

AGREEMENT

MUTUAL ACCEPTANCE OF TYPE (PATTERN) APPROVAL TEST REPORTS

Parties to the Agreement

National Standards Commission
12 Lyonpark Road
North Ryde NSW 2113
Australia

and

National Weights and Measures Laboratory (NWML)
Stanton Avenue
Teddington TW11 0JZ
United Kingdom

Introduction

The International Organisation of Legal Metrology (OIML) was established in 1955 as an intergovernmental body, dedicated to harmonising the national metrology regulations of its Member States. Technical Committees within the OIML develop Recommendations for specific categories of measuring instruments, which specify the performance requirements and set out the associated test procedures and reporting formats.

The OIML has introduced a Certificate System under which Issuing Authorities designated by participating Member States may issue certificates of conformity with published OIML Recommendations. Although no obligation exists for OIML Member States to accept or recognise such certificates or the associated test reports, these documents issued within one Member State may be presented by manufacturers as evidence of conformity with the requirements of the relevant OIML Recommendation, for the purposes of applying for type approval in another OIML Member State.

The National Standards Commission (NSC) is the OIML Issuing Authority for Australia, and the National Weights and Measures Laboratory (NWML) fulfils that role in the UK. The NSC and the NWML recognise that the cost and time involved in type approval testing represent a significant technical barrier to international trade in measuring instruments. In the interest of reducing such barriers to trade between Australia and its major trading partners, the NSC wishes to enter into arrangements with selected OIML Issuing Authorities, whereby both parties agree to accept each other's OIML type evaluation test reports. Likewise, the National Weights and Measures Laboratory is committed to the reduction of barriers to trade through mutual acceptance agreements.

This agreement between NSC and NWML, based on mutual confidence in capabilities and quality standards, has been established and will be maintained through laboratory visits and staff discussions, reinforced by the third party accreditation of both parties to ISO 17025.

Nothing in this agreement overrules or takes precedence over the relevant legislation in force in Australia and the United Kingdom.

Agreement

1. The measuring instruments to which this agreement applies are those which conform to the OIML Recommendations listed in Annex 1.
2. All communications between the parties in relation to operations under this agreement, will be conducted through the persons nominated in Annex 2, or their subsequent replacements as notified.
3. This agreement covers tests conducted by employees of the parties to this agreement only. Acceptance of test data supplied by third parties will be considered in specific cases, but may be subject to separate agreements.
4. In principle, all the type approval tests should be performed on the same instrument (or several if required) without adjustment during or between the tests (except as required by the test procedure or by using the means available to the user). If this is not the case, the test report must indicate:
 - in the event of an adjustment or intervention:
 - the reason for the adjustment or intervention;
 - the nature of the adjustment or intervention;
 - a list of the tests performed before the adjustment or intervention, which were not performed thereafter.
 - in the event that all tests were not performed on the same instrument, a list of tests performed on each instrument. In the case where instruments were not exactly the same, details of the differences must be given.
5. A type evaluation report, including the various test results obtained, must be prepared in the format provided in the relevant OIML Recommendation.
6. Each party may undertake, at the request of the applicant, any additional tests or examinations necessary to establish conformity with the other party's national requirements, where differences exist.
7. At the request of the applicant, the party which performed the tests will transmit to the other party the OIML test report and technical documentation, together with an OIML Certificate of Conformity or national certificate.
8. Applicants seeking type approval under this agreement will be required to make a formal application to the party from which recognition is requested, and to make an instrument available for examination.

9. On receiving the OIML or national certificate and test report, the party from which recognition has been requested will review the results, and may perform further tests or examinations considered necessary to establish conformity of an instrument with the relevant national regulations.
10. On establishing that the results relate to the instrument for which approval has been requested, and that the relevant national requirements have been satisfied, the party receiving the OIML or national certificate and test report will issue a type approval certificate or test certificate as appropriate.
11. Each party may charge the applicant a fee for the examination of test reports supplied under this agreement, and for the issuing of a certificate.
12. Both parties agree to exchange information annually about the operation of the agreement.
13. Both parties agree to maintain confidentiality of proprietary information.
14. As this agreement does not create obligations which are legally binding, neither party will hold the other legally responsible for any problems which may arise, relating to the operation of this agreement. In the event of a dispute, however, each party agrees to investigate complaints or problems brought forward by the other party, and to work with the other party to seek a satisfactory resolution.
15. This agreement applies only to test reports based on tests completed after the date of signature of this agreement.
16. This agreement may be terminated by either party, by giving 6 months notice in writing.
17. The scope of this agreement may be amended at any time, with the written endorsement of both parties.
18. This agreement does not preclude either party from entering into mutual recognition arrangements with other parties.
19. In the event of a change of name, status, or ownership of either of the parties to this agreement, following a restructuring of legal metrology in Australia or in the United Kingdom, it is understood that the agreement may continue to operate between successor organisations of the National Standards Commission and/or the National Weights and Measures Laboratory, which continue to function as the OIML Issuing Authorities in their respective countries, subject to confirmation in writing by both parties at the time.

Signed

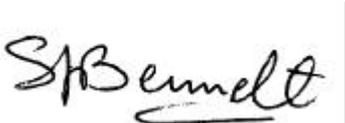
on behalf of the National Standards Commission by:



Dr. Judith Bennett
Executive Director

and

on behalf of the National Weights and Measures Laboratory by:



Dr Seton Bennett
Chief Executive

This agreement is dated25 September 2001.....

Annex 1: Recommendations covered under this Agreement

OIML Recommendation R60 – Load Cells

OIML Recommendation R76 – Non-Automatic Weighing Instruments

OIML Recommendations R117/R118 – Fuel Dispensers, excluding LPG.

Annex 2: Contact Personnel

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Mr Adrian Caster

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