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THE LAW OF THE REPUBLIC OF AZERBAIJAN ON THE ENSURING UNIFORMITY OF MEASUREMENTS

This Law determines legal and organizational basis of the Ensuring Uniformity of Measurements in the Republic of Azerbaijan according to the Part I of the point 24 of Article 94 of the Constitution of the Republic of Azerbaijan

I CHAPTER

GENERAL PROVISIONS

Article 1. Main definitions

- 1.0. The definitions used in this Law shall have the following meanings:
- 1.0.1. **measurement** as set of operations carried out to assess the unit value of a quantity;
- 1.0.2. **unit of measurement** a fixed quantity accepted as a unit of this quantity and applicable as a quantitative expression of quantities that are homogenous with that quantity;
- 1.0.3. **uniformity of measurements** the state of measurements in which the results thereof are expressed in the units admitted officially and the indicators of accuracy of measurement are within established limits;
- 1.0.4. **metrological requirements** requirements applicable to the characteristics (parameters) of measurements, of unit standards, of standard specimens, of means of measurement that effect the result and indicators of accuracy of measurements and also applicable to the conditions in which these characteristics (parameters) must be ensured;
- 1.0.5. **metrological expertise** an analysis and assessment of the defining of metrological requirements and complying with the requirements;
- 1.0.6. **metrological supervision** activity on supervision of observing of metrological rules and norms;
- 1.0.7. **unit standard** a technical facility intended for reproduction, storage and transfer of a unit;
- 1.0.8. **state unit standard** a unit standard under governmental ownership;
- 1.0.9. **primary state unit standard** a state unit standard that ensures the reproduction, storage and transfer of a unit of quantity with the highest accuracy in and that is confirmed as such in the established procedure and is being used as a primary one on the territory of the Republic of Azerbaijan;
- 1.0.10. **transfer of a unit** the reduction of a unit stored in means of measurement to the unit reproduced by the standard of this unit or by a standard specimen;
- 1.0.11. **traceability** the property of a unit standard or of means of measurement that manifests itself on documented establishment of their relationship with a primary state standard of the relevant unit by means of comparing unit standards, verifying and calibrating means of measurement;
- 1.0.12. **comparing unit standards** the set of operations establishing the ratio among the units reproduced by unit standards of one level of accuracy and in the same conditions;
- 1.0.13. **means of measurement** a technical facility intended for measurement;

1.0.14. measurement technique (method) - the aggregate of the specifically described operations which completion makes sure results of measurement are obtained with established accuracy indicators; 1.0.15 attestation of measurement procedures (methods) – a research and confirmation of the compliance of measurement procedures (methods) with established methodological requirements applicable to measurements; 1.0.16. direct measurement - a measurement in which the unknown magnitude of a value is obtained directly from a means of measurement: 1.0.17. metrological service - the employees of a legal entity or the individual entrepreneur organizing and/or performing works of ensuring the uniformity of measurements and/or providing the services of ensuring the uniformity of measurements; 1.0.18. specifications applicable to means of measurement – the requirements defining the details of design of means of measurement (with no limitation on the technical improvement thereof) for the purpose of preserving their metrological characteristics in the course of operation of the means of measurement, attaining a reliability of the result of measurements, preventing unauthorized tuning and interference, and also the requirements ensuring the safety and electromagnetic compatibility of the means of measurement; 1.0.19 verifying means of measurement – the aggregate of operations carried out for the purpose of confirming the compliance of means of measurement with metrological requirements; 1.0.20 the type of means of measurement – the set of means of measurement intended for measuring same values expressed in terms of same units, based on same operating concept, having same design and manufactured according to same technical documentation; 1.0.21 standard specimen - a specimen of a substance (material) with the magnitudes of one or more values established according to the results of testing as characterizing the composition or a property of the substance (material); 1.0.22 the type of standard specimens - the set of standard specimens having same intended purpose, manufactured from same substance (material) according to same technical documentation; 1.0.23 testing of means of measurement or standard specimens to confirm of a type – the activities carried out for testing of the standard specimens or the means of measurement for their purpose of confirming the type; 1.0.24 confirmation of a type of standard specimens or a type of means of measurement – a documented

decision on recognition of the compliance of a type of standard specimens or a type of means of measurement with

