
Thirteenth International Conference
of Legal Metrology

Sydney (Australia)

29 & 31 October 2008

MINUTES

These Minutes contain the amendment to the first paragraph on page 44, according to Item 1 of the Fourteenth International Conference (Bucharest, October 2012).



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of Legal Metrology

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ORGANISATION INTERNATIONALE
DE MÉTROLOGIE LÉGALE

INTERNATIONAL ORGANIZATION
OF LEGAL METROLOGY

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GENERAL INFORMATION

Date and place of the Thirteenth Conference

In accordance with the provisions of Article X of the *Convention Establishing an International Organization of Legal Metrology*, the Conference shall meet at least every six years on the summons of the President of the International Committee of Legal Metrology.

In 2006, the Committee received an invitation from Australia to hold the Thirteenth Conference in Sydney in 2008.

Consequently, the President of the International Committee of Legal Metrology convoked the Thirteenth Conference which was held on 29 & 31 October 2008 at the Star City Hotel in Sydney.

Organization of the Conference

The Conference was organized by the National Measurement Institute (NMI), Australia, and the International Bureau of Legal Metrology.

Secretariat - Language

Secretariat services were provided by the National Measurement Institute and the International Bureau of Legal Metrology.

Discussions were held in English.

Festivities outside Conference hours

Conference Participants were invited to attend an Australian Government Reception, an NMI Cocktail Reception, and an OIML Reception.

SUMMONS AND INVITATIONS

The President of the International Committee of Legal Metrology summoned the Member States of the Organization to the Conference, and invited Corresponding Members and certain International and Regional Institutions to attend; lists of those invited are given below.

Member States

ALBANIA	GERMANY	POLAND
ALGERIA	GREECE	PORTUGAL
AUSTRALIA	HUNGARY	ROMANIA
AUSTRIA	INDIA	RUSSIAN FEDERATION
BELARUS	INDONESIA	SAUDI ARABIA
BELGIUM	ISLAMIC REPUBLIC OF IRAN	SERBIA
BRAZIL	IRELAND	SLOVAKIA
BULGARIA	ISRAEL	SLOVENIA
CAMEROON	ITALY	SOUTH AFRICA
CANADA	JAPAN	SPAIN
P. REP. OF CHINA	KAZAKHSTAN	SRI LANKA
CROATIA	KENYA	SWEDEN
CUBA	REP. OF KOREA	SWITZERLAND
CYPRUS	MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF	TANZANIA
CZECH REPUBLIC	MONACO	TUNISIA
DENMARK	MOROCCO	TURKEY
EGYPT	NETHERLANDS	UNITED KINGDOM
ETHIOPIA	NEW ZEALAND	UNITED STATES OF AMERICA
FINLAND	NORWAY	VIETNAM
FRANCE	PAKISTAN	

Corresponding Members

ARGENTINA	DEM. P. REP. OF KOREA	PANAMA
BAHRAIN	KUWAIT	PAPUA NEW GUINEA
BANGLADESH	KYRGYZSTAN	PARAGUAY
BARBADOS	LATVIA	PERU
BENIN	LIBYA	QATAR
BOSNIA AND HERZEGOVINA	LITHUANIA	RWANDA
BOTSWANA	LUXEMBURG	SEYCHELLES
BURKINA FASO	MADAGASCAR	SINGAPORE
CAMBODIA	MALAYSIA	SUDAN
COMOROS, ISLAMIC FED. REP. OF	MALTA	SYRIA
COSTA RICA	MAURITIUS	CHINESE TAIPEI
ESTONIA	MEXICO	TAJIKISTAN
FIJI	MOLDOVA	THAILAND
GABON	MONGOLIA	TRINIDAD AND TOBAGO
GHANA	MONTENEGRO	UKRAINE
GUATEMALA	MOZAMBIQUE	UNITED ARAB EMIRATES
HONG KONG, CHINA	NEPAL	URUGUAY
ICELAND	NICARAGUA	UZBEKISTAN
JORDAN	OMAN	ZAMBIA

International and Regional Institutions

CECIP, European Committee of Weighing Instrument Manufacturers
FIVS, International Federation of Wines and Spirits
ILAC, International Laboratory Accreditation
Metre Convention
OIE, World Organization for Animal Health

Attendance

Member States

ALBANIA

Mrs. Myrvette Pazaj CIML Member
 Mr. Fatos Themelko
 Mrs. Malinda Hoxha

ALGERIA

Mr. Brahim Lenemar

AUSTRALIA

Dr. Grahame Harvey CIML Second Vice-President
 Mr. Paul Crofts
 Mr. Adrian Caster
 Dr. Lawrence Beasley
 Ms. Marian Haire
 Dr. Valerie Villiere
 Dr. Richard Brittain

AUSTRIA

Dr. Arnold Leitner CIML Member

BRAZIL

Mr. Luiz Carlos Gomes dos Santos CIML Member
 Mr. Marcos José Hoffman de Senna

BULGARIA

Mr. Katerin Katerinov CIML Member

CAMEROON

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

CANADA

Mr. Alan Johnston CIML President
 Mr. Gilles Vinet

CROATIA

Mr. Mirko Vukovic CIML Member
 Mr. Kresmir Vrgoc

CUBA

Dr. Martin Ramirez Antunez CIML Member

CZECH REPUBLIC

Dr. Pavel Klenovský CIML Member
 Ms. Klara Vidimova

FINLAND

Mr. Tuomo Valkeapää CIML Member

FRANCE

Mr. Roger Flandrin CIML Member
Mrs. Corinne Lagauterie

GERMANY

Prof. Roman Schwartz CIML Member
Mrs. Susanne Ludwig
Dr. Kathrin Peterson
Dr. Heinz Wallerus

HUNGARY

Dr. Peter Pákay CIML Member

INDONESIA

Mr. Amir Saharuddin Sjahrial CIML Member
Mr. Oke Norwan
Mr. Cecep Mufti Cabyana
Mr. Rifan Ardianto

ISRAEL

Mr. Timor Zarin CIML Member

JAPAN

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

KENYA

Mr. James Kiarie CIML Member
Mr. Salesio P. Njiru

KOREA (R.)

Ms. Gyung-Hee Hu CIML Member
Mr. Sekwang Lee
Mr. Sung Yoo Park
Mr. Sung Wook Kim
Mr. Seog Won Jeong

MACEDONIA (F.Y.R.)

Mr. Danco Pendovski CIML Member
Mr. Pece Ristevski

NETHERLANDS

Dr. C.J. van Mullem CIML Member
Mr. Gep Engler
Dr. Pieter A. van Breugel
Mrs. Anneke van Spronssen

NEW ZEALAND

Mr. Stephen O'Brien CIML Member
Mr. Brian Waltham

NORWAY

Mrs. Ellen Stokstad CIML Member
Mr. Knut Lindlov

P.R. CHINA

Mr. Han Jianping
Ms. Kong Xiaokang
Mr. Han Yi
Mr. Wu Fangdi
Ms. Ding Zhiyin

POLAND

Mrs. Dorota Habich CIML Member

ROMANIA

Pr./Dr. Fanel Iacobescu CIML Member
Mr. Marian Buzatu
Mr. Valentin Patasanu
Mr. Dumitru Dinu

RUSSIAN FEDERATION

Pr./Dr. Lev Issaev CIML Member
Dr. Sergey Kononogov
Mr. Sergey Komissarov

SAUDI ARABIA

Mr. Nabil Ameen A. Molla CIML Member
Mr. Abdualziz Abduallah
Mr. Al Gossair

SERBIA

Dr. Zoran Markovic CIML Member
Dr. Jelena Pantelic-Babic

SLOVAKIA

Mrs. Iveta Botkova CIML Member
Mr. Martin Halaj

SLOVENIA

Mrs. Nineta Majcen CIML Member

SOUTH AFRICA

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

SPAIN

Mr. Fernando Ferrer Margalef CIML Member
Mr. José Luis Manchado Trujilo
Ms. Belen Martin

SWEDEN

Mr. Kari Björkqvist CIML Member
Mrs. Renee Hansson

SWITZERLAND

Mr. Philippe Richard CIML Member

TANZANIA

Ms. Magdalena Peter Chuwa
Mr. Peter Samuel Masinga

TURKEY

Mr. Bekir Ozguven
Mr. Ersan Gurluk

UNITED KINGDOM

Mr. Peter Mason CIML Member
Mr. John Goulding

UNITED STATES

Dr. Charles Ehrlich CIML Member
Ms. Carol Hockert

VIET NAM

Mr. Tran Van Vinh CIML Member
Mr. Nguyen Hung Diep

Corresponding Members

CHINESE TAIPEI

Mr. Joseph Chin-fa Chow
Mr. Bo-Chang Su
Mr. Brian C.S. Shu

MALAYSIA

Mr. Mohammed Roslan Bin Mahayudin
Mr. Peter J. Berinus Agang
Mr. Abdul Rashid Bin Zainal Abidin

MONTENEGRO

Ms. Asanovic Vania

MOZAMBIQUE

Mr. Geraldo Albasini

QATAR

Mr. Abdulhamid Al-Sheikh
Mr. Adel Fakhroo

RWANDA

Mr. Patrice Ntiyamira

UKRAINE

Dr. Pavel Neyezhnikov
Ms. Tatyana Omelicheva
Dr. Gorislav Sydorenko

UNITED ARAB EMIRATES

Mr. Mohammed Ahmad Al Mulla

Liaisons

CECIP, European Committee of Weighing Instrument Manufacturers

Mrs. Veronika Martens

Mr. Roland Nater

FIVS, International Federation of Wines and Spirits

Mr. John Barker

ILAC, International Laboratory Accreditation

Mrs. Annette Dever

Metre Convention

Mr. Barry Inglis

OIE, World Organization for Animal Health

Dr. Lyndell Post

CIML Honorary Members

Mr. Gerard Faber CIML Past President

Pr. Manfred Kochsiek CIML Past Acting President

Mr. John Birch CIML Honorary Member

Observer

Mrs. Nataša Mejak Vukovič Chairperson, WELMEC

BIML

Mr. Jean-François Magaña Director

Mr. Ian Dunmill Assistant Director

Mr. Willem Kool Assistant Director

Mrs. Patricia Saint-Germain Office Manager

AGENDA

Opening speeches

Designation of the Conference President

Roll call – Quorum

- 1 APPROVAL OF THE MINUTES OF THE 12TH CONFERENCE

- 2 REPORT ON CIML AND BIML ACTIVITIES
 - 2.1 Actions stemming from Article 1 of the Convention
 - 2.2 Other actions

- 3 LIAISONS
 - 3.1 OIE
 - 3.2 ILAC/IAF
 - 3.3 CECIP
 - 3.4 FIVS
 - 3.5 BIPM

- 4 TECHNICAL WORK
 - 4.1 Sanctioning of Recommendations
 - 4.1.1 Recommendations approved by the CIML in 2005, 2006 and 2007
 - 4.1.2 Direct sanction of new and revised Recommendations
 - 4.2 Acceptance / Recognition Systems

- 5 STRATEGIC PLAN

- 6 DEVELOPING COUNTRY ISSUES

- 7 FINANCIAL ISSUES
 - 7.1 Report on the 2005 – 2008 financial period
 - 7.2 Future developments
 - 7.3 Needs for the 2009 – 2012 financial period
 - 7.4 2009 – 2012 budget of the OIML
 - 7.5 Financial estimates for the financial period 2009 – 2012

RESOLUTIONS

OPENING SPEECHES

Welcome, and designation of the Conference President

Mr. Johnston welcomed Members to the 13th OIML Conference in Sydney. He introduced the Guest of Honor, the Hon. John Murphy, Parliamentary Secretary to the Minister of Trade in Australia, and Dr. Lawrence Besley, who was the Chief Executive Officer for the National Metrology Institute in Australia and who would be the President and Chair of the Conference.

Opening speech by the Hon. John Murphy

Distinguished Guests, Ladies and Gentlemen, Mr. President, welcome to Sydney, Australia for the 13th International Conference on Legal Metrology. I would like to acknowledge the traditional custodians of the land on which we are meeting today, the Gadigal people.

The Minister for Small Business, Independent Contractors, and the Service Economy, the Hon. Dr. Craig Emerson MP, who has portfolio responsibility for legal metrology in Australia, has asked me to welcome you to this auspicious occasion.

It is an honour for Australia to once again host the International Conference on Legal Metrology. The last occasion was in the year of Australia's Bicentenary, in 1988. Australia's National Measurement Institute is proud to host this event in 2008.

Sydney has been chosen as the location of the Conference for several reasons. First, Sydney is a beautiful city. Second, Sydney is an important tourist hub from which you can access other areas of the country before returning home. Third, and most importantly, Sydney is where the headquarters of the National Measurement Institute is located.

It is very pleasing to see that so many of you have been able to join us here and I sincerely hope that you will enjoy your stay in Australia.

Australia's legal metrology has undergone some significant changes in the past twenty years since we last hosted the Conference. Our three former metrology organisations - the National Measurement Laboratory, the National Standards Commission, and the Australian Government Analytical Laboratories - came together in 2004 to form a single national metrology body, the National Measurement Institute (NMI).

NMI is responsible for Australia's national infrastructure in physical, chemical, biological and legal measurement. Bringing together these measurement fields into a single organisation provides synergies and opportunities to solve measurement problems, drawing on all these disciplines. Examples where these synergies become important include environmental measurements, nanotechnology, and quality measurements in trade (such as protein content of grain and the sugar content of cane sugar).

I note that the Conference program includes a technical visit to NMI's laboratories. I urge you to take advantage of this opportunity to see, at first hand, some of Australia's metrology infrastructure and to meet some more of NMI's staff.

On a slightly different track, Australia is currently in the midst of an exciting project that will change the way that trade measurement is undertaken in this country. At present, trade measurement is under the jurisdiction of individual Australian State and Territory Governments. This situation is a legacy from the nineteenth century British colonies in Australia where traditionally "weights and measures" for trade was a local issue in the sparsely populated "Great Southern Land". Thus, no single, continent-wide set of rules was developed.

The Australian Government is in the process of setting up a national system of trade measurement which has strong industry support. The legislation for our new national system was introduced into Australia's Federal Parliament last month. NMI has responsibility for implementing the transition to a national trade measurement system beginning on 1 July 2010, and for administering the system beyond that date.

Much has changed in legal metrology in the twenty years since the Conference last assembled in Sydney. Technology has been advancing rapidly in many areas including communications, automation, software and

measurement instrumentation. There have been major changes in the ways in which the world communicates, trades, and generally does business.

Accordingly, the role of the OIML is becoming increasingly important in this new age of technology with measuring instruments such as “smart” electricity meters being rolled-out in many countries.

I note that the OIML is an intergovernmental treaty organization established in 1955 in order to promote the global harmonization of legal metrology, and that it has observer status on the Committee on Technical Barriers to Trade (TBT Committee) of the World Trade Organization (WTO). Accordingly, its Recommendations, or model regulations, are critical to underpin national and international trade, particularly in prepackaged goods. I mention pre-packaged goods because the majority of international food trade is now in prepackaged goods whereas in the past it was in bulk commodities.

Australia is an active Member of the OIML and has always held the work of the International Organization of Legal Metrology in high regard. Indeed, NMI is a Participating Member on forty OIML Technical Committees and has Observer status on ten other Technical Committees. Rather than put its resources into developing national standards, Australia has preferred to work with the OIML Technical Committee framework to develop international model regulations that can then be adopted with confidence as national standards or regulations within Australia.

Australia has gone further than good intentions and has written OIML into its measurement legislation. Australia’s National Measurement Act requires that the Minister with responsibility for legal metrology must be satisfied that any proposed regulation governing pattern (or type) approval of measuring instruments is consistent with specifications published by the OIML, unless there is very good case for variation.

By hosting this Conference, the Australian Government is indicating its continuing support for international collaboration in legal metrology and metrology generally. Last week we also hosted meetings of the Asia Pacific Legal Metrology Forum and a workshop on Legal Metrology Needs of South Pacific Economies, in the Hunter Valley here in New South Wales. I understand that the outcomes of those meetings will be considered at a Round Table of Regional Legal Metrology Organizations, where the needs of developing economies will also be considered.

In conclusion, from my perspective of the Australian trade portfolio, the OIML’s work is crucial to underpin the ability of nations to trade products and services into the global economy. This is why your meetings are important. They stimulate international cooperation and development, help to set priorities, and encourage a better understanding of legal metrology. The outcomes of your deliberations will ultimately translate into the well-being of individual people, most of whom probably will never know about the OIML, but thanks in part to your work, can engage in trade and enjoy a better standard of living.

It is clear from the Conference agenda that you have a full and busy time ahead of you. In a spirit of cooperation, I wish you an interesting and successful Conference and trust that you will enjoy your stay in Sydney.

Welcome by Alan Johnston

Mr. Alan Johnston thanked Mr. Murphy for opening the Thirteenth Conference and was honored that a key Australian Government decision maker could be present to underline the importance of the OIML's work.

He welcomed Delegates to the Conference and expressed his thanks to Grahame Harvey's staff, and to the Australian Government, for their impeccable organization not only of the meetings but also of the dinner cruise and other social events during the week.

