

**Law of Ukraine**  
**On Metrology and Metrological Activity**  
**No.113/98**  
**February 11, 1998**

This law determines the legal bases of traceability in Ukraine, regulates social relations in the field of metrological activity and is aimed to the defence of citizens and the national economy from the consequences of untrustworthy results of measurements.

**PART 1. GENERAL PROVISION**

*Article 1. The main terms and their definition*

This Law uses the given below terms in the following meaning:

*metrology* is a science on measurement which includes both theoretical and practical aspects of measurement in all fields of science and technology;

*measurements* are representations of physical quantities by their values by means of experiment and calculations with the use of special technical means;

*unit of measurement* is a physical quantity of the certain value which is accepted for the quantitative representation of the quantities which are similar to it;

*traceability* is the state of measurements when their results are expressed by the legal units of measurements, and measurements errors are known and do not exceed the stated limits with the given probability;

*methods of measurement realization* are totality of procedures and rules which realization provides getting measurement results with the necessary precision;

*measuring instrument* is a technical means which is used during measurements and has normalized metrological characteristics;

*type of measuring instrument* is totality of measuring instrument of the same purpose which have the same principle of action, the same design and are made according to the same technical documentation;

*measurement standard* is a measuring instrument which provides realization and (or) keeping the unit of measurements of one or some values, and also provides the transfer of its size to other measurements technique means;

*national measurement standard* is an officially approved standard which provides realization of a measurement unit and transfer of its size to other standards with the precision which is the highest in the given country;

*working measurement standard* is a standard which is intended for verification or calibration of measuring instrument;

*reference measurement standard* is a standard which has the highest metrological properties in comparison with other standards which are available at the enterprise or organization;

*verification of measuring instrument* is determination of suitability of measuring instrument which are liable to the state metrological supervision for use on the basis of their metrological characteristics control results;

*calibration of measuring instrument* is determination under the specified conditions or control of the metrological characteristics of measuring instrument which are not liable to the state metrological supervision;

*metrological certification of the measuring instrument* is research of measuring instrument with the aim of their metrological characteristics and determination of their suitability to the use;

*certification of measurement conducting methods* is a procedure of determination of the methods correspondence to the metrological requirements which are made to them;

*a measurement laboratory* is an organization or a separate department of an organization or enterprise which realizes physical quantities measurement, determination of chemical composition, physical & chemical, physical & mechanical and other properties and indices of substances, materials and products.

#### *Article 2. Law action sphere*

This Law applies to the central and local bodies of the executive power, local self-government bodies, enterprises (their associations), institutions and organizations irrespective of the kinds of property and activity which act at the territory of the Ukraine (further enterprises and organizations), persons who are subjects of business undertaking activity and producers (exporters) of foreign states who import measuring instrument to the territory of the Ukraine (further foreign producers).

#### *Article 3. Legislation on metrology and metrological activity*

Relations in the field of metrology and metrological activity are controlled by this Law and other normative & legal documents of the Ukraine.

#### *Article 4. The national metrological system*

1. The national metrological system assures traceability in the state and is aimed to:

realization of the unified technical policy in the field of metrology;

protection of citizens and the national economy from the consequences of untrustworthy results of measurements;

economy of all kinds of resources;

raising the level of fundamental researches and scientific developments;

assurance of the quality and competitiveness of home production;

realization of scientific & technical, normative and organizational bases of traceability assurance in the state.

2. Activity on assurance of functioning and development of the National metrological system is coordinated by the State Committee of the Ukraine on standardization, metrology and certification (further Derzhstandard of the Ukraine) which is the central body of the executive power.

