

Cabinet Resolution No. (64) of 2022
Concerning the National Metrology System

The Cabinet:

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972, On the Competences of Ministries and the Powers of Ministers, as amended; and
- Federal Law No. (1) of 1979, Regulating of Industry Affairs; and
- Federal Law No. (24) of 1999, On the Protection and Development of the Environment, as amended; and
- Federal Law No. (11) of 2015, On Supervision of Trading and Stamping of Precious Metals and Stones, as amended; and
- Federal Law No. (14) of 2016, On Administrative Violations and Sanctions in the Federal Government; and
- Federal Law No. (10) of 2018, On Product Safety; and
- Federal Law No. (15) of 2020, On Consumer Protection; and
- Federal Law by Decree No. (20) of 2020, On Specifications and Standards; and
- Cabinet Resolution No. (31) of 2006, Concerning the National Measurement Law; and
- Cabinet Resolution No. (35) of 2015, Concerning the UAE Law for the Control of Conformity Assessment Authorities; and
- The Proposal submitted by the Minister of Industry and Advanced Technology, and the approval of the Cabinet,

Has resolved as follows:

Article (1)

Definitions

In the application of the provisions of this Resolution, the following words and expressions shall have the meanings indicated opposite each of them unless the context requires otherwise:

- State** : United Arab Emirates (UAE).
- Ministry** : Ministry of Industry and Advanced Technology.
- Minister** : Minister of Industry and Advanced Technology.
- Competent Authorities** : The Federal and Local Government Authorities in the State that falls within its jurisdiction to implement any of the provisions of this resolution.
- Authorised Agency** : Any Governmental Entity, whether Federal, Local or Private, officially authorised by the Ministry to carry out any of its tasks and powers stipulated in the provisions of this Resolution.
- Emirates Metrology Institute (EMI)** : The Authority authorised by the Ministry to maintain the national measurement standards approved in the State and their maintenance.
- Measuring Devices** : Machines, tools and devices intended for measurement purposes, including direct measurements such as scales, measures, lengths, standard units, etc., as well as indirect measurements such as thermometers, pressure gauges, water and electricity meters, etc.
- Measuring Device** : Measuring Device used in trading, or which, in some form or other, affects the health and safety of individuals or the environment as a result of not being given correct indicators.
- Pre-Packaged Packages** : Product contained in a box or packaged in any way, and the nominal or actual quantity of which has been determined and fixed on the Statement card before it is offered for sale or in the absence of the buyer, and the actual quantity inside of which is difficult to change without

opening it or making a tangible modification to it. The Pre-Packaged Package consists of the product and the packaging material.

- Legal Metrological Control** : All activities of legal metrology, including Legal Control of Measuring Devices, metrological supervision, metrological expertise and all operations for examination and proof.
- Metrological Confirmation** : Conformity Assessment Measure (other than the Type Assessment Measure) that results in the installation of a Confirmation Mark and/or the issuance of a Confirmation Certificate.
- Calibration** : The processes that are conducted to define the efficiency and accuracy of Measuring Devices and Tools.
- Type Approval** : Resolution that is issued, based on the Type Assessment report, certifying that this type of Measuring Device meets its legal Requirements, and accordingly issues a Type Approval Certificate.
- Supplier** : Anyone whose activity has an impact on the characteristics of the product, including the Manufacturer, importer, carrier, assembler, agent, warehouse, or any major or subsidiary distributor or any legal representative who is responsible for the import, installation, and operation of the product subject to the provisions of this Resolution, and who carries out his activity through a licensed company or individual establishment in the State in accordance with the relevant legislation.

Article (2)

Jurisdictions of the Ministry

In order to implement the provisions of this resolution, the Ministry shall exercise all the tasks and powers necessary to regulate metrology work within the State, including the following:

1. Determine the necessary national measuring references based on the needs of the State.
2. Supervise the Emirates Metrology Institute (EMI) to ensure the continuity of preserving and maintaining the basic measurement references approved in accordance with international practices, in coordination with the Competent Authorities.

3. Support the industrial sector by providing the necessary measurement standards required for the industry and calibration services to provide a series of standards used to the national measurement standards in coordination with the Emirates Metrology Institute (EMI).
4. Cooperate with the Emirates Metrology Institute (EMI) to meet the requirements of the Mutual Recognition Agreement for Measurement and Calibration Results in accordance with the requirements of CIPM Mutual Recognition Arrangement (CIPM-MRA)
5. Approve a policy for studies and research that aims to develop national measurement standards to meet the future needs of the State, artificial intelligence and advanced sciences, in cooperation with the Relevant Authorities.
6. Supervise the application of the International System of Measurement Units and following up on scientific developments related to it.
7. Determine the Measuring Devices that are subject to the requirements of Type Approval or metrological verification in accordance with international practices.
8. Control of Measuring Devices and Pre-Packaged Packages.
9. Ensure that Measuring Devices comply with all technical requirements specified in their Technical Regulations.
10. Register entities working in the field of Measuring Device repair in accordance with the regulations issued in this regard.

Article (3)

Authorisation of Measuring Activities

1. The Ministry may authorise any of its powers and competencies in the field of scientific and industrial metrology or Legal Metrological Control to any governmental or private entity that has the technical and administrative competence necessary to exercise those powers and competencies.
2. The Ministry undertakes the task of supervising and monitoring the exercise by the authorised bodies of the metrological powers and authorities granted to them to ensure the efficiency of these bodies in the field of authorisation and in accordance with the relevant technical and organisational regulations.