He was also pleased to welcome two CIML Past Presidents: Gerard Faber and Manfred Kochsiek, as well as John Birch, CIML Honorary Member, all of whom had for many years contributed to the OIML's work thanks to their vast breadth of knowledge of legal metrology.

As Mr. Murphy had said, most people do not know what the OIML is, nor even what legal metrology is. The OIML must continue to "spread the word" to increase awareness throughout the world and thus achieve our objective of a global metrology system affecting each and every one of us.

Mr. Johnston concluded his brief opening remarks by making nominations in relation to the President and Vice-Presidents of the Conference. He proposed Dr. Lawrence Besley as Conference President, CEO of the Australian National Metrology Institute. As Vice-Presidents he wished to nominate Mr. Stephen O'Brien, from New Zealand and Mr. James Kiarie, from Kenya. Delegates having unanimously approved these nominations, Mr. Johnston declared the Thirteenth Conference officially open and turned the floor over to Dr. Besley.

Opening remarks by Dr. Lawrence Besley

Thank you, Alan, very much, and may I thank the community here for the honor you have bestowed upon me, as being President of this Conference. I would like to add my words of welcome to those of the Hon. Mr. Murphy, in saying that we are delighted to have everybody here in the city of Sydney for this Meeting. As Mr. Murphy said, we have already had the APLMF meetings, last week, and it is great for us to have both our regional body and the international body for legal metrology meeting here back to back, so to speak.

As you may be aware, my background is not from legal metrology, it is from the scientific metrology community, but, also as you probably know, and as Mr. Murphy said, in Australia we have joined the legal metrology function with the scientific metrology functions into the same organization, in the National Measurement Institute.

We think this is working very well; it has promoted interchange between those two functions, not only within our own country but also in the other groups with which we interact, and I am very pleased to hear that greater interactions between the BIPM and the OIML are proceeding, because I think this is a very healthy situation and one that I would encourage the metrology community worldwide to engage in more vigorously as time passes. I think there is a lot to be gained by having very effective interactions between these two communities, particularly on the implementation front and on the way we interact with our own measuring communities, with our own stakeholders in our various jurisdictions.

So, I thank you again for the honor of being your President for this period. I have to apologize that I can only attend today's first session, up until lunch time, because unfortunately I am off to Indonesia this afternoon to attend the Asia Pacific Metrology Program Meeting, of which I am a member of the Executive, so I think from lunchtime today I will be passing the bat on, as chair of this meeting, to Stephen. Thank you very much, Stephen, for that. Thank you again.

ROLL CALL – QUORUM

Roll call – Quorum

The roll call was then taken. There was found to be a quorum, with 40 Member States present or represented.

1 APPROVAL OF THE MINUTES OF THE 12TH CONFERENCE

1 Approval of the minutes of the 12th Conference

The minutes were approved without alterations, abstentions or negative votes.

2 REPORT ON CIML AND BIML ACTIVITIES

2 Report on CIML and BIML activities

2.1 Actions stemming from Article 1 of the Convention

Members had received this report among the papers for the Conference. For this section of his report Mr. Magaña said he would follow the order of the points in the OIML Convention. The tasks of the OIML under this Treaty were as below:

- To set up a documentation and information center. Initially this had had to include the regulations of all Member States, plus translations of these. This was an impossible task, since there were so many Members and their legislation was so complex. So what had been done was to set up links with each country, principally on the web site, which would permit enquirers to access the information.

As to technical documentation about measuring instruments, here too what could be found online were mainly OIML Certificates, and technical documents containing information about measuring instruments. Members also knew the OIML Bulletin, of course.

The wording of the proposed Resolution, to be put to the vote on Friday, would be: “The Conference made the recommendation that CIML Members make their regulatory requirements available to the public on the internet and that they update their Member’s data on the OIML web site with links to these national web sites.”. Every Member had access to this database and could publish the relevant facts and the internet address for legal metrology for their own country. This OIML task was shared between the Bureau and the Members and the Members must not forget to do their part.

- To translate all metrology requirements. This could not be undertaken by the Bureau alone; the internet links were one part of it, and Members who had translated Recommendations into their own languages were asked either to put these online themselves or to send them to the Bureau so that this could be done.

The proposed Resolution was: “The Conference recommends that CIML Members make their national requirements available to the public via the internet (something which has already been widely but not universally achieved) and to put their facts on the database via national links”.

- To determine the general principles of legal metrology. Members knew of the Documents approved by the Committee, notably Document D 1 *Elements for a law on metrology*, adopted several years previously and increasingly used by numerous countries which were revising or reforming their national legislation; and various other Documents which gave detailed advice on how to organize a legal metrology service, an institute, and legal metrology enforcement in general. Some of these Documents were currently being revised but already constituted a guide.
- To study legal metrology with the intention of unifying and harmonizing rules and methods; to this end, a number of surveys had been set up, with the purpose of clarifying OIML strategy. Prominent among these was the survey on Conformity to Type, which was an important problem for legal metrology from the point of view of countries and of the OIML Certificate System. Prepackaging was also important and was now used in more cases than not in international as well as local trade. A current survey was examining the controls on prepackaging used in different countries in order to seek means of harmonizing these. A further survey on the implementation of OIML Recommendations, carried out every four years and coinciding with Conference, would now be online and ongoing. The resultant database would be searchable once the programming had been finished.

Suggested wording for Resolution 3 was: “The Conference recommends Members to complete the survey on the application of OIML Recommendations as fully and accurately as possible, and as soon as possible, and also address it every time a new Recommendation was adopted”. This was an important activity and again the Conference must urge Members to carry it out.

- To establish model regulations on different categories of measuring instruments, which was currently the major part of the OIML’s work. Another aspect was guidelines for the application of legal metrology. Documents 19 and 20, which would be combined, gave guidelines for evaluating Conformity Assessment; other Guides were proposed for approval by the CIML on the use of accreditation in legal metrology and work was under way on a Guide for the application of quality assurance standards in legal metrology.

- To establish an outline model procedure for the verification of legal metrology. This task had seemed achievable in the early days of the OIML in the 1950s, but did not seem feasible now because regulations varied so much from country to country. Instead, they ran various forums and seminars for the exchange of information and experience.
- To establish requirements for measuring instruments. This task has been addressed by the publication of some 130 OIML Recommendations which are intended to be model technical regulations, and which are recognized by the WTO as international standards acting as a basis for national legislation.
- To promote closer relationships between national authorities. This could be interpreted in two ways: promoting closer relationships either between the authorities in different countries or between the different authorities in a single country. Both were of importance and constantly undertaken by the OIML in the form of meetings, seminars, the work of the RLMOs, and contacts between local organizations and Government bodies.

The suggested wording of the Resolution was: “The Conference recommends OIML Members to keep national authorities apprised of the activities of the OIML and to invite them to contribute to this work”. The OIML’s work should not only be carried out by legal metrology services; it was often appropriate for environment (and other) ministries to participate either as part of a national group or directly.

Mr. Magaña invited Members’ comments, saying that it was important for the Conference to be interactive, with Member input.

Prof. Kochsiek wished to make a proposal concerning point 2.1.5 of the Model Draft Law. During the last few years he had had the opportunity to use this when supporting some countries that were reforming their national laws on metrology or legal metrology. His proposal was that there should be a Resolution for a revision of D 1. This should be a little more precise and especially should take into account globalization, measuring systems instead of measuring instruments, conformity assessment, and so on.

Dr. Besley asked Prof. Kochsiek whether he was proposing a new Resolution, to which Prof. Kochsiek assented (see Resolution 4b).

Mr. Magaña asked for Members’ reaction to the increased use of the internet for the exchange of information; did Members think it was justifiable to ask Member States to develop their own web sites and for the Bureau to direct enquirers towards these web sites?

Dr. Ehrlich certainly endorsed the use of the internet. He felt that setting up web sites with all the necessary links could be very complicated for the agencies involved, and could therefore take some time to implement, but in the long run he felt this was the best way to go.

2.2 Other actions

2.2 1 OIML Certification

Mr. Magaña explained that among other OIML activities not specifically spelt out in the Convention, two points stood out:

- The different Certificate Systems operated by the OIML. As Members knew, a system of OIML Certificates of Conformity had been set up in the 1990s. This was a voluntary system – Member States could designate authorities who could issue Certificates of Conformity against OIML Recommendations for measuring instruments. This system worked well and allowed industrialists to have more or less standardized Certificates referring to OIML Recommendations. Together with the Test Report Format, a manufacturer can go to another country and ask for type approval, which helps him to break into new markets. Those countries which do not have all the necessary testing facilities can use the Certificates as a proof of quality and conformity of their instruments. There were about thirty Issuing Authorities in 26 countries, 23 of

which had actually issued Certificates. Certificates were theoretically available for 46 types of instrument, though they had so far been issued for only 16 types, but they covered practically all the categories of interest to Members. More categories were covered in the Documents, but some of these were quite exotic and not in everyday use. Almost 2000 Certificates had been issued to manufacturers since 1991, in 38 countries; it could thus be said to be in use throughout the world. This was a voluntary system, without unnecessary administrative or technical constraints, whose success had been brought about by market forces. This was known as the “OIML Basic Certificate System”.

- The complementary and alternative system was the MAA, or Mutual Acceptance Arrangement, based on the OIML Basic Certificate System but more far-reaching. It was based on appropriate laboratory assessments of Issuing Authorities. A certain number of countries were going to sign a declaration that they would accept testing done by their colleagues. The term “Arrangement” meant that it was mutual acceptance, without legal force, based on testing. It had been in the course of development for four years and had taken considerable time to get under way because a lot of procedures had had to be put in place but it now seemed to be taking root. The CIML had discussed various alterations and improvements the previous day and it was hoped that it would now go from strength to strength and that industry would use it more. The MAA was already in place for R 76, R 60 and R 49 and work was beginning for an arrangement for prepackaging; here again the aim was that the system should be voluntary and open. Work was also proceeding on production conformity – i.e. whether a measuring instrument was in conformity with its certificate. Mr. Magaña saw this as an important OIML activity in the years to come.

3 LIAISONS

3 Liaisons

Liaisons with other international organizations, though not specifically mentioned in the Treaty, were of great importance. Several of these organizations would make presentations during the course of the Conference. Mr. Magaña would however first speak of some of these relationships from the point of view of the OIML.

- The closest to the OIML was, of course, the BIPM, or Metre Convention, because of the mutual interest in metrology. There had been active cooperation between the two since the inception of the OIML, and this had recently been stepped up. There were yearly meetings between the two at Presidential and Presidential Council levels, but there were also frequent contacts at permanent staff level, between the Directors and their staff. A joint action program was drawn up every two years, there was a joint publicity flyer, which Members would already have received, which showed their activities, there was a joint web site portal, metrologyinfo.org, which showed the complementary contributions of the two organizations to metrology in the fields of road safety, health, etc. Work was still in progress on this. This year several organizations had set up a Joint Committee to deal with metrology guides, and a joint declaration on metrology and mutual acceptance agreements had recently been produced.
- There was also close cooperation between the OIML and ILAC/IAF, the two accreditation organizations. Naturally the OIML Certificate Systems were being developed in close cooperation with these organizations. Here also there was a cooperation agreement, a yearly action plan, and mutual representation on each other's committees.
- There were also good relationships with the standardization organizations, such as ISO and the IEC.
- Relations were good with the WTO, which was not able to be represented at the present Conference. The OIML had observer status on the WTO Technical Barriers to Trade Committee, which helped to broaden the scope of the OIML's influence considerably – not only OIML Members but also WTO Members were under an obligation to follow OIML Recommendations as signatories to the TBT Agreement. The Bureau put considerable effort into relationships with the WTO, and he urged Members, in their own countries, to do likewise, in order to make legal metrology better known in this context.
- There were similar good relations with the staff of UNIDO, the United Nations Industrial Development Organization, with special reference to developing countries, which gave opportunities for raising awareness of the importance of legal metrology in aid programs.
- On technical subjects, there were liaisons with other bodies, such as CODEX Alimentarius, and closer contacts were being developed with other intergovernmental technical organizations, such as the Institute of Cooling and Refrigeration and the International Organization of Wine and Vine.
- Other important partnerships were with professions concerned with measurement, such as the European Committee of Weighing Instrument Manufacturers, CECIP.
- Among users of measuring instruments was the Wines and Spirits Organization.
- Thought was being given to how to liaise with consumers, who had no appropriate international association though plenty at regional and national level, often with different interests.

Mr. Magaña said that there would be an opportunity for discussion later, when certain Liaisons would make their presentations. In the meanwhile he wished to mention two other OIML interests:

- developing countries were important to the OIML and would be dealt with later in the day; and
- promotion of the OIML was an important and ongoing aspect of the work of the Bureau, and was carried out by attendance at symposiums, seminars and conferences in many parts of the world.

The method of working needed to be mentioned, and communication through the internet and various databases and discussion forums was being developed. Members were urged to make full use of these.

Presentations given by liaison organizations

3.1 OIE

Dr. Lyndell Post, representing the OIE (the World Organization for Animal Health) told delegates that she was in fact an Australian Government employee who worked for Australia's Chief Veterinary Officer, and was Australia's Delegate to this organization; the OIE Director had asked her to give the presentation in his place as he was unable to attend in person.

The OIE was an intergovernmental organization, founded in 1924 because of a large outbreak of a cattle plague disease which had been devastating livestock around the world at that time. Countries had decided to work together to try to eliminate this disease. This organization was older than the UN and its name had now been formally changed to the World Animal Health Organization.

The Organization currently had 172 members and was still growing. About five countries had joined in the last couple of years. It was recognized as a reference organization by the World Trade Organization and its mission was to improve the health and welfare of animals around the world, regardless of cultural practices or the economic situation in its member countries. It had six main objectives, four relating to animal health information and the other two to standard setting functions. These were:

- to ensure transparency in the global animal disease situation;
- to collect, analyze and disseminate scientific data;
- to encourage expertise to be developed;
- to improve the framework and resources of veterinary work around the country. For example, member countries had agreed to report animal diseases immediately they occurred so that information could be disseminated by the OIE and other countries could implement measures to prevent the disease spreading to their country. The OIE offered expertise to less developed countries to encourage better control of animal diseases there;
- one of the principal roles of the OIE was to set international trade standards within its WTO mandate; and
- there was also a growing world awareness of the need for excellence in animal welfare and at the request of its members the OIE had become a leading international organization on animal welfare issues, and particularly on those welfare issues where science could be used to manage them.

The OIE was mainly run by an international committee, which controlled it and elected its president, vice president and members of its various commissions. Most of its day to day work was carried out at its international headquarters in Paris, where there was a general session every year for a week in May. As Members might imagine, there was competition to attend this session.

Each delegate was generally the Chief Veterinary Officer of his or her country, and was also the main contact point between their country and the OIE, to inform of diseases and give information about them world wide. They were also the contact point for discussion of the standard setting.

The OIE had a number of international relationships, for example with the World Health Organization, the WTO, the World Bank and CODEX Alimentarius; it also had technical and scientific cooperation with regional organizations and international professional organizations, for example the Arab Association for Cultural Development, the Economic Community of Western African States, the Permanent Veterinary Committee of the Southern Cone, the Pan-American Health Organization, as well as with some professional organizations, often relating to food – meat and dairy, eggs – but also relating to biologicals, laboratory diagnostics, etc.

The World Trade Organization's Sanitary and Phytosanitary Agreement recognized the OIE as the reference organization for international standards; it was called one of the Three Sisters, the other two being the standard setting organization for food safety, which was CODEX Alimentarius, and the plant health factor, which was the International Plant Protection Convention, the IPPC. These three organizations set the standards for trading food products and animals.

The OIE was organized with four specialist commissions. Following the creation of the WHO, specific trade measures for the risks posed by moving animals and animal products were seen as a necessity. The OIE were used as a reference because they were recognized as having standards that were exclusively science based.

The international standards were created by the Commissioners of the Terrestrial Animal Health Commission and Aquatic Animal Health Commission and also a commission which looked at manuals for tests and vaccines for both terrestrial animals and aquatic animals.

In addition to the four technical commissions the OIE had regional commissions, which were focused on particular geographical issues and ran specific activities for the benefit of those regions. Australia was active in the Asia Far Eastern Oceania Regional Commission and worked constantly with neighboring countries in this activity. The administrative Commission ran day to day matters in Paris. They also had reference laboratories and collaborating centers, and the laboratories provided scientific and technical advice on problems connected with animal diseases.

The OIE had about 100 terrestrial animal health diseases that were considered, because of their risk of international spread, and experts at these laboratories provided scientific and technical advice where it was needed, and advice on specific topics. Australia had several OIE reference laboratories, for example for a poultry disease called Newcastle Disease, for a ruminant disease called blue tongue and for bovine tuberculosis, amongst others. Their laboratories were run in collaboration with major animal health laboratories in Australia.

A recent OIE initiative had been the development of the Performance of the Veterinary Services tool, aimed at assisting Developing Countries to support them to meet the OIE standards. There were critical competencies and fundamental components which a veterinary service must have to function effectively, and use of the PVS tool helped countries, and particularly other parts of their administrations, to understand and explore the performance of their veterinary services and to examine priorities to come up with a strategy for improvement. More information about this tool could be found on the OIE web site, where there was also information about early warnings for disease, weekly disease information, international standards and other general information.