2.2.11 banking, tax and customs transactions;
2.2.12 ensuring safety in cases of emergency;
2.2.13 geodesy and cartography
2.2.14 hydrometeorology;
2.2.15 assessing the compliance of products (works, services) with the compulsory requirements established by the normative legal documents;
2.2.16 conduct of official sport competitions and preparation of sportsmen;
2.2.17 implementation of the decisions on compulsory measurements of the governmental bodies;
2.2.18 implementation of state control (supervision) measures.
2.3 The state regulation of ensuring the uniformity of measurements shall extend to the quantity units, standard quantity units, standard specimens and means of measurement for which compulsory requirements are established.
2.4 The details of ensuring the uniformity of measurements in the course of activities in the field of defence and security of the state shall be established by the relevant executive power body.
2.5 The requirements for means of measurements applied to the fields shown in this Article shall be compulsory.
Article 3 The legislation of the Republic of Azerbaijan on ensuring the uniformity of measurements
The Legislation of the Republic of the Azerbaijan on ensuring the uniformity of measurements shall consist of the Constitution of the Republic of Azerbaijan, international agreements to which the Republic of Azerbaijan is a party and this Law.
Article 4 Duties of the state on ensuring the uniformity of measurements
4.0 Duties of the state on ensuring the uniformity of measurements shall be as follows:
4.0.1 To identify and implement state policy

4.0.2 To provide normative legal regulation

- 4.0.3 To identify priority fields on ensuring the uniformity of measurements
- 4.0.4 To implement state control
- 4.0.5 To ensure the certification of the means of measurements
- 4.0.6 To make researches on the fundamental and applied science, to carry out scientific and technological activity
- 4.0.7 To implement international cooperation
- 4.0.8 To provide personnel training.

II CHAPTER

THE REQUIREMENTS APPLICABLE TO MEASUREMENTS,

QUANTITY UNITS, QUANTITY UNIT STANDARDS, STANDARD SPECIMENS

AND MEANS OF MEASUREMENT

Article 5. Requirements applicable to the measurements

- 5.1 The measurements types that relate to the state regulation of ensuring the uniformity of measurements shall be carried out according to attested measurement procedures (methods), except for the measurement procedures (methods) intended for direct measurements involving the use of means of measurement of an approved type that have passed verification. The results of the measurements shall be expressed in terms of the units admitted for being used in the Republic of Azerbaijan.
- 5.2 The confirmation of the compliance of these measurement procedures (methods) with the compulsory metrological requirements applicable to measurements shall be provided in the course of approval of the types of these means of measurements. In the rest of cases, the confirmation of the compliance of measurement procedures (methods) with the compulsory metrological requirements applicable to measurements shall be provided by means of attesting measurement procedures (methods).
- 5.3 The attestation of the measurement procedures (methods) that relate to the state regulation of ensuring the uniformity of measurements shall be carried out by the legal entities and individual entrepreneurs accredited in the established procedure in the field of ensuring the uniformity of measurements. The Information on attested measurement procedures (methods) shall be provided to the state information fund for ensuring the uniformity of measurements by the legal entities and individual entrepreneurs that carry out the attestation.
- 5.4 The procedure for attestation of measurement procedures (methods) and for the application thereof shall be

established by the relevant executive power body.
5.5 The ensuring the uniformity of measurements shall designate the measurements that relate to the state regulation of ensuring the uniformity of measurements and establish compulsory metrological requirements for them, including measurement accuracy indicators.
Article 6. Requirements applicable to units
6.1 The units of the International System of Units adopted by the General Conference on Measures and Weights shall be applicable in the Republic of Azerbaijan. The application of the units outside of the system along with the units of International System of Units shall be permitted according to the rules established by the relevant executive power body.
6.2 The names of the units, their designations and rules of writing shall be defined by the relevant executive power body.
6.3 The characteristics and parameters of products delivered for export, including means of measurement, shall be expressed in the units envisaged by an agreement (contract) concluded with the customer.
Article 7. Requirements applicable to unit standards
7.1 The state unit standards shall constitute a standard base of the Republic of Azerbaijan.
7.2 The primary state unit standards shall be confirmed by the relevant executive power body.
7.3 The preserving of primary state unit standards and transferring of units from the primary state unit standards shall be provided by by the relevant executive power body.
7.4 The primary state unit standards shall not be privatized.
7.5 The information on state unit standards shall be entered by the relevant executive power body to the state

