



LAW OF MONGOLIA

May 9, 2019

Government House, Ulaanbaatar

ABOUT METROLOGY / Revised version /

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the law

1.1. The purpose of this law is to establish the legal basis to ensure the unity of measurement, to support the economic and social development through metrological policy, and to regulate relations aimed at protecting the interests of consumers in the field of metrology.

Article 2. Metrological legislation

2.1. The metrological legislation shall consist of the Constitution of Mongolia, this law and other legislation enacted in conformity with these laws.

2.2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

Article 3. Definitions of legal terms

3.1. The following terms used in this law shall have the following meanings:

3.1.1. "Measurement" means the activity of determining the numerical value of a quantity;

3.1.2. "Unit of measurement" means a unit of measurement selected as a standard for performing measurements;

3.1.3. "Measurement standard" means a measuring instrument intended to be transferred to other measuring instruments by determining, creating, storing, copying and comparing the unit of measurement and its specific value;

3.1.4. "State standard" means the highest accuracy measurement standard used at the national level;

3.1.5. "Measuring instrument" means a technical instrument with established metrological characteristics used for measurement;

3.1.6. "Unit transmission" means an indicator of the measurement result compared to the measurement standard at the appropriate calibration step;

3.1.7. "Calibration of a measuring instrument" means the process of comparing the reading of a measuring instrument with the value of a measuring standard under certain conditions and determining the measurement result;

3.1.8. "Standardized model" means a type of standard substance or material designed for measurement and verification of normal parameters of substances and materials, the composition and properties of which do not change;

3.1.9. "Methodology for making measurements" means a document that defines the physical principles on which the measurement is based, the conditions and methodology for using the measuring instrument;

3.1.10. "Professional metrological organization" means a legal entity authorized to carry out metrological activities in a certain sector;

3.1.11. "Instrument design test" means the activity of conformity assessment to test the design of a measuring instrument by an authorized organization and determine the results;

3.1.12. "Verification of measuring instruments" means the activity of conformity assessment to verify that the measuring instrument meets the established requirements;

3.1.13. "Packaged product" means an inventory that has been sealed without pre-determining or changing the quantity of the product.

3.2. Terms other than those specified in 3.1 of this Law shall be understood and used in accordance with the standards of definitions, explanations and dictionaries of terms approved by the International Organization of Metrology and Standardization.

CHAPTER TWO MEASUREMENT UNITS, MEASUREMENT STANDARDS, UNIT TRANSFER

Article 4. Units of measurement

4.1. The units of measurement of the international system established by the General Conference of International Weights and Measures shall be used in Mongolia.

4.2. Units of measurement other than those specified in 4.1 of this Law may be used in the same way as units of measurement of the international system as determined by the Government.

4.3. The Government shall establish the name and designation of the unit of measurement and the procedure for their writing and use.

4.4. At the request of the customer, the quality and technical characteristics of the products to be exported may be expressed in units of measurement other than those specified in 4.1 of this Law.

Article 5. Measurement standards and standard models

The state standard shall be approved by the Government and the standard model shall be approved by the state administrative body in charge of metrology.

5.2. The state standard shall be under state protection.

5.3. The approved standard model shall be used in the same way as the measurement standard.

5.4. The state standard and approved standard model shall be registered in the state unified database of metrological information.

Article 6. Unit transfer

6.1. The state standard and standard design unit shall comply with the unit of measurement specified in 4.1 of this law.

6.2. The transfer of national standard and standard design units shall be ensured by comparing them with internationally or foreignly accepted measurement standards.

6.3. Unit transfer to the working standard shall be performed from the state standard or from the higher level measurement standard accepted by the foreign country.

6.4. The unit of measurement shall be transferred to the relevant measuring standard and measuring instrument in accordance with the methodology specified in 7.2 of this law.

Article 7. Measurement, measuring instruments and measurement methods

Measurements shall be made in accordance with standards and methodologies.

7.2. The measurement authority shall develop and approve the measurement methodology to be used in its activities.

7.3. Measuring instruments shall meet standard, metrological, technical and operational requirements.

7.4. Measurements shall be performed in the activities specified in 8.1 of this Law using measuring instruments registered in the state unified database of metrological information and covered by certification.

7.5. Measuring instruments to be used in the activities specified in 8.1 of this Law shall be designed and sealed to prevent influencing the measurement results.

7.6. Special requirements for measuring instruments to be used in the activities specified in 8.1 of this Law shall be determined by technical regulations.

The Government shall approve the technical regulations specified in Article 7.6 of this Law.