The OIE also undertook and commissioned technical and scientific reviews, which were used to assist the development of standards; this also was all available on the web site.

In conclusion, Ms. Post told delegates that active participation in the OIE allowed Australia to influence the development of standards, to make sure they had early warning of proposed changes which, for example, they might find difficult to implement or which might take a little time to implement; they undertook stakeholder consultation, primarily with livestock organizations as well as state governments and other interested people, about how OIE standards could be implemented there. Australia believed that their animal health status and their export markets were protected as a result.

Mr. Magaña commented that the headquarters of this organization was in Paris and that the OIML had contacts with the OIE, and this also gave an opportunity for him to discuss possible cooperation. No program had yet been set up but the idea was under consideration.

3.2 ILAC/IAF

Mrs. Annette Dever told the Conference that she was the Secretary of the International Laboratory Accreditation Cooperation, ILAC. She was also representing the International Accreditation Forum, IAF. She explained that ILAC was the international organization for accreditation bodies involved in the accreditation of testing and calibration laboratories and also inspection bodies. IAF was the international association for accreditation bodies involved in the accreditation of certification bodies and also inspection bodies. The two worked closely together and undertook many joint activities, facilitated by a number of Joint Working Groups and joint committees which they had established. Their AGMs were held jointly, most recently, the previous week, in Stockholm.

Mrs. Dever explained that ILAC had been established in 1977 to promote communication among laboratory accreditation bodies around the world. It had been formalized as a corporation in 1996, and on 2 November 2000, the ILAC Mutual Recognition Arrangement had been signed by accreditation bodies which had completed a successful peer evaluation process. At the time of speaking approximately 30 000 laboratories and 5 000 inspection bodies had been accredited by the 81 ILAC Full Members and Associates.

ILAC's main role was as the principal international forum for the recognition of competent testing and calibration laboratories throughout the world, and this was done by the Mutual Recognition Arrangement, or MRA. ILAC was also involved in the development and appropriate harmonization of laboratory accreditation practices around the world, and one of the focuses was the promotion of laboratory accreditation as an effective mechanism for providing confidence in measurement results. As had been heard earlier, these were essential in supporting trade facilitation and reducing technical barriers to trade, and also in socioeconomic aspects. ILAC was also very active in assisting with developing accreditation systems in developing economies.

Mrs. Dever explained that there were a number of ILAC membership categories, and also representation from stakeholder organizations, as well as regional cooperation bodies. In October 2008, membership numbered 132 organizations, representing a total of 80 economies.

The International Accreditation Forum, or IAF, had been established in 1993 to operate a program for the accreditation of bodies dealing with conformity assessment in the fields of management systems, products, services, personnel and other similar programs of certification. In January 1998, the Multi-Lateral Recognition Arrangement, or MLA, for quality management system certification, had been signed, and in October 2004 MLAs had been signed for environmental management system and product certifications.

Accreditation bodies which were members of the IAF MLAs were required to recognize the certificates issued by certification and registration bodies accredited by all the other signatories to the MLA.

IAF currently had 78 members, 54 of which were accreditation body members. IAF also had representation from industry associations and certification and inspection body groups and the regional cooperations.

The ILAC MRA currently had 61 Full Members, or signatories to the ILAC MRA, representing 47 economies. Currently, the MRAs of three of the four cooperation bodies – the European Accreditation Cooperation, the Asian Pacific Laboratory Accreditation Cooperation and the Inter-American Accreditation Cooperation – had been recognized by ILAC. Recognition of a Region was achieved after successful peer evaluation carried out by ILAC, which also carried out a re-evaluation of each region every four years. The MRAs of each of the regional cooperation bodies operated to underpin the ILAC MRA, because signatories to the EA, APLAC and IAAC MRAs which were also members of ILAC were entitled to signatory status under the ILAC MRA.

As for the IAF MLA, at the end of 2007 forty accreditation bodies had been signatories. The special recognition of a Region in IAF was similarly achieved after successful peer evaluation by the IAF, with re-evaluation after four years. Those regional cooperation bodies which were members of both ILAC and the IAF had their re-evaluations conducted jointly. As for ILAC, the MLAs of the regional cooperation bodies operated to underpin the MLA.

A Memorandum of Understanding had been signed between ILAC and the OIML in November 2006, and in November 2007 this had been extended to the IAF. A joint ILAC/OIML working program had been developed for 2007 and 2008 and steady progress was being made on this. Meetings between the liaison officers of the three organizations were scheduled for March each year, at the BIPM in Paris. The ILAC/OIML work program for 2007 and 2008 had focused on three main areas:

- identification and training of lead assessors and technical and metrological experts;
- participation of those trained personnel in the OIML peer assessments and in the assessments undertaken by the ILAC Full Member accreditation bodies; and
- common interpretation of the relevant ISO/IEC standards, in this case ISO/IEC 17025 *General requirements for the competence of testing and calibration laboratories*.

Cooperation between the OIML and the IAF was at an earlier stage of development and there were plans to set up a joint OIML/IAF work program along the same lines as the OIML/ILAC one. Cooperation would once again begin by focusing on the recognition of experts and a common interpretation of the relevant ISO/IEC standards. The OIML had now completed a guide for the application of ISO/IEC Guide 65 *Requirements for bodies operating certification systems*, and there were plans to update this to include a common interpretation of the revised standard ISO/IEC 17065 when this had been finalized and published.

Looking more closely at implementing the cooperation, when accreditation was undertaken by an ILAC full member or MRA signatory and the accreditation scope for the accredited testing laboratories was to cover the type approval testing to the relevant OIML Recommendation, the accreditation assessment team would also include a technical and metrological expert in the appropriate field of type approval. A recent example of this cooperation had been the accreditation of the NMI in The Netherlands, conducted by RVA. The assessment team for this accreditation assessment had included an OIML technical expert.

Where laboratories had not been accredited, and underwent peer assessment under the responsibility of the OIML, peer assessment teams had to include both a technical and metrological expert, validated by the appropriate OIML Committee, and a lead assessor approved by the ILAC Full Member accreditation body. Names of assessors who had achieved this qualification would be on a list drawn up by both ILAC and the OIML. Recent examples of this cooperation had been the OIML peer assessment of the NMIJ in Japan and tests in Switzerland which had been undertaken using a lead assessor from an ILAC Full Member accreditation body.

In the future, international cooperation was expected to continue to make progress, and this would now be augmented by the increasing cooperation between the OIML and the IAF. There was also the opportunity, mentioned earlier in the day, to focus on cooperation between accreditation and metrology bodies at national level; benefits of this might include:

- an increase in the number of lead assessors willing to participate in OIML peer assessments;
- facilitating the training of accreditation body lead assessors in the field of legal metrology; and
- facilitating the promotion of technical and metrology experts to be used by the accreditation bodies.

There had already been mention of the Joint Committee on coordination of technical assistance to Developing Countries in Metrology, Accreditation and Standardization (JCDCMAS); in this committee, ILAC, IAF and the OIML formed three of the nine partner organizations which worked together. The others were BIPM, ISO, UNIDO, IEC, ITC and ITU. The aim of this body was to provide a holistic approach in issues relating to metrology, accreditation and standardization to developing economies. The BIPM currently held the secretariat, and meetings were held annually.

The liaison officers for the three organizations were, for ILAC and IAF, Peter van de Leemput from The Netherlands, and for the OIML, Régine Gaucher from the BIML. These two people were the focal points for the joint activities being undertaken. Mrs. Dever concluded by pointing out that further information on ILAC and IAF could be obtained from their respective web sites or by contacting either of the Secretariats. She spoke of the high value to ILAC and IAF of their cooperation with the OIML, a relationship which all of them looked forward to developing still further in the future, and thanked the Conference for the opportunity of speaking to them.

3.3 CECIP

Mrs. Veronika Martens, speaking on behalf of the European Federation of Weighing Instrument Manufacturers, told the Conference that CECIP had in the current year celebrated its 50th anniversary. It had been founded in 1958 by five members, and since then it had grown steadily, until it comprised at present the weighing federations of 16 European countries, and, with Russia and Ukraine having joined a few years previously, it even stretched beyond the borders of the EU.

Mrs. Martens thanked the President and Members for allowing CECIP to participate in the work of the OIML and for giving her the opportunity to make the current address. The previous year, in Shanghai, CECIP had spoken of the importance of International Recommendations R 76, on non-automatic weighing instruments, and R 51 for certain automatic weighing instruments. They had urged the OIML to get these Recommendations published as a high priority, because they were so urgently needed. Indeed, a few days before Christmas, she and others had received an email from the BIML informing them that R 76 had been published – a real Christmas present!

Now that the revised R 76 had been published, certain nations had begun to implement it into their national laws. This process was beginning in Europe, with official representation from manufacturers – in other words, of CECIP Members, whose goal was to adopt the requirements of R 76 word for word, and to limit any exceptions from it to the absolute necessary minimum. She hoped this endeavor would soon be successful in Europe, and also that, in line with the needs of globalization and the OIML Convention, other OIML Member States outside Europe were aiming at the same goal.

In this context, it would be necessary to take care of harmonization of the requirements for imported measuring instruments with those of the importing country. Only by this equal treatment could correctly operated market surveillance be ensured and correctly supported.

CECIP, Mrs. Martens continued, supported market surveillance that functioned well all across the globe. In order to achieve this it was necessary to build up competence for this important task in the countries themselves, if it was not yet available there. This was a process which could not be brought about or forced from outside a country. To be respected, expertise must go beyond the simple assessment of plates and markings. Rather, technical expertise and know-how must be built up and must play a major role in market surveillance. Only such an approach could solve present problems and contribute to a global harmonized quality standard, which was a major goal defined by the OIML.

Unfortunately, the contrary approach seemed to be the spirit of the day. There was a growing reliance on formalities rather than the conformity of a product with the appropriate quality standards. Sadly, this trend was to be found not only in the field of legal metrology but in all areas of daily life. Both aspects were, of course, important. However, the major priority as regards market surveillance should always be given to technical aspects, i.e. the assessment of the correct functioning of an instrument rather than on markings and labeling aspects.

Finally, Mrs. Martens wished to address the acceptance of manufacturers' test results for the MAA. The current state of the art was that some manufacturers had testing and calibration levels in compliance with ISO/IEC 17025, as heard in the preceding presentation. The test and calibration certificates issued by these laboratories were officially recognized world wide within the scope of ILAC. The laboratories met all the requirements of ISO/IEC 17025, the focus being on their professional competence. But ISO/IEC 17025 also required a contractual guarantee from a manufacturer that the staff of this laboratory was objective and independent in its decisions. Several manufacturers and assessing authorities had experience of this kind. It should therefore also be permitted under the MAA for an issuing authority to use and evaluate the test results of such an ISO/IEC 17025 compliant laboratory and provide a certificate based on this. The issuing authority was, of course, responsible for monitoring this laboratory; moreover, in issuing an OIML Certificate, the issuing authority took responsibility for the competence and reliability of the laboratory performing the tests.

It was also the view of CECIP that the OIML should go a step further: it should have a goal of trying to promote the establishment of such competent ISO/IEC 17025 testing laboratories in manufacturing establishments. How, otherwise, could manufacturers start and maintain production in a qualified way that ensured consistency and long term conformity of their instruments with the Certificates, if they did not build up confidence and run such a laboratory? The combination of manufacturers' ISO/IEC 17025 testing laboratories with an issuing authority for OIML Certificates was the ideal partnership to build up competence and would strengthen quality and conformity on the market.

Mrs. Martens then reiterated in summary form her wish list for OIML for the coming year; they should support the following:

- implementing R 76 in member countries as far as possible without changes, and harmonizing regulations within the country and for imports;
- qualified market surveillance within its member countries;
- acceptance of results from manufacturers' ISO/IEC 17025 testing laboratories and results evaluated by an issuing authority under the MAA, in order to support quality.

Australia endorsed Mrs. Martens' call for market surveillance of conformity to type certificates and also for the establishment of manufacturers' accredited testing laboratories so that they could ensure the conformity of types designed to OIML specifications.

Dr. Ehrlich asked for clarification on Mrs. Martens' last point: was she saying that the OIML should somehow establish a requirement for manufacturers to have accredited testing laboratories?

Mrs. Martens explained that CECIP's intention was to make it possible for an issuing authority to work together with such an ISO/IEC 17025 laboratory; this seemed to them to be the only way to establish quality, competence and real conformity between product and requirements. She was not asking for such laboratories to be part of the OIML Committee on Participation Review (CPR).

3.4 FIVS

For the International Federation of Wines and Spirits, Mr. John Barker, the New Zealand Member of that association, said that he valued the opportunity to talk to the present Conference and to have a liaison with the OIML. As an international industry organization, it was valuable for the FIVS to have liaisons with international standard setting organizations.

The OIML was involved in many aspects of the work of the wine and spirits industries. On the current work plan, the FIVS took note of the work planned on R 79, labeling of pre-packages, as well as the ongoing discussions about measuring container bottles and the certification mark, but also, more widely, there were a number of matters which affected them, ranging from the water meters which measured the water which was irrigating their wines to saccharimeters that told them how ripe their grapes were, to casks, barrels and other vessels and measurement of flow and many other important aspects. He had therefore decided that it would be appropriate to talk about what the FIVS was and what it represented.

Mr. Barker explained that the FIVS had originally stood for *Fédération Internationale des Vins et Spiritueux*; more recently, however, the acronym FIVS had been used because membership had been expanded to cover other producers of alcohol including beer production. It was the principal, international industry organization for the alcoholic beverage sector and had been established in July 1951 in Paris, where it still operated, sharing offices with the International Wine and Vine Organization, which was the international intergovernmental organization; there was a very close relationship between the industry and governmental groups.

Members of the Federation included producers, distributors, importers, exporters and trade associations as well as individuals in the trade from all over the world; some of the largest wine, beer and spirits companies in the world were brought together there.

The organization's values were:

- free and fair production and trading environment for the global alcoholic beverage industry; this entailed reasonable regulations and standards, moderate tax rates, eradication of counterfeiting and other forms of fraud;
- a responsible global alcoholic beverage industry, with a focus on sensitivity to the interests of consumers; they wanted to be socially responsible for corporate citizens; particularly, there was a lot of emphasis, in the current operating environment, on sustainable practices – not only environmentally sustainable practices but also socially sustainable practices.

The work of the FIVS included three key areas:

- providing information both to FIVS members and from their members to organizations which might be interested in knowing about industry positions;
- representing consensus positions of the organization to international organizations and national governments;
- a number of important strategic initiatives within the organization.

The principal vehicle of information was the web site, www.fivs.org, which was also used to give members regular updates on what was happening. On the web site there were also forums. Bi-annual conferences were held, at the last two of which OIML representatives had been present.

In the field of representation, they only represented opinions which had the consensus of all their members, so that the bodies hearing it could be certain that it represented the views of the industry. The FIVS was not attending the present meeting to propagate any stance, but they did participate in a number of international organizations, and the committee structure within the FIVS ensured the organization's presence at a number of international conferences, in some cases as an observer; for example the OECD, the World Health organization, the World Intellectual Property Organization, the World Customs Organization, CODEX Alimentarius, the World Trade Organization, and, of course, the OIML.

In terms of strategic initiatives, Mr. Barker was currently involved in setting up a fully searchable database of all the laws in different countries relating to the wine and spirits trade. This was a very useful tool, and aspects of legal metrology would shortly also be incorporated in it. They also promoted sustainable principles and social responsibility principles through tool kits and guiding principles developed within the organization.

The organization was based in Paris; Mr. Barker showed delegates its contact details before again thanking the OIML for the opportunity to make his presentation.

Australia asked Mr. Barker to comment on the relationship between the FIVS and the World Wine Trade Group.

Mr. Barker replied that the World Wine Trade Group was a joint industry/government organization, solely focused on wine; the two groups had a number of common members but ran quite separate and different agendas.

Mrs. Lagauterie said she appreciated that the FIVS had contact with the OIML but wondered whether they intended to encourage their members to have contact with their national legal metrology authorities.

Mr. Barker replied that there was much contact between FIVS members and their national legal metrology authorities, mainly on an individual basis. If the FIVS were to adopt a position on a particular issue, they would encourage all their members individually to approach their national legal metrology organizations and represent that view to them.

3.5 BIPM

Dr. Barry Inglis, Vice-President of the CIPM, apologized on behalf of the BIPM Director, Professor Andrew Wallard, who was unable to be present.

Dr. Inglis began with some general comments on the subject of the BIPM, or the Metre Convention. He told delegates that, as most of them would know, the Metre Convention had been signed in 1875, with an initial membership of 17 states. It currently had 51 member states and 27 associates. Its main function concerned the international system of measurement, the SI system; it was concerned with measurement standards, primary methods, uniform measurement throughout all aspects of trade, commerce and industry, and it spent a great deal of its time looking at traceability of measurement to the SI Standards.

The structure of the BIPM resembled in many ways that of the OIML. Its general conference met every four years; the 23rd conference had met in November 2007. There was an International Committee for Weights and Measures, more or less parallel to the CIML, though with a rather different membership structure – there were only 18 members in the CIPM, unlike the much broader representation in the CIML. Members were appointed on the basis of scientific and technical merit, as well as consideration of adequate representation across the membership. Three new CIPM members had recently been appointed and had taken up their positions at the 97th CIPM meeting held in October 2008.

