

**LAW NO. 04/L-124
ON AMENDING AND SUPPLEMENTING LAW NO. 03/L-203 ON METROLOGY**

Assembly of Republic of Kosovo,

Pursuant to Article 65 (1) of the Constitution of the Republic of Kosovo,

Approve:

LAW ON AMENDING AND SUPPLEMENTING LAW NO. 03/L-203 ON METROLOGY

Article 1

1. Article 1 of the basic Law shall be reworded with the following text:

**Article 1
Purpose**

This law regulates the system of measuring units, state etalons, conformity assessment procedures of measuring instruments, metrological requirements for pre-packaged products, authorizations in the field of metrology, metrological supervision and responsibilities of the Directorate of Metrology of Kosovo.

Article 2

1. Article 3 of the basic Law, sub-paragraphs 1.30 and 1.31 shall be deleted from the text of the law.

2. Article 3 of the basic Law, paragraph 1.27 shall be reworded with the following text:

1.27. Authorization means granting the right to legal entities to perform legal metrology services of measuring devices in the obligatory sphere.

3. Article 3 of the basic Law, after sub-paragraph 1.34 three new paragraphs 1.35, 1.36 and 1.37 shall be added with the following text:

1.35. **Scientific Metrology** – the part of metrology which deals with operation, development and maintenance of measurement state etalons.

1.36. **Industrial metrology** - the part of the metrology through which is performed the comparison of measuring results.

1.37. **Legal Metrology** – the part of the metrology, regulated by Law and other provisions, on ensuring the accuracy and credibility of measuring results in the areas where legally controlled measuring instruments are applied.

Article 3

1. Article 4 of the basic Law shall be reworded with the following text:

**Article 4
Organisation of the Directorate of Metrology of Kosovo**

1. Directorate of Metrology of Kosovo is an institution operating under the Ministry of Trade and Industry and it is responsible for establishing, development and supervision of the meteorology system including the area of precious metals.

2. Directorate of Metrology of Kosovo is headed by the General Director. Appointment, discharge, functions and responsibilities of the General Director are implemented in accordance with the provisions of the Law on Civil Service of the Republic of Kosovo and Regulation on appointment procedures for senior managerial positions.

3. Recruitment of officials of the Directorate of Metrology of Kosovo is made in accordance with the conditions and criteria specified in the applicable legal provisions of the Civil Service of the Republic of Kosovo

4. Organisation and functioning of the Directorate of Metrology of Kosovo is regulated through a sub-legal act on internal organization and structuring of the Ministry of Trade and Industry.

2. After Article 4 of the basic Law, a new Article 4.A shall be added with following text:

Article 4.A
Metrology state system

1. Metrology state system consists of:

1.1. Directorate of Metrology of Kosovo;

1.2. State etalons laboratories;

1.3. Calibration laboratories;

1.4. Testing laboratories;

1.5. Certification bodies, that deal with certification of reference materials in the metrology area;

1.6. Entities authorized by the Directorate of Metrology of Kosovo to perform legal metrology, pursuant to the provisions of the legislation in force.

Article 4

The title of Article 9 of the basic Law shall be reworded with the following text:

Article 9
Duties of state etalons laboratories

Article 5

After Article 13 of the basic Law a new Article 13.A shall be added with the following text:

Article 13.A
Approval of the type of legally controlled measuring instruments

1. Director of the General Directorate of Metrology, approves the type of controlled measuring devices, after recommendation by the responsible officials of the Directorate, when such measuring device fulfills the technical and metrological specified requirements.
2. Director makes a decision for rejection or removal of the measuring devices, after recommendation by the responsible officials of the Directorate when such measuring device does not meet the technical and metrological requirements, stipulated for a test procedure.
3. Against decision for refusal or removal of the measuring device, may be appealed at the Professional Commission for Complaints which shall be established by decision of the Minister of the Ministry of Trade and Industry.
4. Professional Commission for Complaints shall be composed of three (3) members, two (2) of them shall be permanent and one (1) member shall be appointed from case to case.
5. The mandate of Professional Commission for Complaints shall be three (3) years.
6. A sub-legal act will establish the procedures for approval of the type of legally controlled measuring devices.

Article 6

1. Article 30 of the basic Law paragraphs 1. and 2. shall be deleted and reworded in only one paragraph with the following text:
 1. Director of the directorate authorizes legal entities that meet the requirements to perform verification, repair of measuring devices in public circulation.
2. Article 30 of the basic Law paragraph 3., reference “**according to paragraph 2 of this Article**” shall be replaced with reference “**according to paragraph 1. of this Article**”.

Article 7

1. Article 31 of the basic Law, paragraph 1. shall be reworded with the following text:
 1. Director of the Directorate in term of sixty (60) days from the date of the submission of application shall issue a decision on authorization or rejection of the application.

Article 8

1. Article 38 of the basic Law, the abbreviation “**KCML**” shall be deleted from the title.
2. Article 38 of the basic Law, paragraph 4. shall be deleted from the text of the Law.

Article 9

1. Article 39 of the basic law paragraph 1. shall be reworded with the following text:
 1. During supervision the metrology inspector and the market inspector has a duty to verify:
2. Article 39 of the basic law paragraph 2. after word “ **inspector**” shall be added the word “**metrology**” and sub-paragraph 2.6 shall be deleted from the text of the Law.

Article 10

1. Article 42 of the basic Law, paragraph 2., the phrase “**metrology inspector**” shall be replaced by the phrase “**market inspector**”.

Article 11

Article 44 of the basic Law, paragraph 3., the term from “**(10) days**” shall be amended to “**thirty (30) days**”.

Article 12

After Article 44 of the basic Law, a new Article 44.A shall be added with the following text:

Article 44.A Market Inspectorate

1. Market Inspectorate supervises: the use of legal measuring units, legal measuring devices and the validity of the verification of legal measuring devices, labels on pre-packaged products, as well as inspection of the stated filing measure of the pre-packaging.
2. In case the market inspector during the inspection confirms any violation of the provisions of this Law, then the inspector will undertake appropriate measures as defined in this Law or other provisions of Law on Inspectorate and Market Surveillance.
3. Market inspector shall be obliged to initiate the offence proceeding at the competent court within terms of fifteen (15) days, for violations ascertained by the legislation in force.

Article 13

1. Article 45 of the basic Law paragraph 1. the phrase “**metrology inspector**” shall be replaced by the phrase “**market inspector**”.
2. Article 45 of the basic Law, sub-paragraph 3.1 the word “**instruments**” shall be replaced with the word “**devices**”.

Article 14

1. In the entire text of the basic Law, the word “**Department**” shall be replaced with word “**Directorate**”.
2. In the entire text of the basic Law, the abbreviation “**KCML**” and “**MIK**” shall be deleted from the text of the Law.

Article 15
Entry into force

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

Law No. 04/L-124
6 September 2012

Promulgated by Decree No.DL-042-2012, dated 19.09.2012, President of the Republic of Kosovo
Atifete Jahjaga