#### *Article 5. Normative documents on metrology*

1. The development and approval of normative documents on metrology is realized according to the legislation.

2. Requirements of the normative documents on metrology which are confirmed by Derzhstandard of the Ukraine are obligatory for execution by central and local bodies of the executive power, local self-government bodies, enterprises, organizations, persons who are subjects of business undertaking activity and by foreign producers.
3. Requirements of the normative documents on metrology which are confirmed by the central bodies of the executive power are obligatory for execution by enterprises and organizations which are related to the field of control by these bodies.
4. Enterprises and organizations can develop and confirm in the field of their activity the documents on metrology which give concrete expression of the confirmed by Derzhstandard of the Ukraine normative documents on metrology and do not contradict them.

## **PART II. MEASUREMENT UNITS, THEIR REALIZATION AND KEEPING. MEASUREMENT REALIZATION. MEASURING INSTRUMENT**

### *Article 6. Measurement units use*

1. In Ukraine the measurement units of the International system of units which is adopted by the General conference on weights and measures and is recommended by the International organization of legal metrology are used.

By the decision of Derzhstandard of the Ukraine the measurement units which are not included in the International system of units can be permitted for using in Ukraine.

2. The names of measurement units and ones which are derivated from them and are used in Ukraine, their symbols and rules of their writing are established by Derzhstandard of the Ukraine.

### *Article 7. Peculiarities of using measurement units relating to the goods and services which are intended for export*

Characteristics and parameters of exported goods (including measuring instrument) and services (including ones on measurements, metrological certification, verification, calibration and state tests) which are realized for foreign states can be given in the measurement units which are established by a customer.

### *Article 8. Realization and keeping measurement units*

1. Realization and keeping measurement units with the aim of their size transfer to the measuring instrument which are used on the territory of the Ukraine are provided by the national standards.

The standard base is created and improved according to the state scientific & technical programs which are developed by Derzhstandard of the Ukraine with the aim of satisfying the needs of economy and defence of the Ukraine.

Derzhstandard of the Ukraine is responsible for these programs tasks realization, the technical level of the national standards and optimality of the standard base structure.

2. National standards are exclusively national properties, they are liable to confirmation by Derzhstandard of the Ukraine and are under its jurisdiction.

The responsibility for observance of rules and conditions of keeping and using the national standards is laid on organization managers and scientists who are keepers of these standards.

### *Article 9. Using, import, production, repair, sale and hire of measuring instrument*

1. Measuring instrument can be used if they correspond to the requirements of precision which are established for these means under the certain conditions of their exploitation.  
The order of determination of technical means belonging to measuring instrument is determined by Derzhstandard of the Ukraine.
2. The measuring instrument which are liable to the state metrological supervision are allowed to be used, produced, repaired, sold and hired only if they have passed verification or the state metrological certification.
3. The measuring instrument which are not liable to the state metrological supervision are allowed to be produced only when they have passed calibration or metrological certification.
4. Import to the territory of the Ukraine of measuring instrument by lots can be realized if the kinds of these means are listed in the State list of the measuring instrument which are permitted for using in Ukraine (further the State list of the Ukraine). The order of import to the territory of the Ukraine of measuring instrument is established by the Cabinet of Ministers of the Ukraine.
5. Enterprises, organizations and persons who are subjects of business undertaking activity and are occupied with the kinds of activity which are mentioned in paragraphs 2 and 3 of this article must inform in written form the corresponding territorial bodies of Derzhstandard of the Ukraine about their activity.

*Article 10. Measurements and their results use*

1. Measurements which are within the action of the state metrological supervision can be realized by measurement laboratories providing their accreditation for the right of measurements realization.
2. Measurements which are realized within the action of the state metrological supervision must be realized according to the certified methods of measurements realization.
3. The measurements results can be used provided that the corresponding characteristics of measurement errors are known.

### **PART III. METROLOGICAL SERVICE OF THE UKRAINE**

*Article 11. The structure of metrological service of the Ukraine*

Metrological service of the Ukraine consists of the State metrological service and metrological services of the central bodies of the executing power, enterprises and organizations.