The BIPM currently had a staff of 73; the budget for 2009 had just been set at 12.3 million euros, and the CIPM had agreed on the work program for the coming year. Andrew Wallard would be retiring at the end of 2010. His successor had already been elected: Dr. Michael Kühne, at present with the PTB, would take up his appointment as Deputy Director on 1 April 2009 meaning that there would be a significant overlap, but the succession was already in place.

The BIPM had a very wide range of contacts with international organizations: collaboration with the OIML at Bureau and Presidential Council levels had been mentioned earlier by Mr. Magaña. One of the main focuses at the last meeting in March 2008 had been detailed discussion and review of a report on a greater rapprochement between the OIML and the Metre Convention, particularly between the two Committees which oversaw the activities; Dr. Inglis would have more to say on this subject at the end of his presentation.

The BIPM had signed a cooperation agreement with VAMES, the Versailles Project on Advanced Materials and Standards. This area of activity had a tremendous impact on industry and a lot of the advances in technology came from the development of new materials and the traceability and connection between advanced materials and traceability and the basis for measurement. Confidence in those materials was a subject of concern to VAMES and also to the BIPM.

The report on ILAC/IAF had referred to the fact that the BIPM had accepted the secretariat for the JCDCMAS committee for the current year; this would provide a good opportunity for harmonization and effective cooperation between bodies such as the OIML, ILAC, IAF, and the BIPM – a total of nine bodies were cooperating in JCDCMAS. All had a common interest, which was to try and provide more effective support for developing countries. They saw JCDCMAS as an organization with great promise, though the BIPM was somewhat disappointed with the progress that had so far been made, and hopeful that during its time in the secretariat some of its activities might be expedited.

With the WMO (World Meteorological Organization) the BIPM was in the process of developing a symposium on metrology and climate change. It had been hoped that this might be held in 2009, but early 2010 now seemed more likely.

Apart from many joint activities with the OIML and ILAC, and the various agreements that were already in place, Dr. Inglis proposed to talk about future plans rather than past history. At the recent CIPM meeting there had been a half day strategic planning session, in the course of which the BIPM had undertaken to look outwards in its work programs. There was no limit to the number of activities this scientifically based organization could become involved in, but this sort of activity was very expensive, making it necessary to be selective and to make their contribution where it could be most effective, not only for BIPM membership but also for international metrology. The planning session had been interesting, possibly raising more questions than it answered, but obtaining support from members for increased funding was important. Work programs had to be detailed and clearly state their relevance and value to the membership. That process was already starting again in preparation for the 2011 Conference. Particular areas of interest raised during these discussions were the emerging metrology in nanostructures, where traditional metrology systems were not applicable. Many older fields of interest were being renewed.

Another important area was bio-analysis and bio-systems, where the BIPM was analyzing whether it might have a significant role to play.

The CIPM MRA, or Mutual Recognition Arrangement had been established in 1999; this had grown by leaps and bounds and on its database, accessible through the BIPM web site, over 80 key comparisons and supplementary comparisons were listed. These demonstrated the interconnection between various measurement institutes throughout the world. It was not static, but ongoing; a comparison could never be said to have been “done” once and for all, so there was a constant rollover of key comparisons and introduction of new ones, but, perhaps more significantly, in support of metrology internationally, there were more than 20 000 CMCs, or calibration measurement capabilities, listed for the signatories of that MRA. Approximately 74 institutes had signed the MRA, drawn from 45 Member States and 27 Associates. It was thus a very significant database and a very important MRA.

To celebrate the 10th anniversary of the MRA, the intention was to hold a symposium in October 2009 at the BIPM, in conjunction with the Directors’ Meeting, held at least once every two years but more often annually, for Directors of national measurement institutes throughout the world, and in conjunction also with the 98th International Committee for Weights and Measures.

An outstandingly successful summer school had been held in the current year at the BIPM. This had been attended by some 92 students, drawn from national measurement institutes around the world. The intention had been to bring together a number of the younger metrologists in the NMIs around the world so that they could share their experiences but also learn about some new developments in metrology. About 42 teachers had delivered 39 lectures and four workshops as part of this summer school, which had extended over two weeks. It had been a major exercise but the feedback was extremely positive. It had not just been about what

individuals had learnt, but also setting up an international network, a very important factor to underpin metrology throughout the world.

Returning to the subject of a possible rapprochement between the OIML and the Metre Convention, Dr. Inglis said there was a constant search for ways in which the two organizations could work together even more closely than was the case at the moment. This cooperation already involved, as Mr. Magaña had pointed out earlier, frequent, active and regular contact and joint projects, but in 2007 the question had arisen as to whether the two organizations should think about moving even closer together, whether through co-location or even, longer term, merger.

Though they dealt with different aspects of metrology, the two organizations had a great deal in common; much of the metrology work at the BIPM involved traceability for practical measurement throughout the System. Often there was overlap or possibilities of greater areas of cooperation. To be able to talk with a single voice to ministers and to international bodies would be a considerable asset, avoiding confusion between different aspects of the subject.

In 2007, therefore, as discussion continued, the Presidents of the two organizations charged the two Directors with the responsibility to look again at a possible merger and return with a report on the advantages and disadvantages of moving closer together. For the BIPM, this was a long term view; in the short term, obviously, there would be disruption, cost factors and other difficulties to overcome, but they felt that the potential long term benefits made it worthy of consideration.

The two Directors had accordingly produced their report, which had been considered at the bilateral BIPM-OIML meeting in March 2008. The report had not come up with any firm opinion for or against a merger. There had been little evidence of financial benefits, but, again, it was a matter of whether a short term or long term view was taken. The matter had been discussed at a recent CIPM meeting, where there had been general support for a continuing consideration of the project. He was not sure of the opinion of the OIML, but felt, from the tenor of the meeting in March, that they were perhaps rather less enthusiastic than the BIPM, but Dr. Inglis wished to make it clear that the CIPM was positively disposed to such a move, which it believed would bring significant benefits in the long term.

Dr. Inglis thanked the President for the opportunity to make his presentation, and concluded.

Mr. Magaña told the Conference that this question had been broached briefly in the CIML the previous day, as a result of which the report prepared by the two Directors was now available in the Workgroups section of the OIML web site. It was in the open section at the moment, where it could be read by all, but might be moved at a later date to a restricted access section.

Mr. Richard thanked Mr. Johnston and Mr. Magaña for putting the report online as promised. He expressed his regret, however, that the report had not been available prior to the Conference so that delegates could have studied it in advance, as all CIPM members had been able to do before their meeting. Mr. Magaña had said the day before, and Dr. Inglis had just said, that discussions were continuing. He himself was much in favor of this as a long term process, and wished to ask what form rapprochement might take, what the aims were and with what time scale this would be done in the OIML.

Mr. Johnston replied that putting the report on the web site had been his responsibility and he apologized for not having done so sooner. From his point of view as President, he fully agreed that closer cooperation made sense, and he believed that was happening. However, when it came to co-location, the OIML owned a building in central Paris whereas the BIPM was in Sèvres, on the outskirts. He understood that there were no available offices within the Metre Convention premises, which would mean significant expenditure to set up office space there. His point of view was that the reasons for closer cooperative working were the main factor that should be taken into account. In that case, he would find no difficulty in justifying any costs associated with this.

It had been suggested that the building in Paris should be sold or leased to offset the cost of moving. In the first place, he did not have the authority to authorize this without the approval of the CIML Members. In the second place, he believed there were legal obstacles to doing it. Two treaties were involved. In some countries the National Metrology organization and the Legal Metrology Organization were together; in many countries they were not. At the meeting, therefore, he had taken the position that he would continue to encourage the two organizations to work closely together. If, over time, they could develop a closer working relationship that would result in his being able to justify the costs associated with a co-location or potentially a merger, he was open to that. But as President of the CIML, and as someone who came from a financial rather than a

metrology background, he had not felt that he was in a position to demonstrate that the benefits of a merger or co-location were so great that the costs, short, medium or long term, were justifiable. There needed first to be strong reasons for such a move, and then the cost could be looked at, but the cost should not be incurred unless or until its benefits were fully demonstrated.

To summarize, he was all in favor of even closer cooperation than already existed; the two organizations met annually; their Directors met more regularly than that; they were members of the JCDCMAS; they often represented each other at meetings - they had developed a common presentation which allowed them to do so; and Mr. Magaña had listed the joint work projects being undertaken. But Mr. Johnston had no timetable; if it was going to happen it would happen over time, but he had no particular deadline date in mind. His position remained that, whereas it might possibly make sense in the long term, there had to be more demonstration of the benefits before he would be willing to bring the idea to the Committee to ask their permission to investigate the question much more fully than had been done to date. One of the questions that needed answering was whether it would require the opening of the two Conventions. One legal opinion had stated that this might not be necessary, but if this had to be done it would be significant in terms of workload, costs, etc. Normally, when two organizations were merged, the governments involved were looking for savings, but it seemed unlikely there would be any. There had been long and hard discussions at the last Metre Convention Conference about the budget, and the need of the Metre Convention to cut back on their program. The OIML would be having similar discussions that afternoon; times were hard economically and all belts might need to be tightened in the future. Mr. Johnston did not think the cost of the operation could be justified in these times of hardship. Of course he would pursue the matter, if CIML Members directed him to do so, but he did not himself feel it appropriate.

Mr. Richard pointed out that, according to Mr. Magaña's words earlier about the BIPM, there was already very active liaison and a substantial and appropriate common work program. He would like to encourage these meetings to be as frequent as possible, and for discussion to continue about possible rapprochement, long term certainly, as Messrs. Inglis and Johnston had said; this seemed important to him, and was certainly very important for Switzerland.

He also stated that Switzerland was absolutely ready to make its contribution and to engage resources in pursuing and prolonging discussion on the topic of a rapprochement between the OIML and the BIPM.

Dr. Inglis felt that he did not think he could make any further useful comment. The CIPM was positively disposed to further discussion, and saw the move as having long term benefits. He accepted that it was difficult to quantify and he thought that there would be no short term economic return; it was necessary to back one's judgment as to whether or not it would be beneficial in the long term. If the CIML would like to engage in further discussion, the CIPM would be delighted to do so.

Mr. Leitner said that Austria endorsed all efforts to move closer together; more study and investigation was of course necessary, but he thought they should proceed in that direction.

Dr. Ehrlich endorsed the position put forward by Mr. Johnston. He thought that discussion of the long term possibilities was a good thing, but did not believe it made sense to proceed in the short term.

Russia was sure that it was necessary for there to be better cooperation between the two organizations. Rapprochement could not be reached in the near future, but it was necessary to think of the longer term. Many states were members of both organizations and were pleased to meet the leaders of both each year. They appreciated that although discussion was possible, decisions must be delayed.

Mrs. Van Spronssen wondered whether the contemplated merger between the two organizations meant re-drafting both treaties, or just more working together as one unit.

Mr. Magaña replied that this point had been discussed in March when possible rapprochement scenarios had been discussed. The Director of the BIPM, with the BIPM legal advisers, thought that OIML activity could be absorbed within the framework of the Metre Convention Treaty. He himself differed, believing that the Metre Convention Treaty was not appropriate for legal metrology activities, and that a new or modified Treaty would be needed if there were to be a full fusion of the two organizations. These were two opinions on a question which had not yet been examined in depth. The frequent contact between the Directors of the two organizations and their colleagues gave rise more to discussion of particular joint action to be taken for the promotion and efficiency of metrology, rather than hypothetical merger, for which they had no mandate.

Mrs. Van Spronssen said that if the Treaty were opened, the journey to a new Treaty would be a long one. It would also involve the discussion of many subjects other than the subject which had been the reason for opening the discussion in the first place. She advised that care be taken before embarking on such an action.

China felt that now was not the appropriate time for discussion of the detail of further rapprochement. China fully supported closer cooperation but not moves towards merger.

Mr. Flandrin regretted that CIML Members had only learnt the previous day of the moves towards rapprochement, possible merger or adjustment of the Treaty, rather than having the information in advance. He felt that the matter merited deeper study of the issues so that future discussion could be more informed than was the case at present.

Mr. Magaña said that indeed Members had received their information rather late. The explanation was that the two Directors had originally been asked to prepare a joint report for the two Presidents, with a view to the discussions which had taken place in March. The report could not be made generally available without the Presidents' approval; it was for them to decide what to do with it. The report had been duly drawn up, presented to the Presidents and discussed by them in March, as reported by Mr. Johnston. The agreement between the two Directors had been to reserve the report for the time being for the eyes of the OIML Presidential Council and the BIPM. This was why it had not been sent sooner to CIML Members. There was nothing confidential in the report but it must be viewed with care, being only the opinion of the two Directors, without any official standing in either organization.

Concerning modifications to the Treaties, he was not pressing for this, as it was a lengthy and risky process that could well take 5 to 10 years. The purpose had been to examine the various options for ways towards a rapprochement:

- one option was to intensify the existing cooperation, with joint working groups, committees, etc.;
- the second option was additionally to place the two teams in Sèvres, without changing their separate missions;
- the third option was to merge into a single organization covering both scientific and legal metrology.

The task of the Directors had been to examine all three options; the third option, of total fusion, raised the question, "Under what treaty?" Clearly the OIML Convention made no provision for scientific metrology, though in the opinion of some experts the Metre Convention would allow for the inclusion of legal metrology. Mr. Magaña himself, however, was of the opinion that certain aspects of the Metre Convention made it seem likely that the inclusion of OIML activities would not be a simple matter. Modifying either Treaty or drawing up a new one was a lengthy, complex and onerous undertaking.

Dr. Inglis said the BIPM shuddered equally at the prospect of creating a new treaty for all the reasons already mentioned.

Mr. Mason (UK) urged that if further work were to be done in this area the question of cost saving, referred to by Mr. Johnston, should be kept in mind. This would be important if co-location were considered. He was concerned that discussions of a merger were happening without asking whether the Organizations possessed the complementary skills to bridge the gap between the scientific and legal aspects of metrology, which would mean that a merged organization was simply better at carrying out the work of the two different organizations. This seemed to him to be the crucial point in any discussion of merger, before the question of treaties and similar barriers was considered.

Mr. Magaña replied that the March discussions had emphasized the importance of intensifying contact, joint work and common initiatives to improve the promotion and image of metrology, and, equally, of developing technical interchanges. On certain technical matters, the OIML and the BIPM might have common interests and discussions. This was being effectively carried out. The question of bringing the two teams together at the Sèvres site had been discussed; there were cost problems – the cost of building and removal would have to be examined, and this had not yet been done. His first thought, and to some extent that of the BIPM Director, was that moving to the same campus only to continue working in separate topic areas would not be financially advantageous. They were already in the same city, a mere half hour apart, and could meet without any problems. It was only worth moving if the work was to be reorganized in a very different way – very few services were common to both. They worked on different accounting systems, different IT systems, their databases could not be merged – the only obvious saving at the moment was joint telephone answering. There

would be little benefit in moving next door to each other if they continued to do their separate work in neighboring buildings. More thought needed to be given to joint action and work any further alterations should be allowed to develop naturally.

John Birch reminded those present that very similar discussions on a possible rapprochement had taken place ten years previously, at which time it had seemed that the matter had been laid to rest. On a different topic, he introduced the subject of the difficulty of persuading politicians to take measurement issues seriously. He had therefore been interested in Dr. Inglis' comment about the proposed symposium on metrology and climate change. Governments were obliged to make climate change decisions on the basis of measurements, which were central to decisions politicians were making about their economies. So they were obliged to turn their attention to measurement. He was, however, concerned about the credibility of the metrology in those measurements and he recalled that at the 21st CGPM in 1999 a resolution on climate change and global warming had been passed and concern had been expressed as to whether the measurements being used were traceable and met OIML requirements for good metrology. The problem was that politicians were not talking about traceable measurements, but aggregated ones over the entire globe, such as a single figure for the temperature of the earth for one year and another year being compared. He asked Dr. Inglis whether there had been any discussion on this problem and challenge, and what the focus of the proposed symposium would be.

Dr. Inglis agreed that much current talk of climate change, carbon trading, etc. lacked a factual basis and seemed to be based on theoretical models and arbitrary decisions about sources. The matter had been discussed but only in a general sense. Bodies such as ILAC were now discussing matters such as how to provide traceability and competence in making the assessments. These subjects were also being touched on with the WMO and he certainly hoped that there would be input on this subject at the symposium.

John Birch added that if things did not work out, measurement would be held responsible. Metrology had to have credibility, trust and confidence, and he was worried that measurements were being used in a way which did not meet metrology standards; this exposed the real metrologists.

Dr. Inglis agreed. He had talked to people in greenhouse offices, who thought the matter had been wrapped up and the problem solved without recourse to metrology. They had a number system which they applied to certain types of forest and green areas and these terms had been accepted; it was very difficult to penetrate this without having to unravel material which was already in place. Political decisions had already been taken on this uncertain basis. The WMO was not going to solve the problem; all that metrologists could now do, in his opinion, was to try to highlight the issue and draw attention to it wherever possible.

Mrs. Lagauterie wished to return to the previous topic. There had been talk of promoting metrology jointly with the BIPM. For legal metrology, there was important promotional work to be done with training consumers, and the public in general. Unfortunately, the subject only came to the fore when there was a scandal, for example about petrol measurement in a particular country. She asked whether the BIPM or the Presidential Council had plans for any such training activities.

