Measuring instruments: trading transactions and use of legally controlled instruments

2000/0233(COD) - 31/03/2004 - Final act

PURPOSE : to create an Internal Market for measuring instruments. LEGISLATIVE ACT : Directive 2004 /22/EC of the European Parliament and of the Council on measuring instruments. CONTENT : a number of measuring instruments have been harmonised in the seventies under optional harmonisation. Member States were allowed to maintain national regulation alongside the harmonised Community regulation based on Old Approach Directives. These directives have not been updated for technological progress. Meanwhile Member States have to different degrees expanded national technical regulations, often based, wholly or in part, on international recommendations. Such national rules fragment the Internal Market. In order to achieve full harmonisation, expand the scope of Community harmonisation and modernise conformity assessment procedures, it is therefore necessary to update Community regulation to include the application, by the manufacturer, of an approved and supervised Quality System as an alternative to third party verification of products. This Directive applies to the devices and systems with a measuring function defined in the instrument-specific annexes concerning water meters (MI-001), gas meters and volume conversion devices (MI-002), active electrical energy meters (MI-003), heat meters (MI-004), measuring systems for continuous and dynamic measurement of quantities of liquids other then water (MI-005), automatic weighing instruments (MI-006), taximeters (MI-007), material measures (MI-008), dimensional measuring instruments (MI-009) and exhaust gas analysers (MI-010). Member States may prescribe the use of measuring instruments for measuring tasks for reasons of public interest, public health, public safety, public order, protection of the environment, protection of consumers, levying of taxes and duties and fair trading, where they consider it justified. In line with the principle of subsidiarity, the proposal does not harmonise national law that imposes legal measurement. This remains the competence of the Member State and hence may differ from one to another. However, when measurement is imposed, it can only be carried out by means of an instrument conforming to the proposal. The European Parliament and the Council invite the Commission : - to report, before 30 April 2011, on the implementation of this Directive, inter alia, on the basis of reports provided by the Member States, and, where appropriate, to submit a proposal for amendments; - to evaluate whether conformity assessment procedures for industrial products are properly applied and, where appropriate, to propose amendments in order to ensure consistent certification. ENTRY INTO FORCE : 30/04/2004. TRANSPOSITION : 30/04/2006. The Directive shall apply from 30/10/2006.