CHAPTER THREE MEASUREMENT INSPECTION

Article 8. Metrological inspection, scope and form

Measurements, measuring instruments and measurement methods to be used in the following activities shall be subject to metrological inspection:

8.1.1. Human and veterinary diagnosis and treatment;

To ensure security;

8.1.3. To protect the environment;

8.1.4. National defense;

8.1.5. Trade and service estimates.

8.2. Measures to ensure the integrity of measurements shall take the following forms:

8.2.1. To test the design of the measuring instrument;

8.2.2. To inspect and certify measuring instruments;

8.2.3. Evaluate and register the capacity of business entities and organizations to manufacture, import, install and repair measuring instruments.

8.3. The state metrological control shall consist of the following types:

To monitor the implementation of metrological legislation;

8.3.2. To carry out metrological inspection of the quantity of packaged products.

Article 9. Testing of measuring instruments

9.1. Measuring instruments to be used in the activities specified in 8.1 of this Law shall be included in the model test.

9.2. Testing of measuring instruments shall be performed by the Institute of Metrology.

9.3. Testing of measuring instruments to be used in the activities specified in 8.1.1-8.1.4 of this Law may be performed by a professional metrological organization within the relevant sector.

9.4. In case of passing the model test or accepting the results of the model test, the measuring instrument shall be registered in the national unified database of metrological information and a certificate approving the model shall be issued.

9.5. Testing of measuring instruments shall be performed in accordance with relevant standards and procedures specified in 9.6 of this law.

9.6. The state administrative body in charge of metrology shall approve the procedure for testing and approval of measuring instrument models and the results of model testing.

9.7. If the model is approved and certified by the following organizations for imported measuring instruments, the model shall be accepted without repeated testing:

9.7.1. International Organization of Legal Metrology (OIML);

9.7.2. Metrological organization and manufacturer authorized by the organization specified in 9.7.1 of this law;

9.7.3. The central metrological organization of a foreign country that has concluded an agreement with the organization specified in 19.1 of this law.

Article 10. Verification and verification of measuring instruments

Citizens, business entities and organizations shall be subject to inspection and certification after production, import, installation, repair and use of measuring instruments to be used in the activities specified in 8.1 of this Law.

10.2. Aimag and capital city metrological organizations shall be responsible for verification and certification of measuring instruments.

10.3. The professional metrological organization may perform inspection and certification of measuring instruments to be used in the activities specified in 8.1.1-8.1.4 of this Law within the relevant sector.

10.4. Inspection and certification of measuring instruments shall be performed by an authorized state inspector in accordance with relevant standards.

10.5. Measuring instruments that have passed the verification shall be sealed and stamped by the organization that performed the inspection and certification.

10.6. The state administrative body in charge of metrology shall approve the design of seals, marks, certificates and notifications for verification of measuring instruments.

10.7. Measuring instruments with seals and marks of inspection and certification that have been touched, removed, lost, falsified, expired, damaged or incorrectly indicated shall be considered as unsecured.

10.8. It is prohibited to sell or use measuring instruments that are not certified for the activities specified in 8.1 of this Law.

10.9. Measuring instruments that are not subject to model testing and are not registered in the state unified database of metrological information shall not be subject to verification.

10.10. The period between inspection and certification of measuring instruments shall be approved by the state administrative body in charge of metrology based on the proposal of the relevant state central administrative body.

10.11. The results of the initial certification of measuring instruments accredited by the International Metrology Organization and the metrological organization of the country of origin and accredited in accordance with the international accreditation system may be mutually recognized on the basis of an agreement concluded with them.

10.12. The state administrative body in charge of metrology shall approve the procedure for inspection and certification of measuring instruments.

Article 11. Assessing and registering the capacity of business entities and organizations engaged in the production, import, installation and maintenance of measuring instruments

11.1. The state administrative body in charge of metrology shall assess the capacity of business entities and organizations engaged in production, import, installation and repair of measuring instruments to be used in the activities specified in 8.1 of this Law and register them in the unified state metrological information database.

11.2. The state administrative body in charge of metrology shall approve the requirements for business entities and organizations engaged in activities specified in 11.1 of this Law, the procedure for assessing their capacity and registration in the state unified database of metrological information.

Article 12. Quantitative metrological control and inspection of packaged products

Quantitative values of packaged products shall meet the metrological requirements specified in relevant standards, rules and regulations.

Packaging, packaging and labeling of packaged products shall meet the requirements of the standard.

12.3. The state administrative body in charge of metrology shall approve the procedure for conducting metrological control and inspection in the quantity of packaged products.

Article 13. State metrological control

13.1. The state metrological control shall be exercised by the organization specified in Article 9 of the Law on State Inspection.