information fund for ensuring the uniformity of measurements. 7.6 The primary state unit standards shall be subject to comparison with the unit standards of the International Bureau of Measures and Weights and the national unit standards of foreign states. 7.7 The unit standards shall be traced up to primary state standards of relevant units in the Republic of Azerbaijan. If there are no relevant primary state unit standards arrangements shall be made for the traceability of the means of measurement used in the field of state regulation of ensuring the uniformity of measurements to the national unit standards of foreign states. 7.8 The procedure for confirming, maintaining, comparing and applying primary state unit standards, the procedure for transferring units from state standards, the procedure for establishing the compulsory requirements applicable to the unit standards used to ensure the uniformity of measurements in the field of state regulation of ensuring the uniformity of measurements, the procedure for assessing compliance with these requirements and also the procedure for applying them shall be established by the relevant executive power body. Article 8. Requirements applicable to standard specimens

- 8.1 The standard specimens shall be intended for the reproduction, storage, and transfer of the characteristics of the composition or properties of substances (materials) expressed in terms of the units admitted for being used in the Republic of Azerbaijan.
- 8.2 The standard specimens of approved types shall be used in the field of state regulation of ensuring the uniformity of measurements.

Article 9. Requirements applicable to means of measurement

- 1. The means of measurements that ensures observance of the compulsory rules on ensuring of uniformity of measurements in accordance with the provisions of the this Law approved type that have passed verification shall be used in the field of state regulation of the uniformity of measurements. The compulsory requirements applicable to means of measurement shall also comprise requirements applicable to the components, software and operating conditions of the means of measurement.
- 2. The design of means of measurement shall ensure restrictions on access to specific part of the means of measurement, including software for the purpose of preventing unauthorized tuning and interference that can cause

a distortion in the results of measurements.
3. The procedure for classifying technical facilities as means of measurement shall be established by the relevant executive power body.
III CHAPTER
STATE REGULATION IN THE FIELD OF ENSURING THE UNIFORMITY OF MEASUREMENTS
Article 10. The forms of implementing of the state regulation in the field of ensuring the uniformity of measurements
10.1 The state regulation in the field of ensuring the uniformity of measurements shall be carried out in the following forms:
10.1.1 endorsement of a type of standard specimens or a type of means of measurement;
10.1.2 verification of means of measurement;
10.1.3 metrological expertise;
10.4.1 state metrological supervision;
10.5.1 attestation of measurement procedures (methods);
10.6.1 accreditation on performing activities in the field of ensuring uniformity of measurements and/or rendering services excepting state metrological supervision.
10.2 The ensuring the uniformity of measurements in the field of state regulation shall be provided by the relevant executive power body.

Article 11. Confirming a type of standard specimens or a type of means of measurement

- 11.1. The type of the standard specimens or the type of the means of measurement that related to the state regulation of ensuring the uniformity of measurements shall be subject to confirmation in a compulsory manner. The following shall be established when a type of means of measurement is being confirmed: accuracy indicators, the interval between verifications of the means of measurement, and also the procedure of verification of the given type of means of measurement.
- 11.2. The decision on confirmation of a type of standard specimens or a type of means of measurement shall be taken by the executive power body charged with the function of state service provision and state property management in the field of ensuring the uniformity of measurements on the basis of positive results of testing of the standard specimens or means of measurement for the purposes of confirming the type.
- 11.4. Information on confirmed types of standard specimens and types of means of measurement shall be included in the state register. The procedure for state registration of approved types of standard specimens or means of measurements shall be determined by the relevant executive power body.
- 11.5. Within the effective term of the certificate of confirmation of type of means of measurements the interval between verifications of means of measurement may be changed only by the relevant executive power body.
- 11.6. The sign of confirmation of the type shall be marked to each sample of approved type of standard or means of measurements, to the attached documents. The design of the means of measurement shall allow the application of the sign in a visible place. If the details of design of the means of measurement do not allow the application of the sign directly to the means of measurement it shall be applied to the attached documents.
- 11.7. The testing of standard specimens or means of measurement for the purposes of type confirmation shall be carried out by legal entities accredited in the established procedure in the field of ensuring the uniformity of measurements.
- 11.8 The information on confirmed types of standard specimens and types of means of measurement shall be entered in the state information fund for ensuring the uniformity of measurements.
- 11.9 The procedure for testing standard specimens or means of measurement for the purpose of confirming a type, the procedure for confirming the type of standard specimens or the type of means of measurement, the procedure for issuing certificates of confirmation of the type of standard specimens or the type of means of measurement, setting and changing the effective term of said certificates and the