*Article 12. The State metrological service*

1. The State metrological service organizes, realizes and coordinates the activity which is aimed at traceability assurance in the state, and also realizes the state metrological control and supervision on keeping the requirements of this Law, other normative & legal documents of the Ukraine and normative documents on metrology.

The State metrological service includes:

the corresponding subdivisions of the central apparatus of Derzhstandard of the Ukraine;

the state scientific metrological centres of control of Derzhstandard of the Ukraine (further metrological centres of Derzhstandard of the Ukraine);

territorial bodies of Derzhstandard of the Ukraine in the Autonomous Republic of the Crimea, the cities of Kyiv and Sevastopol and the towns of the regional subordination (further the territorial bodies of Derzhstandard of the Ukraine);

the State Service of Unified Time and Standard Frequencies;

the State Service of Reference Materials of Substances and Materials Composition and Properties;

the State Service of Standard Reference Data of the Physical Constants and Properties of Substances and Materials.

2. Derzhstandard of the Ukraine realizes the state control of traceability assurance in Ukraine.

Derzhstandard of the Ukraine competence includes conducting unified in the country technical policy on traceability assurance including:

organization of conducting fundamental researches in the field of metrology;

organization of creation and functioning of the standard base of the Ukraine;

determination of the order of realization, affirmation, registration, keeping and use of measurement standards and also their comparison with the international measurement standards and the standards of other countries;

coordination of the metrological service of the Ukraine activity;

determination of general metrological requirements to measuring instrument, methods and results of measurements;

confirmation of the types of measuring instrument;

determination of the general requirements to the order of conducting calibration and metrological certification of measuring instrument;

determination of the general requirements to the development and certification of measurement conducting methods;

determination of the order of conducting all the kinds of the state metrological control and supervision;

organization and conducting the state metrological control and supervision;

confirmation of the typical provisions on metrological services of the central bodies of executive power, enterprises and organizations;

development or participation in the development of the national, state and diversified programs relating to traceability assurance;

participation in the activity of the international metrological organizations in the order which is envisaged by the legislation.

The decisions of Derzhstandard of the Ukraine on the metrology problems which are accepted within its competence are obligatory for fulfilment by the central and local bodies of the executive power, local self-governing bodies, enterprises, organizations, persons who are subjects of business undertaking activity and by foreign producers.

3. The metrological centres of Derzhstandard of the Ukraine realize the works which are related to realization, perfecting, keeping and using the state standards, realization of the systems of measurement units size transfer, development of normative documents on metrology, and also realize the state metrological control.

4. The territorial bodies of Derzhstandard of the Ukraine solve the tasks and act the functions of Derzhstandard of the Ukraine within the limits which are determined by the provision on these bodies and by the orders of Derzhstandard of the Ukraine on the corresponding territory.
5. The metrological centres and territorial bodies of Derzhstandard of the Ukraine may conduct calibration and repair of measuring instrument, metrological examination of documents, accreditation of measurement laboratories, certification of the methods of measurement realization and render other metrological services according to this Law by the agreements with enterprises, organizations and persons who are subjects of business undertaking activity.
6. The State Service of Unified Time and Standard Frequencies realizes interregional and diversified coordination and realization of the works which are aimed to the assurance of time and frequency measurements unity and determination of the Earth rotation parameters.
7. The State Service of the Reference Materials of Substances and Materials Composition and Properties realizes interregional and diversified coordination and provides realization of the works which are related to the development and introduction of the standard specimens of substances and materials composition and properties.
8. The State Service of Standard Reference Data on Physical Constants and Properties of Substances and Materials realizes interregional and interbranch coordination and provides fulfilment of the works related to development and introduction of the standard reference data on physical constants and properties of substances and materials.
9. The provisions on the State Service of Unified Time and Frequencies, the State Service of the Reference Materials of Substances and Materials Composition and Properties, the State Service of the Standard Reference Data of Physical Constants and Properties of Substances and Materials are confirmed by Cabinet of Ministers of the Ukraine.

