

L.N. 9 of 2008**METROLOGY ACT
(CAP. 454)****Measuring Instruments (Amendment) Regulations, 2008**

IN exercise of the powers conferred by regulation 19 of the Metrology Act, the Malta Standards Authority has made the following regulations:–

1. (1) The title of these regulations is the Measuring Instruments (Amendment) Regulations, 2008 and they shall be read and construed as one with the Measuring Instruments Regulations, 2002, hereinafter referred to as “the principal regulations”. Citation, scope and commencement.
L.N. 395 of 2002.

(2) These regulations transpose Annex B of Directive 2006/96/EC of the European Parliament and of the Council of 20th November, 2006 on adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania on the 1st January, 2007.

(3) These regulations shall be deemed to have come into force on 1st January, 2007.

Substitutes
Schedule I of the
principal
regulations.
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2. (1) Schedule 1 of the principal regulations shall be substituted by the following:

ANNEX I

EEC PATTERN APPROVAL

1 Application for the EEC pattern approval

1.1. The application and the correspondence relating to it shall be drawn up in English. The annexed documents shall be written in English.

1.2. The application shall contain the following information:

- the name and address of the manufacturer or the firm, or of his or its authorised representative or of the applicant,
- the category of instrument,
- the intended use,
- the measurement characteristics,
- the commercial designation, if any, or the type.

1.3 The application shall be accompanied by the documents necessary for its evaluation, in duplicate, and in particular:

1.3.1 A description in particular of :

- i. the construction and operation of the instrument,
- ii. the protecting arrangements ensuring correct working,
- iii. the devices for regulation and adjustment,
- iv. the intended locations for :
 - a. verification marks
 - b. seals (where applicable).

1.3.2 General layout drawings and details of important components.

1.3.3 A schematic drawing illustrating the principles of operation and, if necessary, a photograph.

1.4. The application shall be accompanied, where appropriate, by documents

relevant to the national approvals already granted.

Examination for EEC Approval

- 2.1. The examination shall comprise:
 - 2.1.1 Study of the documents and an examination of the measurement characteristics of the pattern in the laboratories of the metrological service, in approved laboratories or at the place of manufacture, delivery or installation
 - 2.1.2 If the measurement characteristics of the pattern are known in detail, only an examination of the documents submitted is required.
- 2.2. The examination shall cover the entire performance of the instruments under normal conditions of use. Under such conditions, these instruments must maintain the measurement characteristics required.
- 2.3. The nature and scope of the examination mentioned in 2.1 hereof may be specified by separate regulations.

3 The EEC certificate and sign of approval

- 3.1. The certificate shall give the results of the examination of the pattern and shall specify the other requirements which must be complied with, if any. It shall be accompanied by descriptions, drawings and diagrams necessary to identify the pattern and to explain its functioning. The sign of approval provided for in regulation 4 of these regulations shall be a stylised letter E containing :

- in the upper part, the sign for Malta. 
- in the lower part, a designation to be determined by the metrological service which granted approval (an identification number).

An example of this approval sign is shown in item 6.1.

- 3.2. In the case of the limited approval, the letter P, having the same dimensions as the stylised letter E, shall be placed before this letter.

An example of this limited approval sign is shown in item 6.2.

- 3.3. The sign mentioned in regulation 6 of these regulations is the same as the Authority approval sign, except that the stylized letter E, is reversed symmetrically about a vertical axis and bears no other indication unless the

separate regulations stipulate otherwise.

An example of this sign is shown in item 6.3 hereof.

- 3.4. The sign mentioned in regulation 11 of these regulations is the same as the authority approval sign is a hexagon.

An example of this sign is shown in item 6.4 hereof.

- 3.5. The signs mentioned in the previous items and affixed by the manufacturer in accordance with the provisions of the regulations must be affixed at a visible point of each instrument and all ancillary equipment submitted for verification, and must be legible and indelible. If their affixation presents technical difficulties, exceptions may be made in separate regulations or accepted after the Authority considers the individual case

4 Depositing of a sample instrument

In the cases mentioned by separate regulations, the service which granted the approval may, if it considers this necessary, request the deposition of the sample instrument for which approval has been granted. Instead of this sample instrument, the service may authorise the depositing of parts of the instrument, of scale models or of drawings, and will mention this on the Authority certificate of approval.