Mr. Magaña replied that the OIML/BIPM joint action program included a joint internet portal and some promotional fliers. One general, four-page A5 format flier had already been distributed to Members and there were plans for further fliers which would explain the role of metrology and legal metrology in certain sectors, for example health, safety, road safety, retail selling, designed to illustrate the uses and importance of both types of metrology in those sectors. These had been asked for only the previous year, so there had not been much time as yet to make progress, but they would be continuing the work. He and the BIPM Director also exchanged illustrative slides and presentation notes when one or the other would be addressing a symposium or seminar, so that each could give at least an introduction to both organizations. So when he himself was giving a talk on legal metrology he would start with an introduction to international metrology, including the BIPM, the OIML, with mention also of ILAC and traceability. Naturally these promotional activities had less priority than publishing OIML Publications and Recommendations, but they were not forgotten.

Mrs. Lagauterie asked whether the OIML also had contact with international and regional consumer groups; these were the people most directly affected by legal metrology, even more so than the professional bodies which showed an interest, because metrology was fundamental to consumers' everyday life.

Mr. Magaña responded that, unfortunately, there was very little contact with consumers' associations; to a small extent there was interest in TC 6 *Prepackaging*, but not much elsewhere. Mr. Magaña did not know whether in fact truly international generalized consumers' groups existed; regional perhaps, but not, to his knowledge, international.

Concluding discussions on Liaisons, the floor was passed to Mr. Kool who showed Resolution 4a, relating to the item on rapprochement with the BIPM, for voting on Friday.

He also referred to a suggestion from Prof. Kochsiek for a revision of D 1 *Elements for a law on metrology*; he asked whether the Conference wanted this to be undertaken at the present time. He therefore asked Prof. Kochsiek to reiterate his proposal and give his reasons.

Prof. Kochsiek said that during the last two years several Members had asked him for help in revising the law on metrology in their national Weights and Measures Act, based on D 1. In the last four years there had been a number of new developments, such as the globalization of trade and services, measuring systems instead of measuring instruments, conformity assessments and also management systems. This was his reason for asking for the revision of D 1, so that it would provide a better basis for support to countries wishing to revise their national law on metrology.

There being no comments immediately, Mr. Magaña pointed out that delegates' silence was not very conclusive – their views had to be known!

Mr. Lindlov stated that Norway would strongly support starting the revision of D 1, but felt that this was linked to the OIML statute, which focused excessively on measuring instruments and not so much on the newer measurements and mechanisms mentioned by Prof. Kochsiek.

Mr. Leitner said that Austria also would support the revision of this Document.

Russia explained that they had used D 1 in drafting their new law. In some places it had been unpleasant and uncomfortable to use and so they considered it necessary for the Document to be rewritten.

Mr. Kool said that if the Meeting agreed, a Resolution to this effect would be added to the list. However, he proposed adding some preliminary remarks providing the arguments for making this decision. This would be done, and the Resolution shown to the Meeting on Friday morning. Basically, however, its final sentence would be “the Conference instructed the OIML Committee to start a revision of Publication D 1 *Elements for a law on metrology*.”

Dr. Ehrlich stated that as Secretariat of TC 3, responsible for D 1, he needed to consult the members of TC 3, and they would be looking for assistance in carrying out this task, since it had not been part of their work plan for the year. He wished to ask for someone who was willing to take on such a project.

Mr. Kool responded that the BIPM would be happy to assist, and that the consultation referred to would take place.

4 TECHNICAL WORK

4 Technical work

4.1 Sanctioning of Recommendations

4.1.1 Recommendations approved by the CIML in 2005, 2006 and 2007

The Recommendations in question were those approved by the CIML in 2005, 2006 and 2007. Mr. Kool reminded delegates that a quorum had been reached.

- R 21 *Taximeters. Metrological and technical requirements, test procedures and test report format* was sanctioned without votes against or abstentions.
- R 35-1 *Material measures of length for general use. Part 1: Metrological and technical requirements* was sanctioned without votes against or abstentions.
- R 39 *Rockwell Hardness Machines*: the CIML had voted the previous day to withdraw this Recommendation, so it no longer needed to be sanctioned.
- R 49-1 *Water meters intended for the metering of cold potable water and hot water. Part 1: Metrological and technical requirements* was sanctioned without votes against or abstentions.
- R 49-2 *Water meters intended for the metering of cold potable water and hot water. Part 2: Test methods* was sanctioned without votes against or abstentions.
- R 51-1 *Automatic catchweighing instruments. Part 1: Metrological and technical requirements – Tests* was sanctioned without votes against or abstentions.
- R 65 *Force measuring system of uniaxial material testing machines* was sanctioned without votes against or abstentions.
- R 76-1 *Non-automatic weighing instruments. Part 1: Metrological and technical requirements – Tests* was sanctioned without votes against or abstentions.
- R 82 *Gas chromatographic systems for measuring the pollution from pesticides and other toxic substances* was sanctioned without votes against or abstentions.
- R 83 *Gas chromatograph/mass spectrometer systems for the analysis of organic pollutants in water* was sanctioned without votes against or abstentions.
- R 107-1 *Discontinuous totalizing automatic weighing instruments (totalizing hopper weighers). Part 1: Metrological and technical requirements – Tests* was sanctioned without votes against or abstentions.
- R 116 *Inductively coupled plasma atomic emission spectrometers for the measurement of metal pollutants in water* was sanctioned without votes against or abstentions.
- R 117-1 *Dynamic measuring systems for liquids other than water. Part 1: Metrological and technical requirements* was sanctioned without votes against or abstentions.
- R 134-1 *Automatic instruments for weighing road vehicles in motion and measuring axle loads. Part 1: Metrological and technical requirements – Tests* was sanctioned without votes against or abstentions.
- R 137-1 *Gas Meters. Part 1: Requirements* was sanctioned without votes against or abstentions.
- R 138 *Vessels for commercial transactions* was sanctioned without votes against or abstentions.
- R 139 *Compressed gaseous fuel measuring systems for vehicles*: The USA, The Netherlands & the Czech Republic voted against; there were no abstentions. This Recommendation was therefore sanctioned.
- R 140 *Measuring systems for gaseous fuel* was sanctioned without votes against or abstentions.

Mr. Kool then asked those countries that had voted against R 139 to give their reasons for so doing.

Dr. Ehrlich explained that the USA had voted against because they believed there was currently no facility in the world which could perform the tests specified therein. It did therefore not seem practical to sanction this

Recommendation. It would be very expensive to build such a facility and it was not clear that it would be necessary.

Mrs. Van Spronsen said that The Netherlands had the same reasons, and also that it had been pointed out to her that this test of constant flow was not a realistic one and not essential for the operating conditions.

Mr. Klenovský further added that the Resolution made at the last CIML Meeting to review R 139 before it was published with a view to its amendment had not been carried out.

Mr. Magaña said he would look up this point.

Mr. Kool remembered the CIML approving the Recommendation with the condition that the revision would be started immediately. He understood that the Secretariat, now The Netherlands, had in fact started this work.

Referring to the testing methods mentioned by the USA, Mr. Magaña said that this question had been discussed when the Recommendation was adopted by the CIML; a few testing means had existed at that time, though not many. These had since been taken out of service because they were under-used, and for cost reasons, so the problem raised was a real one. The question must be asked: if a test is justified, should it be included in the text even if testing apparatus was not yet available? This was a technical question, for the Committee rather than for Conference to settle.

Mr. Harvey advised the USA that Australia did have a CNG testing facility. Unfortunately it was currently in storage, but in the process of being re-established, and it was anticipated that by July 2009 it would once again be operational. Its capability was up to 100 kg per minute at constant flow rate; he was not sure of the pressure ratings but had offered to advise the USA of what the pressure ratings were, and whether it could be constant pressure, on his return to his office.

Mr. Harvey added that he and his colleagues believed that testing at constant flow rate was the appropriate way to test flow meters of any description, and that was why they had commissioned this facility, using sonic nozzles to achieve constant flow rates over a range of constant flow rates.

Mrs. Lagauterie added that the situation was the same for France; their facility was currently not set up and they were not sure whether this would soon be done or not. Steps were being taken to reactivate it but there was a major problem at the moment because several instruments had been given national certificates in France based on the Recommendation in question and if the Recommendation were non-functional they would have a legal problem. She was not sure of the legal detail but they had based their work on the Recommendation approved by the CIML. She intended to ask the Secretariat whether in fact work had begun on this.

Mr. Dunmill clarified the point about what had been decided at the previous meeting about this Recommendation. The Decisions merely recorded that the Recommendation had been approved. The CIML's discussions on that occasion had included the suggestion from France and from Mr. Magaña that the Recommendation could be put into immediate revision even if it were approved. The vote did in fact approve it and the Decisions recorded did not mention its being put into immediate revision.

The Netherlands said they held the Secretariat of that Subcommittee. The revision had been started but it was not yet ready for distribution, having not yet got even to first working draft stage. It would be necessary to have a meeting of the TC and that item, and possibly others also, would have to be discussed in depth – were tests with constant flow necessary or not, were there alternatives that would be cheaper and easier to perform? All this had to be discussed in the TC.

Mr. Magaña suggested that, since technical discussion was not appropriate in the Conference, a Resolution be drawn up to the effect that the Conference instructed the Committee to proceed as soon as possible to revise this Recommendation, having in mind the views expressed during the Conference. If this Resolution was accepted, the Recommendation would be considered sanctioned, but the Conference would be drawing the attention of the CIML and the TC to the urgency of resolving this problem.

Dr. Ehrlich appreciated the position of France, where some instruments now had certificates. On the other hand, to sanction this would put other manufacturers in a difficult position because the testing could not now be attained. He questioned whether the Conference should be sanctioning a Recommendation in circumstances where a manufacturer was effectively unable to obtain a certificate.

Mr. Magaña agreed that most manufacturers could not obtain a certificate on the basis of the tests in the Recommendation, because only one country (Australia) had the necessary testing equipment. But if the Recommendation was not sanctioned it would have to be withdrawn, which would be a pity since some countries were already using it.

Mrs. Lagauterie said that the withdrawal of R 139 would indeed create a real problem for France since four types of instruments had already obtained Certificates, and meters capable of equipping new types of instruments were already being tested. Other meters were in the process of being prepared.

Mr. Magaña said it was not possible to have in-depth technical discussion in the present assembly; there had been only three negative votes, which normally would mean that sanctioning went ahead. He now proposed taking the vote again in case some Members had changed their minds.

The same three countries, USA, Czech Republic and The Netherlands voted against the sanctioning of R 139 and there were no abstentions so it was sanctioned.

Mr. Magaña proposed an additional Resolution: The Conference calls the attention of the Committee to the comments expressed during its meeting and requests that the Committee proceed as fast as possible with the revision of this Recommendation. This Resolution would be proposed on Friday; there seemed to be consensus on this.

4.1.2 Direct sanction of new and revised Recommendations

Mr. Kool explained that when a Conference took place in the same year as a CIML Meeting, Recommendations (with the exception of Test Report Formats) were submitted for “direct sanction” by the Conference without having to be voted by the Committee.

- R 56 *Standard solutions reproducing the conductivity of electrolytes*: This Recommendation had in fact been withdrawn from the list, because the online ballot at CIML level had resulted in 6 “no” votes and substantial comments. The *Directives for the technical work* stated that in such a case the BIML was obliged to send the draft back to the TC/SC for resolution of the comments.
- R 71 *Fixed storage tanks. General requirements*: Dr. Ehrlich told Members he was not going to abstain but wished to make the comment that, in reviewing the published comments, the USA believed that many sections of R 71 were specifically written to be applicable for vertical cylindrical non-pressurized storage tanks and were often not completely applicable to other tank types covered by the scope of this Recommendation. They had been making this observation for several years and in the latest set of comments in the working papers the reply was that unfortunately it was too late to include such a significant alteration. They had been somewhat surprised by this answer since they had been making this request for several years. He wished to request that this Recommendation also be put into immediate revision to address this point.

Mr. Kool said that this would be added to the Draft Resolution.

- R 85 *Automatic level gauges for measuring the level of liquid in stationary storage tanks*: Dr. Ehrlich stated that the USA was in favor but did not agree that the scope should include automatic gauges on pressurized tanks; there had been a similar response to that on the previous item, and again the USA wished to propose that R 85 be put into immediate revision.

Mr. Kool replied that this would also be added to the list of proposed Resolutions, for decision on Friday.

- R 141 *Procedure for calibration and verification of the main characteristics of thermographic instruments* was sanctioned without votes against or abstentions.
- R 142 *Automated refractometers: Methods and means of verification* was sanctioned without votes against or abstentions.
- R 99-1 *Instruments for measuring vehicle exhaust emissions. Part 1: Metrological and technical requirements* and R 99-2 *Instruments for measuring vehicle exhaust emissions. Part 2: Metrological controls and performance tests* were sanctioned without votes against or abstentions.

Mr. Kool reminded Members that on the previous day the CIML had also voted to withdraw a number of Recommendations on hardness testing. He had included these Recommendations in the following list:

- Withdrawal of R 74 *Electronic weighing instruments* was sanctioned without votes against or abstentions.
- Withdrawal of R 121 *The scale of relative humidity of air certified against saturated salt solutions* was sanctioned without votes against or abstentions.
- Withdrawal of R 9 *Verification and calibration of Brinell hardness standardized blocks* was sanctioned without votes against or abstentions.
- Withdrawal of R 10 *Verification and calibration of Vickers hardness standardized blocks* was sanctioned without votes against or abstentions.
- Withdrawal of R 11 *Verification and calibration of Rockwell B hardness standardized blocks* was sanctioned without votes against or abstentions.
- Withdrawal of R 12 *Verification and calibration of Rockwell C hardness standardized blocks* was sanctioned without votes against or abstentions.
- Withdrawal of R 36 *Verification of indenters for hardness testing machines* was sanctioned without votes against or abstentions.
- Withdrawal of R 37 *Verification of hardness testing machines (Brinell system)* was sanctioned without votes against or abstentions.
- Withdrawal of R 38 *Verification of hardness testing machines (Vickers system)* was sanctioned without votes against or abstentions.
- Withdrawal of R 39 *Rockwell hardness machines* was sanctioned without votes against or abstentions.
- Withdrawal of Vocabulary V 3 *Hardness testing dictionary* was sanctioned without votes against or abstentions.

4.2 Acceptance / Recognition Systems

Mr. Magaña reminded delegates that most of them had been in attendance when a presentation on the MAA had been given to the CIML. It was now for the Conference to discuss the principles involved. The framework document for the MAA had been approved in 2003 and work had begun following the Berlin Conference in 2004, which had included in the 2005–2008 budget the necessary funding for an extra dedicated employee.

Summarizing the present position on the MAA, Mr. Magaña said various documents had been developed by the BIML and the MAA had begun with two categories: non-automatic weighing instruments (R 76) and load cells (R 60). A temporary CPR had been set up and a considerable amount of work had been done on clarifying the framework document and setting up a *modus operandi* for the Committees on Participation Review (CPR) and peer evaluation procedures.

Training had also been organized for the experts carrying out assessments; this had involved some expense, which had been covered. Next, applications had been examined, assessments had taken place and Declarations of Mutual Confidence (DoMCs) in the above categories had been signed in September 2006. So it had taken a year and a half to get to this point. It had originally been believed that things would move more quickly, but setting everything up had been more time consuming than initially anticipated.

At the end of 2007 a third category had been added, R 49 water meters. Taking into account the slower than expected start, the MAA system was therefore still in its early stages. Overall, taking the three MAA categories together, there were some 20 participants, of whom about a dozen were Issuing Participants. This fell short of the number of participants in the CIPM MRA, but the situation was different for the OIML, where not every country needed to put out reports.

However, a certain number of OIML Issuing Authorities had not yet joined the DoMCs, and, similarly, a certain number of manufacturers had not yet decided to use the new system. CECIP and others had

commented that there were some clauses in the MAA which industry found restricting. The number of Certificates issued so far fell short of what had been anticipated four years previously because of the slow start and the points still needed to be resolved. One matter in point was the use or otherwise of manufacturers' own test results. These issues were being studied and the CIML had proposed two Resolutions which should go some way towards providing answers to the problems mentioned; it was to be hoped that this would lead to a lifting of impediments to progress.

The CIML would also ask the TC/SC to continue to study the question of manufacturers' own test results; it was to be hoped that although the start up was slow, improvement would soon follow.

Besides the MAA there was also the question of conformity to type, which had been discussed the previous day by the CIML; a working group on this subject would meet the following morning. As mentioned earlier, having an assessment certificate for measuring instruments was beneficial for many countries and also for manufacturers, who were thereby enabled to present proofs of conformity to type. This was a demand of many importing countries. The next day's work would produce arrangements for voluntary market surveillance, and for confidence in participating manufacturers.