*Article 13. Metrological services of the central bodies of the executive power, enterprises and organizations*

1. Metrological services can be organized:
  - at the central bodies of the executive power for coordination of the works which are related to the traceability assurance and realization of metrological control and supervision;
  - at the management bodies of enterprises associations for fulfilment of the functions on measurements unity assurance which are ordered by the enterprises which are members of associations;
  - at enterprises and organizations for traceability assurance and realization of metrological control and supervision.
2. Metrological services of the central bodies of the executive power, enterprises and organizations organize and carry out the works which are related to traceability assurance in the field of their activity, the basic works are the following:
  - organization and realization of metrological control and supervision;
  - development of measurement conducting methods, methods of metrological certification, verification and calibration of measuring instrument;
  - organization and carrying out state tests, verification and repair of measurement technique.

3. Provisions on metrological services of the central bodies of the executive power, enterprises and organizations are developed according to the typical provisions on these services which are confirmed by Derzhstandard of the Ukraine.
4. Provisions on metrological services of the central bodies of the executive power, the main organizations of these services and metrological services of enterprises and organizations are agreed according to Derzhstandard of the Ukraine, its metrological centres and territorial bodies.

## **PART IV. THE STATE METROLOGICAL CONTROL AND SUPERVISION**

### *Article 14. The aim of the state metrological control and supervision*

The state metrological control and supervision are realized by the State metrological service with the aim of the check of keeping the requirements of this Law and other normative & legal documents of the Ukraine and normative documents on metrology.

### *Article 15. The objects of the state metrological control and supervision*

The objects of the state metrological control and supervision are the following:

- measuring instrument;
- measurement conducting methods;
- the amount of prepacked goods;

### *Article 16. The field of the state metrological supervision*

The state metrological supervision relating to the objects which are listed in Article 15 of this Law is applied to the measurements which results are used during:

- the works on health protection assurance;
- the works on people life and health protection assurance;
- food products quality and safety control;
- environmental control;
- labour conditions safety control;
- geodetic and hydrometeorological works;
- trade & commercial operations and settlements between a customer (consumer) and a seller (supplier, producer, performer) including the works in the fields of social and communal services, electric and mail communication services;
- tax, bank and custom operations;
- account of power and material resources of electric and thermal energy, gas, water, oil products, etc., with the exception of the internal account, which is conducted by enterprises, organizations and persons who are subjects of business undertaking activity;

the works which are carried out on behalf of the bodies of the office of public prosecutor and justice;

obligatory certification of products;

registration of national and international sport records.

*Article 17. The kinds of the state metrological control and supervision*

1. The state metrological control includes the following:

the state tests of measuring instrument and confirmation of their types;

the state metrological certification of measuring instrument;

verification of measuring instrument;

accreditation for the right of state tests carrying out, verification and calibration of measuring instrument, conducting measurements and certification of the methods of measurement conducting.

2. The state metrological supervision includes:

the state metrological supervision on traceability assurance;

the state metrological supervision on the amount of prepacked goods;

*Article 18. The state tests of measurement technique and confirmation of their types*

1. The measuring instrument which are intended for serial production or for import to the territory of the Ukraine by lots are liable to the state acceptance and control tests with the aim of confirmation of the types of these means or the control of their correspondence to the confirmed types and to the obligatory requirements of the normative documents on metrology.

The confirmed types of measuring instrument are entered into the State list of the Ukraine by Derzhstandard of the Ukraine.

The measuring instrument, which are intended for use in household and are not liable to the state metrological supervision. The order of determination of measuring instrument belonging to the ones which are intended for household use is determined by Derzhstandard of the Ukraine.

2. The state acceptance and control tests of measuring instrument are conducted by metrological centres and territorial bodies of Derzhstandart of the Ukraine which are accredited for the right of these tests conducting.