13.2. The organization specified in 13.1 of this Law shall implement the following inspections in addition to those specified in 10.9 of the Law on State Inspection:

13.2.1. To monitor the implementation of metrological legislation;

13.2.2. To control whether the unit of measurement complies with the approved unit;

13.2.3. To monitor the production, import, installation and repair of measuring instruments;

13.2.4. To monitor whether the measuring instruments to be used in the activities specified in 8.1 of this Law are included in the model testing, inspection and certification, and to monitor their use and normal operation;

13.2.5. To carry out metrological control over the quantity of packaged products.

13.3. The state inspector to implement metrological control specified in 13.2.1-13.2.5 of this Law shall be trained in metrology and obtain a certificate.

13.4. The organization authorized to implement state metrological control shall annually report the results of metrological control to the Council specified in Article 18 of this Law.

Article 14. Calibration of measuring instruments

14.1. Measuring instruments to be used for activities other than those specified in 8.1 of this Law may be subject to calibration.

Calibration of measuring instruments shall be performed by a calibration officer who has assessed his / her capacity in accordance with the procedure specified in 19.2.4 of this Law.

14.3. The calibration laboratory shall have a methodology for performing calibration of measuring instruments.

14.4. The calibration laboratory shall issue a certificate and stamp the calibrated measuring instrument.

14.5. Calibration laboratory of measuring instruments shall be accredited.

14.6. Calibration certificates and results of metrological organizations of foreign countries that have joined the agreement on mutual recognition with international metrological organizations shall be accepted.

CHAPTER FOUR METROLOGICAL POLICY, METROLOGICAL SYSTEM SYSTEM, POWER

Article 15. Metrology policy

15.1. The metrological policy is to create and develop a metrological system aimed at developing the state economy, society, science and technology, protecting human and animal health, environment and public interests, and reducing technical barriers to trade.

15.2 The Government shall approve the state policy and program on metrology.

Article 16. System of metrological organization

The system of metrological organization shall consist of the Metrology Council, the state administrative body in charge of metrology, aimag and capital city metrology organization and professional metrology organization.

Article 17. Powers of a member of the Government

A member of the Government shall exercise the following powers in relation to metrology within the scope of his / her responsibilities:

17.1.1. To create and develop measurement standards;

17.1.2 develop technical regulations and standards, approve rules and regulations, and ensure implementation of legislation.

The member of the Government in charge of metrology shall approve the list of measuring instruments to be subject to verification based on the proposal of the relevant state central administrative body.

Article 18. Metrology Council

A non-staff Metrology Council (hereinafter referred to as the "Council") responsible for the development of metrology, implementation of metrology policy and ensuring inter-sectoral coordination shall work with representatives of governmental, scientific and non-governmental organizations under the state administrative body in charge of metrology.

The charter and composition of the Board shall be approved by the Government.

18.3. The head of the state administrative body in charge of metrology shall chair the meeting of the Council.

The Council shall exercise the following powers:

18.4.1. To discuss the process of implementation of metrological policy and legislation and make proposals and conclusions;

18.4.2. Request research and information on issues to be discussed at the Board meeting and implementation of decisions from relevant organizations and officials;

18.4.3. To give directions and recommendations on issues related to the implementation of metrological policy and activities;

18.4.4. To discuss the report specified in 13.4 of this Law;

Article 19. Powers of the state administrative body in charge of metrology

19.1. The state administrative body in charge of metrology shall be the central metrology body to develop and implement the state policy on metrology and provide professional and methodological guidance.

The state administrative body in charge of metrology shall perform the following functions:

19.2.1. To ensure the implementation of metrological legislation, state policy and Government decisions;

19.2.2. Approve metrological rules and regulations and ensure their implementation;

19.2.3. To develop, resolve and implement projects and programs for the development of measurement standards;

19.2.4. Approve the procedure for assessing the capacity of professional metrological organizations and calibration staff of measuring instruments and ensure their implementation;

19.2.5. To authorize a professional metrological organization based on the proposal of the relevant state central administrative body;

19.2.6. To become a member of an international organization on issues of responsibility, to develop cooperation with international, regional and foreign metrological organizations, and to organize mutual recognition of measurement results;

19.2.7. To engage in paid work, services and conduct training on metrological issues;

19.2.8. To authorize and certify the state inspector;

19.2.9. To maintain a unified state database of metrological information.

19.3. The state administrative body in charge of metrology shall have a metrology institute.

The Institute of Metrology shall perform the following functions:

19.4.1. To create, design, store and compare and certify state standards and standard models;

19.4.2. To conduct scientific research and experiments on metrological issues;

19.4.3. To ensure the transfer of state standard units internationally and nationally;

19.4.4. To calibrate high-precision measuring instruments;

19.4.5. To carry out testing of measuring instruments;

19.4.6. To participate in and organize national and international measurement comparisons;

19.4.7. To register and accept the measurement and calibration capacity in the database of the International Organization of Weights and Measures.