interval between verifications of means of measurements, the requirements applicable to signs of confirmation of the type of standard specimens or the type of means of measurement and the procedure for applying them shall be established by the relevant executive power body in the field of ensuring the uniformity of measurements. The procedure for testing standard specimens or means of measurement for the purpose of confirming a type and the procedure for confirming the type of standard specimens or the type of means of measurement shall be established with taking into account the nature of manufacture of the standard specimens and means of measurement (mass production or one-off production).

11.10 The legal entities and individual entrepreneurs carrying out the development, release from a production facility, importation into the territory of the Republic of Azerbaijan, sale and use on the territory of the Republic of the standard specimens and means of measurement which are not intended for being used in the field of state regulation of ensuring the uniformity of measurements may voluntarily present them for confirmation of the type of the standard specimens or the type of the means of measurement.

Article 12. Verifying Means of Measurement

- 12.1. The means of measurement intended for being used in the field of state regulation of ensuring the uniformity of measurements are subject to primary verification before they get commissioned and also after a repair, and to periodical verifications in the course of operation. The legal entities and individual entrepreneurs using means of measurement in the field of state regulation of ensuring the uniformity of measurements shall timely present the means of measurement for verification.
- 12.2. The legal entities, individual entrepreneurs and the legal entities metrological services in order to perform verification of means of measurement shall be authorised by the relevant executive power body.
- 12.3. The activity of verifying means of measurements shall be controlled by the relevant executive power body;
- 12.4. The list of the means of measurement verified by the bodies accredited in the field of ensuring the uniformity of measurements shall be confirmed by the relevant executive power body;
- 12.5 The results of a verification of means of measurement shall be certified by a sign of verification and/or a certificate of verification. The design of a means of measurement shall allow the application of a sign of verification in a visible place. If the details of the design or the operating conditions of a means of measurement do not allow the application of a sign of verification directly to the means of measurement it shall be applied to the certificate of verification;
- 12.6 The procedure for a verification of means of measurement, the requirements applicable to a sign of verification and to the content of a certificate of verification shall be established by the relevant executive power body;
- 12.7 The information on the results of a verification of means of measurement intended for being used in the field of state regulation of ensuring the uniformity of measurements shall be sent to the state information fund for ensuring the uniformity of measurements by the legal entities and individual entrepreneurs that carry out the verification of means of measurement;

12.8 The means of measurement not intended for being used in the field of state regulation of ensuring uniformity of measurements may be verified on a voluntary basis.	the
Article 13. Metrological expertise	

13.1. The requirements contained in draft normative legal acts as applicable to measurements, standard specimens and means of measurement shall be subject to a compulsory metrological expertise according to the Constitutional Law of the Republic of Azerbaijan "On Normative Legal Acts".

13.2. The compulsory metrological expertise of design and technological documentation shall be carried out according to the rules established by the relevant executive power body to the laws of the Republic of Azerbaijan of "The Civil Code of the Republic of Azerbaijan", "The Land Code of the Republic of Azerbaijan", "On Urban Planning and Building Code", "The Labour Code of the Republic of Azerbaijan", "The Water Code of the Republic of Azerbaijan, "On Protecting of Consumer Rights", "On Food products", "On Public health care", "On Radiation safety of population ", "On Physical culture and sports", "On Medicines", "On Phyto-sanitary supervision" and "On Veterinary", "On Environmental protection", "On Fire safety", "On Hydrometeorology", "On Geodesy and cartography" and "On Safety of hydraulic structures", "On Highway", "On Vehicle transport", "On Technical safety", "On Industrial and domestic Waste", "On Using of energy resources", "On Electro energy", "On Power engineering", "On Electric and thermal power station", "On Gas supply", "On Telecommunications ", "On Post service", " On Service and civil weapons ", "On acquiring of lands for state needs".