5 Announcement of approval

- 5.1. EEC pattern approval and limited EEC pattern approvals shall be published in a special Annex to the Gazette. The same applies to the Authority additional EEC pattern approvals.
- 5.2. At the same time as the party concerned is notified, copies of the Authority certificate of approval shall be sent to the commission and to the other Member States; the latter can also obtain copies of the reports of the metrological examinations if they wish.
- 5.3. Withdrawal of EEC pattern approval and other communications concerning the extent and validity of EEC pattern approval shall also be subject to the announcement procedure mentioned in items 5.1. and 5.2 hereof.

6. Signs relative to EEC pattern approval

- 6.1. Sign of the EEC pattern approval

Example :



EEC pattern approval granted by the Metrology Directorate of the Republic of Malta in 2002 (see item 3.1. first indent)

Identification number of the EEC pattern approval (see item 3.1. second indent)

- 6.2. Sign of limited EEC pattern approval
(see item 3.2.)

Example :



Limited EEC pattern approval granted by the Metrological Service of the Federal Republic of Germany in 1971.

Identification number of the limited EEC pattern approval.

- 6.3. Sign of exemption from the EEC pattern approval
(see item 3.3.)

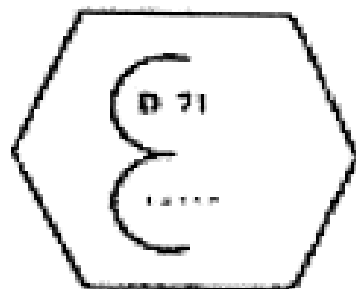
Example :



- 6.4. Sign of pattern of approval for instruments exempt from EEC initial

verification (see item 3.4.)

Example :



EEC pattern approval granted by the Metrological Service of the Federal Republic of Germany in 1971.

Identification number of the EEC pattern approval .

3. (1) Schedule 2 of the principal regulations shall be substituted by the following: Amends Schedule II of the principal regulations.

ANNEX II

EEC INITIAL VERIFICATION

1. General points

- 1.1. The EEC initial verifications may be carried out in one or more stages (usually two).
- 1.2. Subject to the provisions of the separate regulations:
 - 1.2.1. The EEC initial verification shall be carried out in one stage on instruments that constitute a whole on leaving the factory, that is to say instruments which, theoretically, can be transferred to their place of installation without first having to be dismantled.
 - 1.2.2. The EEC initial verification shall be carried out in two or more stages for instruments whose correct functioning depends on the conditions in which they are installed or used.
 - 1.2.3. The first stage of the verification procedure must ensure, in particular, that the instrument conforms to the approved pattern or, in the case of instruments exempt from EEC pattern approval, that they conform to the relevant provisions.

2 Place of the EEC initial verification

- 2.1. If the separate regulations do not specify the place where verifications is to be carried out, instruments which have to be verified in only one stage shall be verified at the place chosen .
- 2.2. Instruments which have to be verified in two or more stages shall be verified
 - 2.2.1. The last stage of verification must be carried out at the place of installation.
 - 2.2.2. The other verification stages of a verification shall be carried out as laid down in item 2.1 hereof.
- 2.3. In particular, when the verification takes place outside the office of verification of the Authority, it may require the applicant :
 - i. to make available standards, appropriate means in material and personnel for the execution of the verification.
 - ii. to provide a copy of the Authority certificate of approval.

3 Marks of the EEC initial verification

3.1. Marks of the description of EEC initial verification .

3.1.1. Subject to the provisions of separate regulations, EEC initial verifications marks which are affixed in accordance with item shall be as follows :

3.1.1.1. The final verification mark shall be composed of two stamps:

(a) the first consists of a letter 'e' containing :

- in the upper half, the distinguishing capital letter of the State where the EEC initial verification is carried out, together, where necessary, with one or two numbers identifying a territorial subdivision;

- in the lower half, the identification number of the verifying agent or office;

(b) the second stamp shall consist of the last two digits of the year of the verification, in a hexagon.