19.5 The state administrative body in charge of metrology shall approve the methodology for maintaining the state standard and transmitting units.

Article 20. Metrological organizations of aimags and the capital city

Aimags and capital city metrology organizations shall perform the following functions in order to ensure the integrity of measurements in their respective territories: 20.1.

20.1.1. to organize the implementation of metrological legislation and government decisions;

20.1.2. To create, maintain, use working standards and ensure their unit transmission;

20.1.3. To carry out inspection and certification of measuring instruments;

20.1.4. To calibrate measuring instruments.

20.2. The head of the aimag or capital city metrology organization shall be selected in accordance with the Civil Service Law and appointed and dismissed by the head of the state administrative organization in charge of metrology based on the proposal of the aimag and capital city governor.

Article 21. Professional metrological organization

A professional metrology organization may perform the following functions in addition to those specified in Article 22 of this Law:

21.1.1. To apply to the activities specified in 8.1.1-8.1.4 of this law, to perform testing and verification of the design of measuring instruments within the relevant sector in accordance with the relevant legislation;

21.1.2. To create state and working standards for the given type of measurement, to design and maintain standard models, and to ensure unit transmission.

CHAPTER FIVE RIGHTS AND OBLIGATIONS OF CITIZENS AND LEGAL ENTITIES

Article 22. Metrological activities of citizens and legal entities

22.1. A business entity, organization, within the scope of its work and services, has the following rights and responsibilities in the field of metrology:

22.1.1. To assign metrological work to a specific unit or official or to operate a metrology service;

22.1.2. To use measuring instruments that meet the required accuracy and limits of measurement;

22.1.3. To use, manufacture, import, install and repair measuring instruments registered in the state unified database of metrological information in the activities specified in 8.1 of this law;

22.1.4 perform calculations of extraction, use, trade and services of natural resources with measuring instruments covered by inspection and certification;

22.1.5. To calibrate measuring instruments to be used for activities other than those specified in 8.1 of this Law;

22.1.6. To be responsible for the accuracy of the measurement results performed;

22.1.7. If to engage in production, import, installation and repair of measuring instruments, to assess their capacity and register in the state unified database of metrological information;

22.1.8. The quantity of packaged products that meet the requirements set forth in Articles 12.1 and 12.2 of this Law and the values of permissible fluctuations shall be marked on the packaging label in accordance with national standards;

22.1.9. To be fully responsible for calibration, verification and other works and services of measuring instruments.

22.2. Business entities and organizations shall implement internal metrological control as follows:

22.2.1. To monitor whether the measuring instruments are fully covered by the model testing and inspection in a timely manner;

22.2.2. To include its measuring instruments in calibration;

22.2.3. To monitor the technical readiness of measuring instruments, their operation and measurement methodology, required accuracy of measurements, implementation of metrological legislation and to eliminate revealed violations.

Citizens and non-governmental organizations shall have the following rights and responsibilities in the field of metrology:

22.3.1. To submit a request for calibration, verification and metrological inspection of measuring instruments;

22.3.2. To obtain information on metrological work, services, calibration and verification of measuring instruments;

22.3.3. To inform the competent authority about the operation of the measuring instrument, the methodology of performing the measurement, the inspection and certification of the measuring instrument, to demand and resolve the violation;

22.3.4. To participate as an observer in the testing and verification of measuring instruments, to make comments and requests in this regard.

CHAPTER SIX OTHERS

Article 23. Financing of metrological activities

23.1. Operating expenses related to the implementation of the functions of the Metrology Council, the state administrative body in charge of metrology, aimag and capital city metrology organizations and professional metrology organizations shall be financed from the state budget.

23.2 The Government member in charge of metrology shall spend budget expenditure savings and additional operating income on measures to strengthen the metrology sector in accordance with the Budget Law.

23.3. The membership fee of an international metrological organization shall be financed from the state budget.

23.4. The amount of payment for metrological work and services shall be approved by the Government member in charge of metrology.

Article 24. Liability for violators of the law

An official who violates the metrological legislation shall be held liable in accordance with the Civil Service Law and a person or legal entity shall be held liable in accordance with the Law on Violations.

CHAIRMAN OF THE PARLIAMENT OF MONGOLIA G.ZANDANSHATAR