13.3 The following may be carried out on a voluntary basis: a metrological expertise of products, design, construction and technological documentation and other objects for which no compulsory metrological expertise;

Article 14. State metrological supervision

14.1 The state metrological supervision shall be carried out in respect of:

14.1.1 observance of the compulsory requirements of to measurements, units and also to unit standards, standard specimens and means of measurement at their release from a production facility, importation into the territory of the Republic of Azerbaijan, sale and use on the territory of the Republic of Azerbaijan;

14.1.2 existence and observance of attested measurement procedures (methods);

14.1.3 observance of the compulsory requirements applicable to the deviation of quantity of packaged goods in packages from the declared quantity;
14.2 The state metrological supervision shall extend to the following activities:
14.2.1 measurements that relate to the state regulation of ensuring the uniformity of measurements;
14.2.2 the unit standards, standard specimens and means of measurement intended for being used in the field of state regulation of ensuring the uniformity of measurements, and also their importation into the territory of the Republic of Azerbaijan, sale and use on the territory of the Republic of Azerbaijan;
14.2.3 packing of goods.
14.3 The compulsory requirements applicable to the deviation of the quantity of packaged goods in packages from the declared quantity when they are being packed up shall be established by technical regulations. Also technical regulations may comprise compulsory requirements applicable to the equipment used for packing up and for packing monitoring, rules for assessing the deviation of the quantity of packaged goods in packages from the declared quantity, the compulsory requirements applicable to the packages, marking or labels of packed-up goods and rules for the application thereof;
Article 15 Methods of providing of state metrological supervision
15.1 The state metrological supervision shall be provided by the following methods:
15.1.1 visiting facilities (fields and premises) of legal entities and individual entrepreneurs where means of measurements are used, produced, repaired, sold or kept for the purpose to obtain the documents and information required for the purposes of verification of carrying out state metrological supervision.
15.1.2 participating in state testing of means of measurements;

15.1.3 verifying the condition and use of means of measurements;
15.1.4 verifying the conformity of used units with the units admitted for being used in the Republic of Azerbaijan;
15.1.5 verifying the existence and observance of attested measurement procedures (methods);
15.1.6 verifying the observance of the compulsory requirements applicable to measurements;
15.1.7 verifying the compulsory requirements applicable to the deviation of quantity of packaged goods in packages from the declared quantity;
15.1.8 prohibit the use, production and selling of means of measurements that don't comply with the metrological rules and norms;
15.1.9 petition for the person who provided certificate of verification or provided the same certification of cancelling of verification sign or put verification sign in case of the means of measurements don't ensure the accuracy of measurement;
15.1.10 prohibit the use of the means of measurements when the negatively influence human life, health, property, consumer rights, environmental safety and also means of measurements don't comply with the metrological rules and norms;
15.1.11 give a notification with indicating of terms of elimination of metrological rules and norms infringements;
15.1.12 draw up a verification deed or administrative report on metrological rules and norms infringements;
15.1.13 give a request letter on prohibiting activities where infringements of compulsory requirements of measurements took place;
15.1.14 apply responsibility measures to the persons infringing metrological rules and norms;

15.1.15 verifying existence of attested verification methods and their compliance;
15.2 the form of an inadequate sign of means of measurement and its marking rules shall be established by the relevant executive power body;
15.3 The state metrological supervision shall be provided by the relevant executive power body;
15.4 The authorised persons who provide the state metrological supervision shall be attested by the rules established by the relevant executive power body;
Article 16. State information fund for ensuring the uniformity of measurements
16.1 The legal acts of the Republic of Azerbaijan in the field of ensuring the uniformity of measurements, information on international agreements to which the Republic of Azerbaijan is a party, information databases, information attested measurement procedures (methods), information on state unit standards, information on confirmed types of standard specimens or types of means of measurement, information on the results of verification of means of measurement, a comprehensive list of the measurements relating to the field of state regulation of ensuring the uniformity of measurements, shall comprise the state information fund for ensuring the uniformity of measurements. The entering of information to the state information fund and transferring information about ensuring the uniformity of measurements shall be organized by the relevant executive power body;
16.2 The persons who apply for documents and information from the state information fund for ensuring the uniformity of measurements shall be provided with this documents according to the established rules of the Part 16.3 of the this Article, except for cases when such an access to said documents and information is restricted by the Law "on Accessing of information" of Republic of Azerbaijan;
16.3 The procedure for setting up and keeping the state information fund for ensuring the uniformity of measurements, for the transfer of information into it and provision of the documents and information contained therein shall be established by the relevant executive power body.