An area linked to certification problems was that of pre-packaging, which had been mentioned earlier. Retail trade more and more involved use of pre-packaging, and international trade was also increasingly dependent on regulation in this field. The question arose widely in exports. A voluntary system was being developed for certification of the quantities of product of pre-packaging. A framework document set up certain checks, which some countries might voluntarily adopt, and which pre-packagers might equally voluntarily adhere to. It was to be hoped that the guarantee of quality which this system would bring would allow other countries to accept this certification. Mr. Magaña considered that this was an important area of activity for the OIML, since it involved more companies than, for example, the manufacture of measuring instruments. 500 manufacturers of measuring instruments held OIML Certificates, but it was obvious that there were thousands of pre-packagers in every country – the scale of the possible take up was much wider.

Mr. Magaña read and explained Draft Resolutions 8 and 9, asking Members to support and participate in the systems mentioned.

Mr. Valkeapää apologized for his limited understanding of draft Resolutions 8 and 9. Did they refer only to point 4.2.2 or to the whole section 4.2?

Mr. Magaña replied that they referred both to the MAA and to the future systems still being developed.

Mr. Valkeapää responded that at the moment only the MAA already existed. It seemed to him rather premature to ask Members to support something that did not yet exist.

Mr. Magaña agreed. The Resolution could be somewhat tempered. Members could instead be asked to support the MAA as far as possible and to participate actively in the development of future systems. Once these were in place the Conference could encourage Members to participate in them.

Mr. Valkeapää then commented on the lack of reference in the Conference working papers to the Basic Certificate System, which in 2.2.1 was stated to be a successful system and, as he understood it, would be developed further by means of new paper on Test Report Formats. So Members should support this established system as well as those planned for the future.

Mr. Magaña agreed.

Mr. Björkqvist added that he shared the concerns of his Finnish colleague about these Resolutions. The IQ mark and other matters referred to earlier were voluntary, but the Resolutions were attempting to impose upon Members a moral obligation to follow these systems; this did not seem consistent.

Dr. Ehrlich shared the concerns of the previous two speakers. It seemed to him that it would perhaps be better to separate these two Draft Resolutions into one covering the MAA and another, worded differently, for the other systems. He thought there were Member States that would not be able to participate in the scheme being proposed by TC 6, and it would not be fair to impose a moral obligation to do so.

Mr. Magaña expressed agreement with Mr. Björkqvist. He proposed that the Conference should recommend Members to play an active part in its work. This was the smallest request, and it might be considered a moral obligation to do this. As for participation in the voluntary system, this of course depended on how the term "moral obligation" was interpreted. It meant that there was no penalty for any country that did not do what was recommended. Countries could well have their reasons for not applying certain systems. Care was needed

with the terminology of the Resolution; it might be better, for the voluntary systems, not to say “The Conference recommends...”, but rather “The Conference encourages...” This might be more appropriate in these circumstances, since it was not desirable to place too strong an obligation. He thought this was the weakest term that could be used.

The Conference President thanked Members for their contributions and said the Resolution would be reworded appropriately for their reconsideration on Friday.

5 STRATEGIC PLAN

5 Strategic plan

Mr. Magaña informed delegates that the Strategic Plan had already been discussed by the CIML in previous years. It had been drawn up two years previously by the President, the Presidential Council and the Bureau. Then it had been sent to CIML Members for comments, after which it had been approved by the Committee. It was a fundamental policy document of the OIML. The Conference was obliged by the Treaty to take an interest in OIML strategy - that was why, this year, instead of launching discussion of the Strategic Plan in the CIML, it had seemed to him more appropriate to hear the views of the Conference about it and to have it approved by them. He asked for comments from the floor.

Mr. Lindlov commented that it seemed to him that in the Strategic Plan there was a lot of focus on measuring instruments; he considered that the focus should be shifted more to measurements. Measuring instruments were nothing more than tools to produce measurements; also, the turnover of measuring instruments was much smaller than the number of measurements.

Mr. Magaña said that note had been taken of this comment, which would be passed on to the CIML and note would be taken of it in future revisions of the Strategic Plan.

Dr. Ehrlich said that there were various references in the Strategic Plan to offers of support. It should be made clear that this meant technical support and not financial support.

Mr. Magaña assured Dr. Ehrlich that this point too would be taken into account in future discussions, particularly when the budget was being discussed.

6 DEVELOPING COUNTRY ISSUES

6 Developing Country issues

Mr. Dunmill commented that he did not wish to repeat what he had said to the CIML the day before about the progress of work for Developing Countries during the past year. He had explained at that time that the Permanent Working Group on Developing Countries (PWGDC), set up four years previously, did not seem to be the most effective way of delivering OIML assistance to Developing Countries. The proposal being put to the present Conference was to replace this Group with a Facilitator. The Conference would therefore have to decide to dissolve the PWGDC and then to create the position of Facilitator. The new post was described in the Resolution as Adviser, but in the text both terms, Adviser and Facilitator, were used. Mr. Dunmill added that the contributions of the Permanent Working Group were of course appreciated, but for reasons of the effectiveness of the work he wished to propose that it be dissolved and replaced by the new position. He asked whether there were any questions or comments.

Mr. Magaña reminded delegates of a comment made the previous day, and confirmed that the position was unpaid.

Mr. Dunmill pointed out that what Mr. Magaña had just said represented the content of Resolution 12. He added that the Conference was setting up the position; the individual filling it would be appointed by the CIML. He also confirmed that the position in question was not a remunerated one but filled by a volunteer who received only travel and subsistence expenses. The BIML would supply any logistical, administrative or technical support as necessary to the person who undertook the work.

Mrs. Van Spronsen said that she would like to see the fact that the position was a non-salaried one written into the relevant Resolution, just to avoid any possible confusion in the future.

Mr. Dunmill said that this would be done before voting occurred.

7 FINANCIAL ISSUES

7 Financial issues

7.1 Report on the 2005 – 2008 financial period

Mr. Magaña reminded delegates they had received his report summarizing the financial situation over the recent period and explaining future prospects and budget propositions. They had received the Auditor's report at the same time. Mr. Magaña's presentation today would give less detail than these reports.

There had been some changes in staff responsibilities in recent years. In 2005, following the decision of the 2004 Conference, the Bureau staff had progressed from 10 to 11 persons, with the advent of an MAA Project Leader, in office for a four year period, to be financed by an account deficit. In fact, the launch of the MAA had been very intensive at the beginning, since all the procedures had to be set up. At the same time Mr. Magaña had insisted that the Bureau must increase its technical work program. Gradually, as the MAA needed less time, the time saved here was used for work on supporting TCs. There had been no major changes in other areas of work.

Mr. Magaña showed a chart plotting the relative costs represented by the MAA, the Basic Certificate System and other services to industry. The income from the MAA had not increased as fast as expected because, as previously explained, the start up had been slow. Income from this source was expected to rise in the coming year and balance its costs, which would diminish.

Past and future staff salary costs were shown: there had been an increase in staff costs in the first four years, due in large part to the extra cost of the MAA, and also to the new pension system, where the accounting costs, though not the actual disbursements, had risen more than had been anticipated. It was hoped that staff costs would be stabilized again in the coming years.

Outgoings had remained fairly stable. There had been extra expense in 2005, anticipated by the Conference, for the OIML's 50th anniversary. The CIML Meeting had been held in conjunction with a metrology conference attended by many CIML Members, and an anniversary party which had cost considerably more than the receptions organized in other years.

The breakdown of receipts and expenses was shown in chart form. Receipts from Membership fees had shown a modest rise but for 2008 and 2009 they would rise rather more. The 2008 rise was due to a revision of the contributions of certain Member States, following the rule established at the 2004 Conference, which had come into force in 2008.

In 2005 a subsidy had been received from the French Government towards the anniversary celebrations; this explained the increased income in that year. In 2007 additional funds had been received from some MAA assessments.

The balance of costs and income showed a small surplus in 2004, followed by a deficit in 2005 to 2007. It was expected that a surplus would again be shown for 2008, due to the adjustment in membership fees, with a further small surplus in the ensuing years to restore the reserve fund.

The External Auditor's report had been sent to Members. Mr. Magaña was not planning to go through it in detail but would be happy to answer any queries. Once this had been done, the Conference could pass a Resolution to accept the accounts for the past four years.

Dr. Ehrlich asked Mr. Magaña what the long term strategy was for dealing with unplanned increases in expenditure, especially on the pension system.

Mr. Magaña replied that he had been planning to speak later in more detail about the new pension system, because when the new financial system had been prepared, he had not assessed the effect it would have on the pension system. In general terms, the OIML pension system in the Staff Regulations was a payout system, much like other French pension systems, whereby the balance between contributions and payments was calculated on the short and medium term but not the long term. The deductions made balanced payments for 4, 5 or ten years but not for longer. When the new financial regulations were applied, one of the consequences was that the very long term cost of pensions had to be taken into account, and this led to very considerable extra costs, the annual payments for this being much higher than estimated in the budget presented to the 2004 Conference. He would speak later of the options open within this pension system.

Mr. Klenovský pointed out that the OIML had shown a deficit for the past three years at least. A small surplus was anticipated for the current year. He wondered whether interim figures showed that this was likely to be the case.

Mr. Magaña said there were several estimates for 2008 in his report, but the definitive outcome could not be known as yet as all the transactions had not yet been entered into the system for 2008. The pension calculations were too complicated for him and had to be done annually by an actuary. He had not appended this report as it was so extremely technically complex that he could not even surmise what the actuary might be going to say. He was expecting a surplus of some €116 000, but this could only be a projection. The deficits of the previous years had been largely expected, though the change in the pension system had exacerbated the situation.

Mr. Magaña went on to say that Members had had the opportunity to peruse the audited accounts and consult experts about them, and so were therefore in a position to vote for the Resolution giving discharge to the President and Director for their management.

Mrs. Lagauterie referred to the summary of the auditor's report and in particular to the section where it was stated that one member of BIML staff had decided to opt out of the new pension system and have his rights paid to him in a lump sum. Was this allowed for in the Staff Regulations, and if not, by what authority was this being done?

Mr. Magaña replied that the Staff Regulations did not mention this contingency; the necessary modification of the Regulations was a matter for the Committee to discuss. What was envisaged was for any Bureau staff who were eligible to do so to join a French pension system, and to leave the much more costly OIML pension system in abeyance for current bureau staff. Staff now in the old system could opt either to claim their pension under the OIML system or to transfer to another system if they preferred to do so. One member of staff wished to take this option. However, as would transpire during the discussion on pensions, this option was still not confirmed as available.

7.2 Future developments

In speaking of the budget for the coming four years, Mr. Magaña wished to begin by listing the matters to be dealt with in that period. Major new developments in OIML technical work included:

- more use of IT in measuring instruments: an important horizontal Document on this would shortly be adopted and applied in different Recommendations. This would require seminars and training;
- legal metrology would be applied in new areas. A certain number of Recommendations had been withdrawn, but in new areas such as the environment, safety and food safety, new ones would be needed;
- much work would need to be done on good practice and procedures in conformity assessment and documents drawn up recommending these procedures to Members;
- further MAA systems would be developed.

7.3 Needs for the 2009 – 2012 financial period

7.4 2009 – 2012 budget of the OIML

7.5 Financial estimates for the financial period 2009 – 2012

Needs for the period 2009 – 2012 included:

- making up the deficit caused by the start-up of the MAA and the greater expense on pensions; the reserves, which at the moment were slightly negative, must be built up again. The expense of paying pensions was considerable, since pensions had to be paid out until the death of the last person drawing them, who had still not reached pensionable age;
- the budget allowed for an inflation rate in the region of 4 %, which had been the rate in the past few months. There had been a slight increase recently but it was not clear whether this would continue. It had been decided by the CIML the previous year that Members' contributions would not be raised by more than 2 %, which was less than inflation; this in effect would lead to a reduction in the value of subscriptions;
- as discussed in Berlin but omitted from the Resolution, the ongoing objective was for Corresponding Members' subscriptions to be progressively increased until they reached 10 % of the basic contribution;
- a single tariff for Certificates had been proposed, so that Basic and MAA Certificates would cost the same amount of € 350; this was half way between the two systems – the cost of issuing an MAA Certificate was about € 500, and for a Basic certificate about € 150. There were three reasons for introducing this single tariff: to encourage industry to turn to the MAA since money could not be saved by not doing so; because both types of Certificate involved very much the same amount of work on the part of the Bureau; and so that the income from Basic Certificates would finance the cost of introducing the MAA;
- the suggested increase in subscription rates was slightly more than inflation, 5.25 %. Staff costs would increase by 6 % because their salaries were linked to inflation, and because there were few changes in personnel, about 2 % would be paid out in salary scale increases. In larger organizations, turnover of staff kept costs more or less stable, but in the BIML, as there was fortunately a stable staff, they earned seniority rises. However, the budget anticipated a less than inflation increase in travel and other operating expenses;
- the expected cost of the two systems would be covered by the charges made for them.

Mr. Flandrin drew Delegates' attention to the delays in translating Recommendations into French, which was in the written report but had not been mentioned. He felt that if Recommendations were to be widely promoted they must be translated with all possible speed, otherwise it was very difficult for businesses, especially small businesses, to apply them.

Mr. Magaña agreed. Since French was the official language of the OIML it was certainly unacceptable for there to be Recommendations which were not available in that language. The delay was due to the fact that previously there had been a member of the Bureau staff whose main task had been translation into French. His replacement had been deployed more in follow up of technical work, which had at that time become neglected. The new budget allowed for outsourcing translation, perhaps to retired metrologists in French speaking countries, to make first drafts, which would then be polished by Bureau staff.

Mr. Mason suggested that if resources were being made available for translation, they should also look into the possibility of making the accounts available to members in English as well as French. He had had to get them translated in order to understand them; it would be more efficient if this were done a single time and made available to all.

Mr. Magaña expressed his agreement with this. He had asked the Auditor the cost of bilingual accounts, and this would be considerable, so he had not asked for them but he had now found a better qualified person who would translate the Auditor's report more inexpensively and would shortly be commissioning this task.

Dr. Ehrlich returned to the matter of the reserve fund. Members understood why the fluctuation had taken place, but he wished to urge that the reserves should not be used in the same way in the future. He was pleased

to see that the future projection was for more stable reserves, and also that it was intended to restrict the operating expenses.

Germany asked whether OIML Member States had a part in decisions to use reserves.

Mr. Magaña stated that the use of reserves had been more extensive than planned because of the greater than expected costs of covering the pension scheme; but also a reduction in the reserve had been voted at the last Conference. It had been considered at that time that the reserves were too high and could be used to finance both setting up the MAA and celebrating the OIML 50th Anniversary. On the other hand, the high and variable costs of the pension scheme had not been anticipated at that time. The reasons for this last factor were too complex to be gone into in detail on the present occasion. In simple terms, the costs had been worked out on the basis of statistical averages, but the pension needs of the four or five people affected did not conform to the statistical average. There were effectively no reserves at the present time, so there were certainly no plans in the current budget to use them, but rather, on the contrary, to build them up again. Any future need to use reserves would be made by the 2012 Conference.

Germany responded that the German government had become critical of the creation of reserves in any organization, and had suggested that the current budget be the last in which reserves were built up, and a working capital fund should be built up instead, to cover areas such as outstanding arrears of contributions. The German Government would be willing to assist in the formation of such a fund if the Conference so wished.

Mr. Magaña's reaction was that the reserves, the share that would devolve to Member States if the organization were to dissolve, were negative at the moment; it seemed desirable and prudent to build them up again. He proposed raising them to the fairly modest level of three or four months' running expenses for the OIML. After the coming budget surplus period, future budgets were expected to be balanced. So long as funds existed there would be no cash flow problems and the banks would be better disposed to the organization. As far as capital funds were concerned, he did not know whether Members wished to distinguish between a capital fund and a reserve. The fund for pensions was not a separate entity from the fund for operating costs.

Japan referred to the statement that the budget was allowing for an inflation rate of 2 % p.a., less than the current inflation rate. Japan's policy was not to accept any increase, even nominal, in international contributions.

Mr. Magaña replied that in drawing up the budget he had envisaged 4 % inflation, but had wished to keep any rise in the subscription rate as low as possible, i.e. to 2 %. He expected an increase in the number of Members but if no rise were permitted it would not be possible to cover staff and operating costs and the activity of the Bureau would be diminished. Higher increases had been accepted at the Meter Convention's Conference the year before.

The delegate stated that Japan was thinking of paying the increased subscription, exceptionally, but with a request to the BIML to continue to be cost effective. The expense of any new initiative should be funded by savings on existing activities.

Mr. Magaña replied that the budget included a determination to cut operating costs. Travel expenses had increased due to the rising cost of fuel and he did not wish to have to cut down on these, but all other operating costs would be limited as far as possible so that the increase would be less than inflation.

Russia said that the question of inflation in fact came under Resolution 17, wherein it was stated that Member States could be asked for additional contributions. It was not realistic to foresee what these might be; it was better to discuss the right of the Bureau to obtain this money from the reserve fund.

Mr. Magaña said this point came further on in the Resolutions. The budget had been calculated on a projected inflation rate of 4 %. It was difficult to know whether inflation would remain at this rate throughout the four years of the budget projections. There could be fluctuations: for example, oil prices could go up or down and there were other unknowns. If inflation were to rise to 6, 8 or 10 %, the OIML could be in financial difficulties. This had happened at the end of the 1970s: inflation had been 12 % to 13 % and the OIML had been in trouble and had had to appeal to its Members for more money. This was a contingency covered by the Convention. He had simply wanted, in Resolution 17, to point out that if the Bureau were in extreme difficulties it had the right to ask its Members to make an increased contribution. He strongly hoped that this would not be necessary.