3. The state acceptance tests of measuring instrument which are not liable to the state metrological supervision can be conducted by the metrological services of the central bodies of the executive power, enterprises and organizations which are accredited for the right of these tests conducting.

4. The mark of type confirmation which form is established by Derzhstandard of the Ukraine is placed on the measuring instrument which types are confirmed by Derzhstandard of the Ukraine and/or it is placed on their documentation of exploitation.

*Article 19. The state metrological certification of measuring instrument*

1. The measuring instrument which are not liable to the state tests according to Article 18 of this Law and are not liable to the state metrological supervision are liable to the state metrological certification.

2. The state metrological certification is realized by metrological centres and territorial bodies of Derzhstandard of the Ukraine which are accredited for the right of state test conducting or verification of measuring instrument.
3. The order of the state metrological certification results registration is established by Derzhstandard of the Ukraine.

*Article 20. The measuring instrument verification*

1. The measuring instrument which are in use, are output from the enterprise or after repair, are sold or hired and are not liable to the state metrological supervision are liable to verification.

The following means are also liable to verification:

- the working standards which are property of metrological centres and territorial bodies of Derzhstandard of the Ukraine;
  - the initial standards which are property of enterprises and organizations;
  - the measuring instrument which are used during the state tests, the state metrological certification and verification of measuring instrument.
2. The list of the measuring instrument which are in use and are liable to verification is compiled by their user and is presented for agreement to a territorial body of Derzhstandard of the Ukraine.

The order of these lists compiling is determined by Derzhstandard of the Ukraine.

3. Verification of measuring instrument is conducted by the territorial bodies of Derzhstandard of the Ukraine which are accredited for the right of its conducting. The verification is realized by officials of the territorial bodies of Derzhstandard of the Ukraine - state verifiers.

Verification of measuring instrument with use of state standards is conducted by metrological centres of Derzhstandard of the Ukraine.

4. Measuring instrument verification during exploitation, output from the enterprise and repair can be realized by metrological services of enterprises and organizations which are accredited for the right of this verification conducting.

Managers of corresponding enterprises and organizations are responsible according to the legislation for infringement of the terms and rules of measuring instrument verification conducting.

5. The order of verification results registration is established by Derzhstandard of the Ukraine.
6. The local bodies of the executive power must help to measuring instrument verification conducting at the place of their exploitation including the following:
  - to present corresponding rooms;
  - to provide stechnical staff and transport;
  - to inform owners and users of measuring instrument about the time and place of verification conducting.

*Article 21. Accreditation for the right of conducting state tests, verification and calibration of measuring instrument, measurements, measurement conducting methods certification*

1. Accreditation for the right of conducting state tests, verification and calibration of measuring instrument, measurements, measurement conducting methods certification is realized by Derzhstandard of the Ukraine, its metrological centres and territorial bodies.
2. Derzhstandard of the Ukraine realizes accreditation of the following:
  - metrological centres of Derzhstandard of the Ukraine for the right of conducting state acceptance tests of measuring instrument;
  - territorial bodies of Derzhstandard of the Ukraine for the right of conducting state acceptance and control tests and verification of measuring instrument;
  - metrological services of the central bodies of the executive power, enterprises and organizations for the right of conducting state acceptance tests and verification of measuring instrument;
  - calibration laboratories of metrological services or other organization structures of enterprises and organizations (further calibration laboratories) for the right of conducting measuring instrument calibration for other enterprises, organizations and for persons who are subjects of business undertaking activity;
  - verification (calibration) laboratories of foreign producers for the right of conducting verification (calibration) of measuring instrument which are delivered to Ukraine.
3. Territorial bodies of Derzhstandard of the Ukraine realize accreditation of measurement laboratories of enterprises and organizations which are not related to the field of control of the central bodies of the executive power, and also measurement laboratories of enterprises and organizations which are related to the field of control of the central bodies of the executive power (if it is envisaged by the legislation) for the right of conducting measurements in the field of the state metrological supervision.
4. Metrological centres of Derzhstandard of the Ukraine and territorial bodies of Derzhstandard of the Ukraine which are authorized by it realize accreditation of metrological services of the central bodies of the executive power, enterprises and organizations for the right of conducting certification of the methods of conducting measurements which are used in the field of the state metrological supervision.
5. In case of a positive decision on accreditation a certification on accreditation is given in the established order.
 