Article (4)

Comply with the Authorities Authorised to Carry Out the Ministry Powers and Competencies

The entities authorised with any of the Ministry powers and authorities in the field of metrology, in accordance with the provisions of Article (3) of this resolution, shall be obligated to follow the regulations and instructions issued by the Ministry. In the event of their failure to comply with these regulations and instructions, the Ministry has the right to withdraw their authorisation.

Article (5)

Legal Metrological Control

1. Legal Measuring Devices, Packaging (in all its types and contents) and labels shall be subject to legal metrological oversight in accordance with the procedures and regulations that shall be issued in this regard.
2. Legal Metrological Control of all metrological activities, including the following:
 - a. Control of Measuring Devices and Pre-Packaged Packages.
 - b. Metrological supervision.
 - c. Metrological expertise.
 - d. All operations for the purpose of examination and proof.

Article (6)

Measurement Units

1. The Measurement Units mentioned in the following items shall be adopted as legal Measurement Units in the State:
 - a. The International System of Measurement Units issued by the International Bureau of Weights and Measures, which includes the names and symbols of basic and derived measurement quantities, their units and prefixes. The Arabic symbols issued by the Arab Industrial Development, Standardization and Mining organisation for measurement units, their names and prefixes are adopted.

- b. The Measurement Units specified in the instructions issued by the Ministry and the scope of their use are not included in the National System of Measurement Units.
 - c. Measurement Units derived from the basic units of measurement used in the International System of Measurement Units.
2. No Basic Measurement Units or Units derived from them other than the Legal Measurement Units approved in the State in commercial transactions may be used.

Article (7)

Administrative Penalties

1. Without prejudice to any penalty stipulated in Federal Decree-Law No. (20) of 2020 regarding specifications and standards and other related legislation, the Ministry or the Competent Authority, as the case may be, in the event of a violation of any provision of this resolution and the regulations and systems issued pursuant thereto, may impose one or more of the following Administrative Penalties:
 - a. Noticing the Violator.
 - b. Seize the Measuring Devices or Products that are in violation until the situation is corrected in accordance with the time period specified by the Ministry or the Competent Authority.
 - c. Withdraw, retrieve or remove the Measuring Device or violating products, and charge the violator the expenses and costs of removing and treating the damages resulting from the violation in the event that he does not withdraw, retrieve, remove or treat in accordance with applicable legislation.
 - d. Coordinate with the licensing Authority to cancel the commercial licence of the Violating Supplier.
 - e. In the event that the Competent Authority detects violations related to metrological control, it has the right to take legal measures in accordance with applicable legislation.
2. The Ministry or the Competent Authority, as the case may be, may take any of the following precautionary measures in the event of a warning penalty being imposed, depending on the nature of the violation:
 - a. The violator shall sign a pledge not to repeat the violation.

- b. The Violator signs a pledge not to trade the Measuring Devices or Products until the situation is corrected in accordance with the time period specified by the Ministry or the Competent Authority.

Article (8)

Grievance

1. Resolutions issued pursuant to the provisions of Article (7) of this resolution or if the product is not granted Conformity Certificate, may be appealed provided that:
 - a. Submit the grievance to the Minister or to the Head of the Competent Authority, as the case may be, or to whomever they delegate in accordance with the procedures determined by the Ministry or the Competent Authority, within a period not exceeding (14) fourteen days from the date of informing the Violator of the decision he wishes to appeal against, or within a period of A maximum of (60) days from the date of informing the Supplier of the decision not to approve granting the product a Conformity Certificate.
 - b. The necessary documents explaining the grievance reason shall be attached.
2. The Minister or the Competent Body Head shall issue the Resolution he deems appropriate concerning the grievance submitted in accordance with the provisions of this Article within a period not exceeding (25) twenty working days as of its submission date. Also, the resolution issued in this regard shall be deemed final. The grievance shall be considered rejected in the event that no action is taken during the period specified in this Clause.

Article (9)

Procedure in Case of Disagreement in Interpretation or Non-Treatment

If any dispute arises in the interpretation of the provisions of this resolution or any case that cannot be addressed in accordance with its provisions or in accordance with the technical and organisational resolutions and regulations issued pursuant to it or international evidence, the matter shall be referred to the Minister or his delegate to take what he deems appropriate in this regard.

Article (10)

Exclusions

The following shall be excluded from the application of the provisions of this Resolution:

1. Ministry of Defence considers to be confidential.
2. Educational purposes and scientific research.
3. Advertising and promotional purposes.

Article (11)

Validity of International and Regional Documents

In all matters not specifically provided for in this resolution, international and regional documents issued by:

1. Gulf Association for Metrology (GULFMET).
2. Arab Industrial Development, Standardisation and Mining Organisation (AIDSMO).
3. International Bureau of Weights and Measures (BIPM).
4. Recommendation of the International Organisation of Legal Metrology (OIML).

Article (12)

Executive Resolutions

The Minister shall issue the Resolutions necessary to implement the provisions of this Resolution.

Article (13)

Repeals

1. Cabinet Resolution No. (31) of 2006 concerning the National Measurement Law shall be repealed. Any provision that opposes or violates the provisions of this Resolution shall also be repealed.
2. The applicable Resolutions and Regulations issued prior to the entry into force of this Resolution shall remain in force, in a manner that shall not conflict with its provisions, until the issuance of provisions replacing them in accordance with the provisions herein.

Article (14)

Publication and Enforcement

This Resolution shall be published in the Official Gazette and shall be enforced after (30) thirty days as of the date of its publication.

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by Us:

Date: 12 July 2022 AD

Corresponding to 13 Dhu al-Hijjah 1443 A.H.