Mr. Mason asked about arrangements for setting salaries and salary costs. It seemed to be assumed that inflation would feed through into staff costs. Current Staff Regulations included both inflation and seniority rises: what was the process for setting these Regulations? Were they tied to a third party arrangement or negotiated separately? If inflation were to become a serious area he would expect the management to be looking at that area, with similar policies to those affecting public officials in, for example, the UK.

Mr. Magaña replied that the Staff Regulations were a result of a Committee vote; they had been redrafted four or five years previously to bring them up to date in a number of points, notably by having clearer salary scales comparable to those in other organizations; the agreement to give employees both cost of living and seniority rises had been enshrined in the new Regulations as in the former ones. Index linked and scale increases were the norm also in the BIPM and in all other international organizations. There was no intention for the OIML to diverge from this practice.

Dr. Ehrlich referred to the 4 % in Resolution 17. He wondered how long inflation would have to be above 4 %, or what would have to happen concerning finances, before extra funds were requested.

Mr. Magaña said he had made some projections: at 6 % inflation the reserves would be zero or in deficit at the end of the projected four years, so that although there would not be cash flow problems there would be nothing in the reserves. In such a case it would fall to the President to examine the finances of the organization and to decide whether the situation was serious enough to justify appealing to Members.

Mr. Richard shared the same anxieties, and for technical budgetary reasons Switzerland was not able to accept Resolution 17 in its current form. He did not find the term “lastingly higher”, referring to inflation, sufficiently clear. He did not share the Director’s view that it would be dangerous to define it more exactly. One possibility would be to tie it to OECD figures.

Mr. Magaña said he had not examined the matter in close detail. The wording could be modified to read “if economic conditions result in a critical financial situation for the OIML, after taking all necessary measures to reduce costs, the President of the Committee may propose an ...”

The Conference President asked Mr. Richard whether the revised wording seemed appropriate to him.

Mr. Richard replied that this wording was more suitable.

Germany wished to be sure whether Resolution 17 only contained a right of proposal for the President and did not contain any sort of authorization or acceptance of a surcharge to Member States, which Germany would not be able to accept.

Germany said they had not experienced how things had happened in the late 1970s; he thought that the President had asked at a CIML Meeting for additional voluntary contributions. A number of Members, but not all, had agreed to make these voluntary contributions. The words “for an additional voluntary contribution” could be included in the Resolution.

Mr. Mason asked about interpretation of the phrase “all necessary measures”. Would that include the possibility of looking again at the nature of the Staff Regulations? He could understand that under normal circumstances it was a good idea to have a clearly understood formula which did not need to be negotiated, but it seemed to him that in exceptional circumstances Members would expect the organization to have looked at other ways of bringing the staff costs under control before contributing Members were asked to make even a voluntary contribution.

Mr. Magaña agreed that there were a number of ways of reducing costs; one was restricting travel, but he did not want to limit this because a certain amount of travel was necessary if the OIML’s activities were to be maintained; there could be fewer meetings or less costly ones; the question of renewing contracts could be looked at, in a crisis, and staff numbers reduced; it would not, however, be possible to derogate from the Staff Regulations without calling a meeting of the CIML. The President could demand certain economies, and he could bring the question of the level of staff salaries before the Committee, but it would be for the Committee to decide this particular question.

The Conference President suggested that the Resolution should also require the President to report to the Committee on what economy measures had already been taken before they made their decision.

Returning to Resolutions 14 and 15, Mr. Magaña showed the dues for the following budgetary period for Member States and Corresponding Members respectively, the latter to rise gradually until they reached 10 % of the base contributory share. The proposal was that there should be no entry fee for new entrants to either

category during this financial period; this was in order to encourage new Members to join. Since there were never many new Members in any particular year, not charging entrance fees would not create financial problems.

Resolution 16, continued Mr. Magaña, showed tariffs for other services including the Bulletin, Certificates, DoMC Issuing Participant applications and Peer Assessment daily charges relating to the MAA.

Mr. Magaña then commented further on the pension system with regard to the new Financial Regulations, which had been adopted in 2004 for application from 2005. Previously, there had been a cash accounting system, which balanced monies received against monies dispensed. Some assets had not been properly recorded, in particular, monies owed by Corresponding Members were not shown in the figures, and nor were Members' bad debts. The accounts at that time had not reflected the OIML's situation accurately. The new Regulations imposed the obligation to use international systems of accounting. There were two such systems: IPSAS – International Public Sector Accounting Standards, which were the standards for the public sector, and IAS – International Accounting Standards, for the private sector, which was more fully developed. The OIML system had been developed by following IPSAS where feasible, with reference to IAS for sectors not covered in IPSAS. Pensions were not as yet covered by IPSAS so they had to have recourse to the private sector. In the private sector, all acquired pension rights had to be recorded; such matters were more complicated in the public sector and IPSAS still did not have a complete system. All OIML rights had therefore had to be recorded, as there was only the private system to follow, and this was still the case.

Another facet of the new accounting system was the external auditing of the accounts, so these now reflected the exact financial situation of the OIML, and recording of earned pension rights in the very long term, up to the death of the future pensioners. There had been an inter-governmental seminar on 16–17 October on the subject of accountancy in international organizations. Various international organizations had examined their situation in this regard. Several did not have their own pension system. Most of the others did not record earned pension rights; others had them calculated by an actuary but did not include them in their accounts. This was what the BIPM did, giving the pension rights only as information. But the OIML followed the whole IAS prescription by recording the rights in the accounts. The Conference could decide between the two possible ways of doing things, either to record the full cost of pensions, with higher immediate costs, or to calculate figures for the next few years only, which would mean the expense would continue for a longer period.

Finally, Mr. Magaña told Members that at the seminar he had met a member of the IPSAS Board, who was also the external auditor for two other international organizations of similar size to the OIML. This expert would be available, if so desired, to help with organizing the OIML pension system. Mr. Magaña then read the proposed wording of Resolution 18 and showed it to delegates.

Mr. Mason said that there had not been much time to think about the implications of this change in the accounting system. He could see that there was a very good case for getting an expert to look at this question, but queried whether it was right to assume that looking for public sector rather than private sector rules was in fact the best way of dealing with this particular problem of valuation. From what he knew of requirements for public sector accountancy, he realized that there were some circumstances where a public sector body was in a different position from a private sector one, and that from that point of view, there might be a need for modification of IAS. It did not seem to him, however, that this was necessarily the case with pension obligations, especially funded ones. Certainly in the case of the OIML, it was a small organization with obligations to its former employees. Their challenge was to value what those obligations were, so that the financial risks to the organization were known. This seemed to him to be exactly the same as the situation that any small company would face, and, while he would certainly support commissioning an expert to help and to develop thinking in this area, it did not seem to him that there was a way out of the situation simply by drawing up a different type of valuation protocol.

Mr. Magaña agreed with this comment, to the extent that the OIML did not have the automatic support of a state, as would be the case with a national public body. Not having such guarantees, the OIML therefore needed to have some cautionary measures. On the other hand, the OIML was intergovernmental and its mission was one of public service. It was not necessarily obliged to conform to all public centre practices; it was for the Conference to choose whether in certain points private sector practices were more appropriate. He considered that the whole matter needed expert examination and analysis with a view to altering the financial ways of working so that a project for revision of the Financial Regulations could be placed before the next Conference. In the intervening four years, the President needed to be given a certain temporary power of maneuver to interpret the situation and take the most appropriate action.

RESOLUTIONS

Resolutions

Mr. Magaña reminded CIML Members that 40 Members needed to be present for a quorum - 41 were present. Negative votes would be noted, with their related comments.

Resolution 1 was read and approved without negative votes or abstentions.

THE CONFERENCE MADE THE RECOMMENDATION THAT CIML MEMBERS UPDATE, IN A TIMELY MANNER, THE DATA RELATED TO THEIR COUNTRY IN THE OIML ONLINE DATABASE.

Resolution 2 was read and approved without negative votes or abstentions.

THE CONFERENCE MADE THE RECOMMENDATION THAT CIML MEMBERS MAKE THEIR REGULATORY REQUIREMENTS AVAILABLE TO THE PUBLIC ON THE INTERNET AND THAT THEY UPDATE THEIR MEMBER'S DATA ON THE OIML WEB SITE WITH LINKS TO THESE NATIONAL WEB SITES.

Resolution 3 was read and approved without negative votes or abstentions.

THE CONFERENCE MADE THE RECOMMENDATION THAT CIML MEMBERS COMPLETE THE INQUIRY ON THE IMPLEMENTATION OF OIML RECOMMENDATIONS AS ACCURATELY AS POSSIBLE AND AS SOON AS POSSIBLE, AND FURTHER MADE THE RECOMMENDATION THAT MEMBER STATES UPDATE IT EACH TIME A NEW OR REVISED NATIONAL REGULATION IS ADOPTED.

Resolution 4 was read and approved without negative votes or abstentions.

THE CONFERENCE MADE THE RECOMMENDATION TO CIML MEMBERS TO KEEP OTHER NATIONAL DEPARTMENTS INFORMED OF OIML WORK, AND TO INVITE THEM TO CONTRIBUTE TO THIS WORK.

Resolution 4a was read and approved without negative votes or abstentions.

THE CONFERENCE TOOK NOTE OF THE COMMENTS MADE CONCERNING THE POSSIBILITY OF A RAPPROCHEMENT WITH THE BIPM. IT INSTRUCTED THE COMMITTEE AND THE BIML TO FURTHER STUDY THIS ISSUE AND TO CONTINUE STRENGTHENING THE COOPERATION WITH THE BIPM.

MEMBER STATES ARE REQUESTED TO SEND COMMENTS AND PROPOSALS TO THE BIML BY THE END OF 2008 SO THAT A SUMMARY OF THESE MAY BE DISCUSSED BY THE PRESIDENTIAL COUNCIL IN MARCH 2009.

Resolution 4b was read and approved without negative votes or abstentions.

IN ORDER TO BETTER ASSIST DEVELOPING COUNTRIES, THE CONFERENCE CONSIDERED IT DESIRABLE THAT PUBLICATION D 1 *ELEMENTS FOR A LAW ON METROLOGY* BE REVISED TO TAKE ACCOUNT OF THE LATEST DEVELOPMENTS IN WORLD TRADE, SUCH AS CONFORMITY ASSESSMENT, CERTIFICATION AND GLOBALIZATION. THE CONFERENCE INSTRUCTED THE COMMITTEE TO START A REVISION OF PUBLICATION D 1.

Resolution 5 was read. Russia felt that it should be mentioned, both in this Resolution and in Resolution 6, that these Publications had already been approved by the CIML. Mr. Magaña suggested appropriate wording whereby this might be done. Dr. Ehrlich stated that there was a negative vote from the USA on R 139 only. Other negative votes for R 139 were voiced by The Netherlands and Czech Republic. Resolution 5 was then approved with no abstentions (and three "partial" negative votes).

Mrs. Lagauterie said she thought the negative votes should be recorded in the minutes and did not see why they were being recorded in the Conference Resolutions.

Mr. Magaña concurred that this was correct. Nevertheless, even with two negative votes the Resolution was adopted. No record appeared within the Resolution of who had voted against it, but it would be clear in the minutes that these two negative votes related to a single Recommendation.

THE CONFERENCE SANCTIONED THE FOLLOWING PUBLICATIONS PREVIOUSLY APPROVED BY THE COMMITTEE AND MADE THE RECOMMENDATION THAT MEMBER STATES USE THEM AS THE BASIS FOR THEIR NATIONAL REGULATIONS AS FAR AS POSSIBLE:

- R 21:2007*TAXIMETERS*
- R 35-1:2007*MATERIAL MEASURES OF LENGTH FOR GENERAL USE.*
PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS
- R 49-1:2006*WATER METERS INTENDED FOR THE METERING OF COLD POTABLE WATER AND HOT WATER.*
PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS
- R 49-2:2006*WATER METERS INTENDED FOR THE METERING OF COLD POTABLE WATER AND HOT WATER.*
PART 2: TEST METHODS
- R 51-1:2006*AUTOMATIC CATCHWEIGHING INSTRUMENTS.*
PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS - TESTS
- R 65:2006*FORCE MEASURING SYSTEM OF UNIAXIAL MATERIAL TESTING MACHINES*
- R 76-1:2006*NON-AUTOMATIC WEIGHING INSTRUMENTS.*
PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS - TESTS
- R 82:2006*GAS CHROMATOGRAPHIC SYSTEMS FOR MEASURING THE POLLUTION FROM PESTICIDES AND OTHER TOXIC SUBSTANCES*
- R 83:2006*GAS CHROMATOGRAPH/MASS SPECTROMETER SYSTEMS FOR THE ANALYSIS OF ORGANIC POLLUTANTS IN WATER*
- R 107-1:2007*DISCONTINUOUS TOTALIZING AUTOMATIC WEIGHING INSTRUMENTS (TOTALIZING HOPPER WEIGHERS). PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS - TESTS*
- R 116:2006*INDUCTIVELY COUPLED PLASMA ATOMIC EMISSION SPECTROMETERS FOR THE MEASUREMENT OF METAL POLLUTANTS IN WATER*
- R 117-1:2007*DYNAMIC MEASURING SYSTEMS FOR LIQUIDS OTHER THAN WATER*
- R 134-1:2006*AUTOMATIC INSTRUMENTS FOR WEIGHING ROAD VEHICLES IN MOTION AND AXLE-LOAD MEASURING. PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS – TESTS*
- R 137-1:2006*GAS METERS. PART 1: REQUIREMENTS*
- R 138:2007*VESSELS FOR COMMERCIAL TRANSACTIONS*
- R 139:2007*COMPRESSED GASEOUS FUEL MEASURING SYSTEMS FOR VEHICLES*
- R 140:2007*MEASURING SYSTEMS FOR GASEOUS FUEL*

Resolution 6 was read and approved without negative votes or abstentions.

THE CONFERENCE SANCTIONED THE FOLLOWING PUBLICATIONS AND MADE THE RECOMMENDATION THAT MEMBER STATES USE THEM AS THE BASIS FOR THEIR NATIONAL REGULATIONS AS FAR AS POSSIBLE:

- R 71:2008*FIXED STORAGE TANKS. GENERAL REQUIREMENTS*
- R 85:2008*AUTOMATIC LEVEL GAUGES FOR MEASURING THE LEVEL OF LIQUID IN STATIONARY STORAGE TANKS*
- R 99-1:2008*INSTRUMENTS FOR MEASURING VEHICLE EXHAUST EMISSIONS.*
PART 1: METROLOGICAL AND TECHNICAL REQUIREMENTS
- R 99-2:2008*INSTRUMENTS FOR MEASURING VEHICLE EXHAUST EMISSIONS.*
PART 2: METROLOGICAL CONTROLS AND PERFORMANCE TESTS

R 141:2008*PROCEDURE FOR CALIBRATION AND VERIFICATION OF THE MAIN CHARACTERISTICS OF THERMOGRAPHIC INSTRUMENTS*

R 142:2008*AUTOMATED REFRACTOMETERS: METHODS AND MEANS OF VERIFICATION*

Resolution 6a was read and approved without negative votes or abstentions.

THE CONFERENCE TOOK NOTE OF THE COMMENTS MADE BY SOME MEMBER STATES REGARDING THE NECESSITY OF REVISING THE FOLLOWING PUBLICATIONS AS SOON AS POSSIBLE:

R 71:2008FIXED STORAGE TANKS. GENERAL REQUIREMENTS

R 85:2008AUTOMATIC LEVEL GAUGES FOR MEASURING THE LEVEL OF LIQUID IN STATIONARY STORAGE TANKS

R 139:2007COMPRESSED GASEOUS FUEL MEASURING SYSTEMS FOR VEHICLES

THE CONFERENCE INSTRUCTED THE COMMITTEE TO START THE REVISION OF THESE PUBLICATIONS.

Resolution 7 was read and approved without negative votes or abstentions.

THE CONFERENCE SANCTIONED THE WITHDRAWAL OF THE FOLLOWING PUBLICATIONS:

V 3HARDNESS TESTING DICTIONARY (QUADRILINGUAL FRENCH-ENGLISH-GERMAN-RUSSIAN)

R 9VERIFICATION AND CALIBRATION OF BRINELL HARDNESS STANDARDIZED BLOCKS

R 10VERIFICATION AND CALIBRATION OF VICKERS HARDNESS STANDARDIZED BLOCKS

R 11VERIFICATION AND CALIBRATION OF ROCKWELL B HARDNESS STANDARDIZED BLOCKS

R 12VERIFICATION AND CALIBRATION OF ROCKWELL C HARDNESS STANDARDIZED BLOCKS

R 36VERIFICATION OF INDENTERS FOR HARDNESS TESTING MACHINES

R 37VERIFICATION OF HARDNESS TESTING MACHINES (BRINELL SYSTEM)

R 38VERIFICATION OF HARDNESS TESTING MACHINES (VICKERS SYSTEM)

R 39ROCKWELL HARDNESS MACHINES

R 74ELECTRONIC WEIGHING INSTRUMENTS

R 121THE SCALE OF RELATIVE HUMIDITY OF AIR CERTIFIED AGAINST SATURATED SALT SOLUTIONS

Resolution 8 was read and approved without negative votes or abstentions.