IV CHAPTER

Article 17. Calibrating means of measurement

17.1 The means of measurement not intended for being used in the field of state regulation of ensuring the uniformity of measurements may be subjected to calibration on a voluntary basis. The calibration of means of measurement shall be carried out as involving the use of the unit standards traceable to the primary state standards of the relevant units or to the national unit standards of foreign states if there are no relevant primary state unit standards;

17.2 The means of measurements that are not used in verification yet can be calibrated while importing, producing, using, renting, selling and after repairing.

The result of calibration shall be approved by putting calibration sign on the means of measurement or calibration certificate also with records in manuals;

17.3 The calibration of means of measurement, giving calibration certificate or right of putting calibration sign shall be conducted according to the contracts which singed with by the relevant executive power body;

17.4 Calibration of means of measurements shall be carried out with standards which are traceable to the state unit standards;

17.5 Calibration of means of measurements is supervised by the relevant executive power body;

17.6 Carrying out of calibration of means of measurements, giving calibration certificate or the rules of giving the right of putting calibration sign and the requirements on performing calibration are established by the relevant executive power body.

Article 18. Accreditation in the field of ensuring the uniformity of measurements

18.1 The accreditation in the field of ensuring the uniformity of measurements shall be carried out for the purpose of official recognition capacity to carry out the works and/or provide the services of ensuring the uniformity of measurements. These works and/or services are as follows:

18.1.1 attestation of the measurement procedures (methods) that have to do with the field of state regulation of

ensuring the uniformity of measurements;
18.1.2 testing of standard specimens or means of measurement for the purposes of confirming a type;
18.1.3 verification of means of measurement;
18.1.4 a compulsory metrological expertise of standards, products, design, construction and technological documentation;
18.2 accreditation in the field of ensuring the uniformity of measurement shall be carried out on the basis of the following principles:
18.2.1 voluntary participation;
18.2.2 independence of activity;
18.2.3 prohibition of combining the powers of accreditation and the performance of the works and/or services specified in Part 18.1 of the this article;
18.2.4 use of uniform accreditation rules, and the transparency;
18.2.5 provision of equal conditions for the persons contending for accreditation;
18.2.6 prohibition of illegal restrictions on the rights to perform works and/or services for all customers and territory in the field of ensuring the uniformity of measurements;
18.3 The accreditation in the field of ensuring the uniformity of measurements shall be provided by the relevant executive power body.

Article 19. International cooperation on ensuring the uniformity of measurements

19.1 International corporation on ensuring the uniformity of measurements shall be carried out on the basis of the international agreements to which the Republic of Azerbaijan is a party and principles established in international legal norms;

19.2 In case of discrepancy between international agreements to which the Republic of Azerbaijan is a party and this Law, the international agreements shall apply.

Article 20. Responsibility for the infringement of this Law

The persons infringing the requirements of this Law shall be responsible according to the Code of Administrative Offences of the Republic of Azerbaijan, the Criminal Code of the Republic of Azerbaijan and the Civil Code of the Republic of Azerbaijan.

Article 21. Dispute settlement

The disputes in regard to ensuring the uniformity of measurements shall be settled by administrative or judicial rules.

Article 22. Final provisions

The Law "On Ensuring the uniformity of measurements" dated June 13, 2000 No. 893-IQ (Collection of Laws of the Republic of Azerbaijan, 2000, Nº8, I Book, article 582, 2007, No. 5, article 442 2009, No.12, article 948) shall be cancelled on the day of entry into force of this Law.

Ilham ALIYEV,

President of teh Republic of Azerbaijan