as specified in Article 25 of this Law,

1.1.5. failure to meet requirements for registration, as described in Article 32 of this Law.

1.2. authorized entities shall be fined in the amount from one thousand (1.000) up to three thousand (3.000) Euro, while the natural person and responsible person of authorized entity shall be fined in the amount from five hundred (500) up to one thousand and five hundred (1.500) Euro, in the following cases:

1.2.1. failure to regularly maintain measuring instruments, according to paragraph 7. Article 23 of this Law;

1.2.2. production, importing and making available on the market of pre-packaged products and bottles as measuring container, which do not meet metrological requirements and do not have inscriptions and signs as provided for in Article 31 of this Law;

1.2.3. an action in violation with provisions described in Article 38 and Article 41 of this Law.

1.3. legal entity shall be fined in the amount from one thousand and five hundred (1.500) up to five thousand (5.000) Euro, while the natural person and the responsible person of legal entity shall be fined in amount from five hundred (500) up to one thousand and five hundred (1.500) Euro in the following cases:

1.3.1. placing on the market and for use of measuring instruments is in violation with provisions described in Article 31 paragraph 1., of this Law;

1.3.2 usage of legal measuring instrument is in violation with provisions defined in Article 22 paragraph 1. sub-paragraphs 1.1.,1.2., 1.3. and 1.4. of this Law;

1.3.3. an action is in violation with provisions defined in Article 15 paragraph 1., Article 16 paragraph 1., and Article 20 paragraph 1., of this Law;

1.3.4. failure to provide necessary information and data to metrology inspector for completion of surveillance, in violation with provisions of Article 42 paragraph 3. sub-paragraph 3.1. of this Law.

CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS

Article 47 Issuance of bylaws

The bylaws stipulated by this law, shall be issued within one (1) year after entry into force of this law.

Article 48 Applicable bylaws until issuance of new bylaws

1. Provided that they are not in contradiction with this Law and until the issuance of new bylaws for the proper implementation of this law, the following bylaws shall remain in force:

- 1.1. Administrative Instruction no. 11/2013 on use of units of measurement;
- 1.2. Administrative Instruction no. 03/2013 on state etalons;
- 1.3. Administrative Instruction (MTI) no. 06/2016 on the type, form and manner of placing the verification marks that are used to verify the legal measuring instruments;
- 1.4. Regulation no. 06/2013 on conformity mark;
- 1.5. Administrative Instruction (MTI) no. 02/2015 for verification period of legal measuring instruments, application manner and re-calibration periods for the etalons used for verification of legal measuring instruments;
- 1.6. Administrative Instruction no. 01/2013 on amending and supplementing the administrative instruction no. 08/2012 on the amount and manner of payment for metrological services;
- 1.7. Regulation no. 29/2012 on internal organization and systematization of jobs of MTI;
- 1.8. Administrative Instruction 15/2011/ (the new draft of NAWI Regulation);
- 1.9. Regulation (MTI) no. 06/2016 on measuring instruments;
- 1.10. Administrative Instruction no. 2011/16 (on the manner of authorization of conformity assessment bodies).

2. The market inspectorate will conduct metrological/inspection supervision until the functionalization of the metrology supervision sector within the KMA.

Article 49
Repealing provisions

Entry into force of this Law shall repeal Law No.03/L-203 on Metrology and Law No. 04/L-124 on Amending and Supplementing the Law No.03/L-203 on Metrology.

Article 50
Entry into force

This law shall enter into force fifteen (15) days after its publication in the Official Gazette of the Republic of Kosovo.

Law No. 06/L-037
30 March 2018

Promulgated by Decree No.DL-013-2018, dated 20.04.2018, President of the Republic of Kosovo Hashim Thaçi.