Arguments on the problems of accreditation are considered by Derzhstandard of the Ukraine, the court or the arbitration court.

*Article 22. The state metrological supervision on traceability assurance*

1. Central and local bodies of the executive power, local self-governing bodies, enterprises, organizations, persons who are subjects of business undertaking activity are liable to the state metrological supervision on measurements unity assurance.
2. The check of keeping the requirements of this Law, other normative & legal documents of the Ukraine and normative documents on metrology is conducted at central and local bodies of the executive power, local self-governing bodies and at the bodies of enterprises associations control.

Besides it, at enterprises, organizations and the personsT who are subjects of business undertaking activity the check is conducted of the following:

- the state and use of measuring instrument;

using the certified methods of carrying out measurements and measurements conducting correctness;

keeping the terms of conducting state tests, verification, calibration, import, output of production, repair, sale and hire of measuring instrument, conducting measurements and certification of measurements conducting methods.

*Article 23. The state metrological supervision on the amount of prepacked goods*

1. Prepacked goods during their packing and sale in the case when their content can be changed at their opening or deformation and the amount of goods is presented by mass, volume or other physical quantity are liable to the state metrological supervision on the amount of prepacked goods.
2. The nominal amount of goods in the units of mass, volume or other physical quantity, and also the extremely acceptable deviations from the nominal quantity or the reference to the normative document according to which they are determined must be given on the packing.

*Article 24. Rights and duties of state inspectors on metrological supervision*

1. The state metrological supervision is realized by officials of Derzhstandard of the Ukraine and its territorial bodies which are state inspectors on metrological supervision (further state inspectors).
2. State inspectors must be certified in the order which is established by Derzhstandard of the Ukraine.

State inspectors fulfilling their duties have the following rights:

to visit the central bodies of the executive power, local self-government bodies, enterprises, organizations and persons who are subjects of business undertaking activity keeping their established order and regime of the work unimpededly by producing an official identity card;

to check the activity of the central bodies of the executive power, local self-government bodies, enterprises, organizations and persons who are subjects of business undertaking activity on keeping the requirements of this Law, other normative & legal documents of the Ukraine and normative documents on metrology, and also to use their technical means and involve their workers in these checks;

to get the necessary information and materials on metrology;

to send measuring instrument for inspection test;

to check the correctness of measuring instrument attributing to ones which are liable to check;

to check the quality of prepacked goods during their prepacking and sale;

to use free of charge tickets for going by town transport (except taxi), which may be bought at the expense of the assignments which are envisaged in the estimate of money allowance of the organizations which staff these inspectors are in.

3. In case of finding the infringement of metrological norms and rules, state inspectors have the following rights:

to forbid the use, output from production or repair, sale and hire of measuring instrument;

to cancel results of measuring instrument verification;

- to give directions and establish terms of removal of the infringement of metrological norms and rules;
  - to forbid realization of prepacked goods lots;
  - to forbid the works which are connected with measurements if these works do not provide trustworthy results;
  - to draw up reports about administrative infringements of the law in the field of metrology;
  - to give proposals on cancelling the documents on accreditation for the right of state tests conducting, measuring instrument verification and calibration, measurement conducting and measurement conducting methods certification.
4. Cases on administrative infringements of the law in the field of metrology are considered by Derzhstandart of the Ukraine and its territorial bodies according to their situation.
  5. State inspectors are obliged to conduct the state metrological supervision keeping the requirements of this Law, other normative & legal documents of the Ukraine and normative documents on metrology.