THE CONFERENCE MADE THE ENCOURAGEMENT TO MEMBER STATES TO ACTIVELY PARTICIPATE IN THE DEVELOPMENT AND REVISION OF OIML MUTUAL ACCEPTANCE AND RECOGNITION SYSTEMS WITH A VIEW TO MAKING THEM ACCEPTABLE IN THEIR COUNTRIES.

Resolution 9 was read; Finland and Sweden voted against. Mr. Valkeapää pointed out that Finland's negative vote was due to the fact that the Resolution did not state which of the recognition systems the OIML should actively promote. He would prefer it to refer to the MAA and Basic Certificate Systems, otherwise it appeared to be an open check for acceptance of systems which might be huge, and also unknown to Members.

Mr. Magaña replied that it was correct that the Resolution as it stood encouraged Members also to participate in further systems which might be set up perhaps in a couple of years time. He asked whether other countries wished to comment on this matter. A delegate suggested altering the wording to "existing systems".

Mr. Lenemar commented that Algeria had voted for Resolutions 8 and 9 but with some reservations. For Resolution 8, he would propose: “The OIML participates actively in the revision of OIML systems but reserves the right to proceed to the approval and verification of measuring instruments when it considers it necessary, such as the supplemental content of certain physical parameters”.

On Resolution 9, likewise, he suggested “The OIML will reserve the right to demand certain technical and administrative prescriptions.”

Mr. Magaña thanked Mr. Lenemar and assured him that his comment would be included in the minutes. Clearly, the Basic and MAA Systems were not obligatory for Member States, which could choose whether to participate or not and whether or not to accept their tests. States were totally free to carry out extra tests or even not to recognize the OIML ones. The comment was noted but did not endanger the Certificate or MAA Systems.

Mr. Magaña asked whether appending the words “existing OIML systems” would make any difference to the votes cast.

Mr. Björkqvist replied that with this modification, Sweden would find it possible to vote in favor of the Resolution. The phrase was added and the voting record modified; Resolution 9 was approved without further negative votes or any abstentions.

THE CONFERENCE MADE THE ENCOURAGEMENT TO MEMBER STATES TO PARTICIPATE IN EXISTING OIML MUTUAL ACCEPTANCE AND RECOGNITION SYSTEMS AND TO ACTIVELY PROMOTE THEM TO ALL CONCERNED PARTIES SUCH AS MANUFACTURERS AND USERS OF MEASURING INSTRUMENTS.

Resolution 10 was read. Mr. Lindlov reminded delegates that the previous day it had been decided to insert a sentence to the effect that further development of the strategy should take into account the comments made at that time. Mr. Magaña suggested adding that the Committee was also requested to take account of comments made during the Conference when updating the strategy document. Resolution 10 was then approved without negative votes or abstentions.

THE CONFERENCE APPROVED THE STRATEGIC PLAN AND INSTRUCTED THE COMMITTEE TO IMPLEMENT IT AND TO REPORT ON THE PROGRESS IN ITS IMPLEMENTATION AT THE 14TH CONFERENCE. IT REQUESTED THE COMMITTEE TO TAKE ACCOUNT OF THE COMMENTS MADE BY THE CONFERENCE FOR THE UPDATE OF THIS PLAN.

Resolution 11 was read and approved without negative votes or abstentions.

THE CONFERENCE DISSOLVED THE PERMANENT WORKING GROUP ON DEVELOPING COUNTRIES AND THANKED ITS MEMBERS FOR THEIR VALUABLE ADVICE AND CONTRIBUTION TO THE OIML’S WORK ON DEVELOPING COUNTRIES.

Resolution 12 was read. Mr. Kool reminded delegates that the words “unsalaried” and “within its budget” had been added. There were no negative votes or abstentions.

THE CONFERENCE ESTABLISHED THE UNSALARIED POSITION OF “FACILITATOR ON DEVELOPING COUNTRY MATTERS”, RESPONSIBLE TO THE CIML PRESIDENT AND ASKED THE BIML TO PROVIDE SUCH SUPPORT, WITHIN ITS BUDGET, AS MAY BE NECESSARY TO THIS FACILITATOR.

Resolution 13 was read. Mr. Flandrin explained that he did not believe this Resolution was valid since it was based on reports covering the years 2004–2007, and on rules which had not yet been approved by the CIML. It seemed to him dubious to be relying on a report on arrangements not yet accepted by the Committee. Mr. Magaña responded that Mr. Flandrin’s comment would be included in the minutes. He continued that for this Resolution it was a matter of accepting the Auditor’s reports for the four previous years, as stipulated in the Financial Regulations adopted in 2004.

There were no negative votes or abstentions.

THE INTERNATIONAL CONFERENCE OF LEGAL METROLOGY,

HAVING EXAMINED THE REPORTS ON THE MANAGEMENT OF THE BUDGET FOR THE YEARS 2004, 2005, 2006 AND 2007;

NOTING THAT THE BUDGET WAS MANAGED IN CONFORMITY WITH THE EXPENSES NECESSARY FOR CARRYING OUT THE WORK OF THE BUREAU AND THAT THE ACCURACY OF THE REPORT HAS BEEN CERTIFIED BY ANNUAL AUDITS;

NOTING THAT THE RESPECTIVE FUNCTIONS ASSIGNED BY THE CONVENTION TO THE PRESIDENT OF THE INTERNATIONAL COMMITTEE OF LEGAL METROLOGY AND TO THE DIRECTOR OF THE INTERNATIONAL BUREAU OF LEGAL METROLOGY HAVE BEEN FULFILLED;

GAVE ITS DEFINITIVE DISCHARGE TO THE PRESIDENT OF THE COMMITTEE AND TO THE DIRECTOR OF THE BUREAU FOR THEIR MANAGEMENT OF THE BUDGET DURING THE YEARS MENTIONED ABOVE.

Resolution 14 was read and approved without negative votes or abstentions.

THE BASE CONTRIBUTORY SHARE FOR MEMBER STATES FOR THE FINANCIAL PERIOD 2009–2012 SHALL BE AS FOLLOWS:

2009 13 600 € 2010 13 900 € 2011 14 200 € 2012 14 500 €

NO ENTRY FEE SHALL BE DUE FOR COUNTRIES JOINING AS MEMBER STATES DURING THIS FINANCIAL PERIOD.

Resolution 15 was read and approved without negative votes or abstentions.

CORRESPONDING MEMBER FEES FOR THE FINANCIAL PERIOD 2009–2012 SHALL BE AS FOLLOWS:

2009 1 120 € 2010 1 230 € 2011 1 340 € 2012 1 450 €

NO ENTRY FEE SHALL BE DUE FOR COUNTRIES JOINING AS CORRESPONDING MEMBERS DURING THIS FINANCIAL PERIOD.

Resolution 16 was read and approved without negative votes or abstentions.

THE TARIFFS OF THE OTHER OIML PRODUCTS OR SERVICES FOR THE FINANCIAL PERIOD 2009–2012 SHALL BE AS FOLLOWS:

	2009	2010	2011	2012
OIML BULLETIN ANNUAL SUBSCRIPTION	60€	60 €	60 €	60 €
DoMC ISSUING PARTICIPANT APPLICATION	1 620 €	1 650 €	1 680 €	1 710 €
DoMC PEER ASSESSMENT (PER DAY)	1 530 €	1 560€	1 590 €	1 620 €
OIML CERTIFICATES (BASIC AND MAA)	350 €	358 €	367 €	376 €

Resolution 17 was read and approved without negative votes or abstentions.

SHOULD THE ECONOMIC CONDITIONS RESULT IN A CRITICAL FINANCIAL SITUATION FOR THE OIML AND AFTER HAVING TAKEN ALL NECESSARY MEASURES TO REDUCE COSTS, THE PRESIDENT OF THE COMMITTEE SHALL REPORT ON THE MEASURES TAKEN AND MAY PROPOSE THAT THE COMMITTEE ASKS MEMBER STATES FOR AN EXCEPTIONAL VOLUNTARY ADDITIONAL CONTRIBUTION.

Resolution 18 was read, including changes made in the course of discussion. Russia asked what was meant by the word “appoint” – would something like “invite” not be more accurate? Mr. Magaña replied that the Financial Regulations allowed for the designation of an external Auditor to audit the OIML accounts. The present Auditor was a specialist in French accounting; the suggestion was to replace him by an expert who specialized in international accounts.

There were no negative votes or abstentions.

CONSIDERING THAT THE PROVISIONS OF IPSAS (INTERNATIONAL PUBLIC SECTOR ACCOUNTING STANDARDS) CONCERNING PENSIONS ARE NOT YET DEFINED, THE CONFERENCE INSTRUCTED THE CIML PRESIDENT:

- **TO APPOINT AN EXPERT SPECIALIZED IN INTERNATIONAL PUBLIC SECTOR ACCOUNTANCY AS THE OIML EXTERNAL AUDITOR;**
- **TO ELABORATE WITH THIS EXPERT THE APPROPRIATE AMENDMENTS TO BE MADE TO THE OIML FINANCIAL REGULATIONS, IN PARTICULAR REGARDING PENSIONS; AND**
- **WITH THE SUPPORT OF THIS EXPERT, TO TAKE THE APPROPRIATE PROVISIONAL DECISIONS CONCERNING THE OIML ACCOUNTANCY AND THE OIML PENSION SYSTEM.**

Dr. Ehrlich proposed one further Resolution, **Resolution 19**, having to do with the Membership status of certain Members. This was that the 13th OIML Conference should delegate to the 44th to 46th CIML Meetings the authority to make decisions concerning Membership issues that were contingent on various financial obligations being met. This was so that it was not necessary to wait four years for decisions to be made.

Mr. Magaña apologized that this point had been omitted from the Conference Agenda and agreed that it did need to be mentioned. The original Conference documents had contained a reference to the new status of certain Corresponding Members, whom the document had termed “Associate Members”. At the CIML Meeting it had been agreed that this was not appropriate and that the proposal should be withdrawn. Some Member States had problems, often fully justified, with the Treaty. The Committee had decided to withdraw this point, and had asked the President and the Bureau to study the possibility of appointing Issuing Authorities outside the Member States and to work out how these non-Member Issuing Authorities should be designated – for example, who could appoint them and on what terms. On the basis of these studies a Resolution would be drawn up for consideration by the CIML during its 2009 Meeting; this was why the proposal had been removed from the Conference Agenda. The Conference probably did not need to set up new regulations on these Associate Members, as the Certificate and MAA Systems could resolve them and the Committee could regulate them.

Dr. Ehrlich wished to return to his earlier proposal, and suggested the wording, “The 13th OIML Conference delegates to the 44th, 45th and 46th CIML Meetings the authority to make decisions concerning Membership issues contingent on various Membership financial obligations being met”. This was to address the possibility of certain Corresponding Members being de-listed, and would give flexibility to the CIML to make decisions about whether to reinstate certain Members.

Mr. Magaña thanked Dr. Ehrlich for reminding him of this point, resulting from the Committee’s discussions about two countries which were in arrears with subscriptions. One of them, Cameroon, should, as the Committee spoke, have been delisted. The CIML had suggested that the Conference should instruct the President and Committee to take the appropriate decisions at an unspecified time in the future.

Cameroon had brought an official communiqué from their Minister of Finance, asking for more time but undertaking to make up the payments owed. The BIML had not yet received the money but had received assurances that it would be paid. It seemed appropriate to give them some time to pay this sum.

Ethiopia had not been present to give their point of view but it seemed appropriate for the Committee to have the power here also to grant them some extra time in the hope that they could regularize their situation. It was to that that the Resolution currently under discussion referred.

Germany was not quite clear about what this Resolution added to the statutes already in the Convention regarding Membership issues. Were they voting on procedures to be elaborated in line with the OIML Convention article or were they delegating power from the Conference to the CIML?

Mr. Magaña replied that the CIML had responsibility to decide whether or not to delist a country. A country was to be delisted when it was three years in arrears. This was now the case for both Cameroon and Ethiopia. Cameroon, however, had delivered promises that most of their debt would be paid in the next few months. But the Committee did not have the power to grant extra time, and needed authority from the Conference to do so.

Germany proposed making the wording of the Resolution more precise by referring to “pending” or “existing” Membership issues.

Dr. Ehrlich said the inclusion of one of these words would not allow the Committee to intervene in any similar issue that might arise in the future. His interpretation of the Convention was that delisting was automatic after three years. Later that afternoon the CIML would be asked to vote on some Resolutions that required future action about these delisting and reinstating matters and he believed the CIML would not have authority to take action on those Resolutions unless a Resolution by the Conference were first made. The hope was that this would give the CIML the power to deal not only with issues already pending but also with others that might arise in the following four years.

The UK asked whether this Resolution might not cover what was to be done that afternoon and whether they should not also add the 43rd CIML Meeting to the 44th, 45th and 46th.

Mr. Dunmill mentioned that the article in the Convention referring to striking off countries which had not paid their debts did not make any reference to whether this was a decision of the Committee or the Conference, because it was just a simple rule and statement of fact. There were other rules regarding conditions for the re-enrolment of such states.

Mrs. Lagauterie stated that in the view of France the first paragraph of the Article was clear, but the following paragraph referred to the Conference and to special consideration for countries in financial difficulties. France was ready to accept this Resolution for the cases currently before them but if the modifications went beyond the present situation, that would imply that they wished to change the Convention in such a way as to delegate these powers on a permanent basis from the Conference to the CIML.

Mr. Magaña said this was not the intention. The last Conference had offered some indebted countries the chance to repay by installments over 10 years. This was something that only the Conference could do, as was wiping out debts. The present plan was to give, not an extra ten years but a few months to one country to regularize its situation and avoid expulsion.

Germany said the problem seemed to arise from a lack of procedures in the second paragraph of Article 29 of the Convention. The rules for expulsion in the first paragraph were clear and no decision was needed on this by any party. But the second paragraph said that the Conference had to decide about whether in certain specific circumstances a delay might be granted. It seemed to her that it would make sense to limit Resolution 19 to the present situation at the 43rd CIML, and with regard to the future to say that the CIML should elaborate procedures interacting with the Conference on the situations dealt with in the second paragraph of the Article.

Mr. Magaña said that one of the CIML Resolutions was that the CIML should work out a procedure for expulsion and readmission of Members, for submission to the next Conference. This was what the BIPM had done and what had been adopted at their last Conference. This could be included in the Resolutions of the Conference, along with giving the Committee the power during the interim period to offer short periods of delay to Member States with financial difficulties.

The first paragraph of Resolution 19 was drawn up to general consensus.

Mr. Magaña proposed a second paragraph “the Conference authorized the CIML to grant delays not exceeding three months for the regularization of the situation of Member States whose arrears exceed three years”. This explained what was wanted.

Australia felt that the first paragraph should refer to Article 29 of the Convention, to make it clear that they were dealing with forced resignation rather than normal resignation.

Mr. Kool responded with suggested wording, which was accepted.

Germany agreed to the amendment of the first paragraph but still insisted that the second paragraph should be applicable only to problems already pending.

Mr. Magaña understood Germany's reservations, but the same situation could come up in another year, and if this permission were not given to the CIML they would be unable to extend the time allowed to the country in arrears by even a single day. The other question was whether a delay of three months was sufficient or whether a longer period would be better.

Japan asked a question regarding the second paragraph. In the Convention it was clear that only the Conference could determine how to deal with arrears. Was it actually possible for this right to be delegated to a CIML Meeting to decide?

Mr. Magaña pointed out that the Convention rules were being applied strictly to Cameroon, which was over three years in arrears. The rules clearly said that it should therefore be delisted, but there was something approaching proof that Cameroon was now in a position to settle two thirds of its debt in the next few months; thus they could be readmitted in a matter of months. To allow them a little extra time would avoid having to expel and readmit them. The Conference could decide whether to grant this extra time to Cameroon or else try to give a little room for maneuver and permit the Committee to grant short postponements; this was not strictly in accordance with the Treaty but it allowed for a little flexibility.

Japan understood the situation but said that delegating anything of this type to the CIML seemed counter to the Convention.

Mr. Magaña conceded this point. He therefore suggested the revised wording of the second paragraph of Resolution 19 which was then read and approved without negative votes or abstentions.

THE CONFERENCE INSTRUCTED THE COMMITTEE TO ELABORATE A PROCEDURE TO IMPLEMENT ARTICLE XXIX, SECOND PARAGRAPH, OF THE CONVENTION, RELATED TO RESIGNATION AND READMISSION OF MEMBERS TO BE SUBMITTED TO THE NEXT CONFERENCE.

THE CONFERENCE GRANTED CAMEROON A DELAY OF SIX MONTHS TO MAKE THE PAYMENT OF A SIGNIFICANT PART OF ITS ARREARS.

Mr. Johnston thanked the President of the Conference, Dr. Lawrence Besley, who had presided for the morning but had unfortunately then been obliged to leave; Vice-President Stephen O'Brien, who had been "promoted" to President for the afternoon session of Conference, and James Kiarie who had acted as Vice-President for the Conference. They had all done a wonderful job and had made Mr. Johnston's own job much easier.

Mr. O'Brien closed the 13th OIML Conference, reminding Members that the final CIML Meeting session would take place in the afternoon. ■