3.1.1.2. The mark of partial verification shall consist solely of the first stamp. It shall also serve as a seal.

3.2 Shape and dimensions of marks:

3.2.1. The attached drawings show the shape, dimensions and outline of the letters and numbers for the EEC initial verification marks as laid down in item 3.1 hereof ;

3.3. Affixing the marks

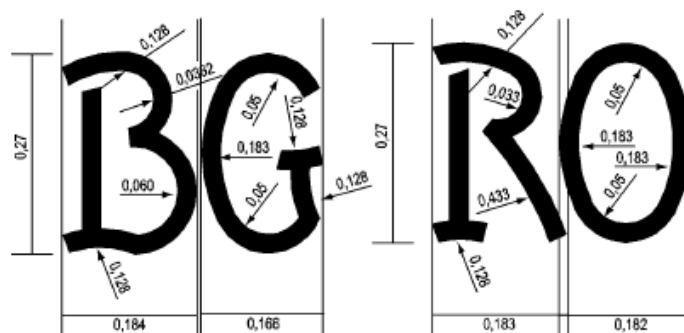
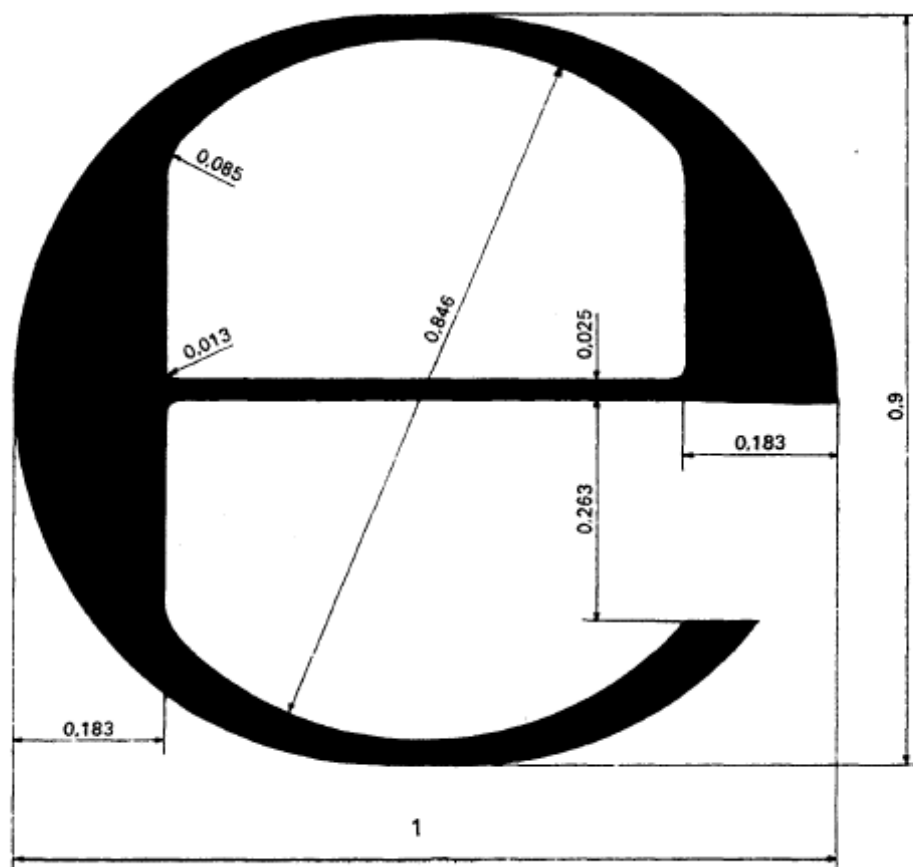
3.3.1. The final verification mark shall be affixed at the appointed location on the instrument when the latter has been completely verified and is recognised to conform to the EEC requirements.

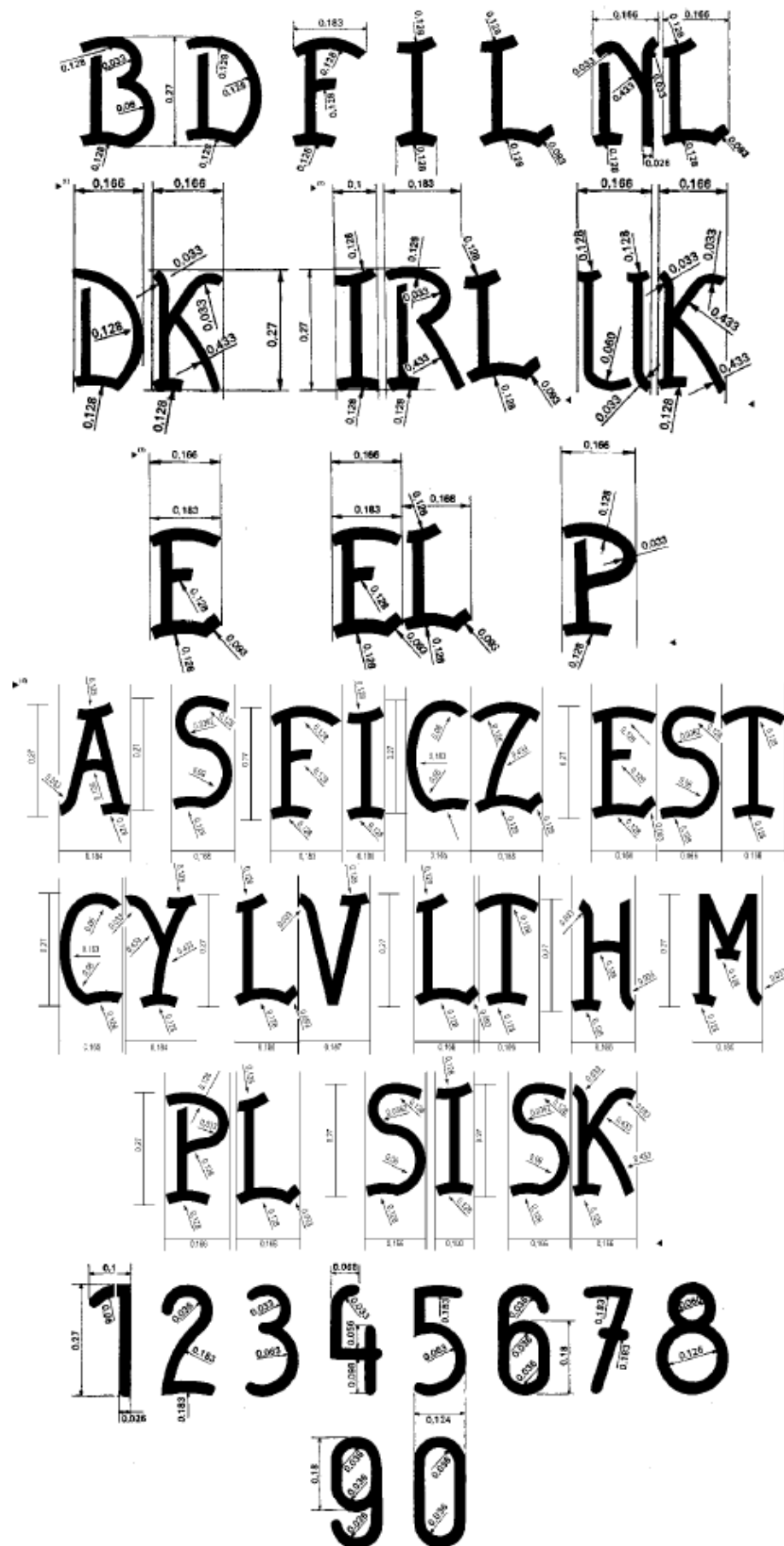
3.3.2. The partial verification mark of the Authority shall be affixed:

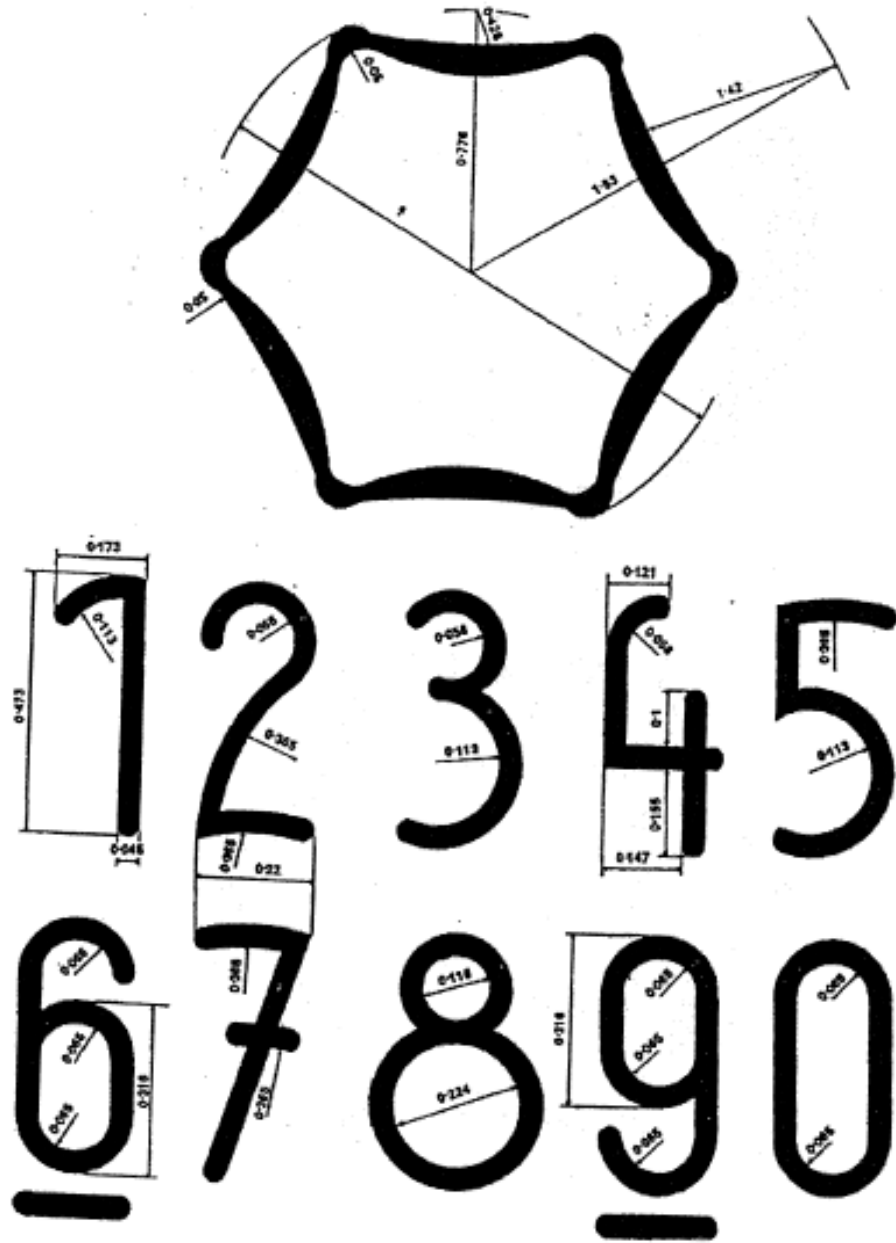
3.3.2.1. When verification is made in several stages on the instrument or part of an instrument which fulfils the conditions laid down for operations other than those at the place of installation, at the place where the stamp-date is affixed

or in any other place specified in the separate regulations.

3.3.2.2. In all cases as a seal, in the places specified in the separate regulations.









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