*Article 25. Lawful protection of state inspectors*

1. State inspectors are under the protection of the law during fulfilment of their duties.  
The state guarantees the protection of life, health, honour, dignity and property of state inspectors and members of their families from criminal infringements and other infringement actions due to their fulfilment of their duties.
2. State inspectors are liable to obligatory state insurance.  
The order and terms of state inspector insurance are determined by the Cabinet of Ministers of the Ukraine.
3. The persons who are guilty of a state inspector insult, and also of opposition, threat, violence and other actions which prevent fulfilment a state inspectorTs duties are made answerable according to the legislation.
4. In case of mutilation, disablement or other harm to health which are results of a state inspectorTs service duties he (she) is paid the compensation in the amount of their yearTs or five yearsT salary depending on the degree of ability to work loss, and in case of death of a state inspector his (her) family gets an extraordinary grant in the amount of ten yearsT salary according his (her) last post.  
The losses of a state inspectorTs or his (her) family membersT property which are caused due to their service duties fulfilment are completely compensated at the expense of the means of the state budget with following penalty of this amount from the guilty persons.

*Article 26. Derzhstandard of the Ukraine and its territorial bodies relations with right-guarding bodies*

Officers of right-guarding bodies help state inspectors to fulfil their service duties and stop illegal actions of persons which prevent state inspectorsT duties fulfilment.

*Article 27. Rights and duties of state verifiers*

1. State verifiers are certified in the order which is established by Derzhstandard of the Ukraine.

2. State verifiers at fulfilment their duties have the following rights:

to visit enterprises and organizations unimpededly by presentation of their service licence keeping their established order and regime of works for verification works realization;

to take part in realization of the state metrological control and supervision;

to use technical means and involve workers of the enterprises and organizations where verification is realized into conducting measuring instrument verification.

3. In case if according to the verification results the measuring instrument do not correspond to the requirements of the normative documents on metrology state verifiers have the following rights:

to forbid the use or output from production or repair of measuring instrument;

to cancel the results of measuring instrument verification;

to give proposals on shortening the intervals between verifications in case if the measuring instrument do not correspond to the established metrological norms on the acting interval between verifications.

State verifiers are obliged to conduct verification keeping the requirements of the corresponding normative documents on metrology.

*Article 28. Consideration of complaints about the decisions of Derzhstandard of the Ukraine, its metrological centres and territorial bodies*

1. Complaints about decisions of Derzhstandard of the Ukraine, its metrological centres and territorial bodies, their officials, and also about these personsT actions are considered in the order which is established by the legislation.
2. The presentation of a complaint does not stop the fulfilment of decisions of Derzhstandard of the Ukraine, its metrological centres and territorial bodies, their officials, and also these personsT actions.

**PART V. METROLOGICAL CONTROL AND SUPERVISION WHICH ARE  
REALIZED BY METROLOGICAL SERVICES OF THE CENTRAL  
BODIES OF THE EXECUTIVE POWER, ENTERPRISES AND  
ORGANIZATIONS**

*Article 29. The kinds of metrological control and supervision which are realized by metrological services of the central bodies of the executive power, enterprises and organizations*

Metrological control and supervision are realized by metrological services of the central bodies of the executive power, enterprises and organizations in the fields of their activity.

Metrological supervision is realized on measurements unity assurance.

Metrological control includes:

metrological certification and calibration of measuring instrument;

accreditation of calibration and measurement laboratories;

metrological research of documentation and reports of scientific & research works and certification of measurement conducting methods.

*Article 30. Metrological certification of measuring instrument*

The measuring instrument which are not liable to the state acceptance tests according to Article 18 of this Law and which are not liable to the state metrological supervision are liable to metrological certification.

Metrological certification and its results registration are conducted in the order which is established by Derzhstandard of the Ukraine.

*Article 31. Measuring instrument calibration*

1. The measuring instrument which are liable to the state tests according to Article 18 of this Law and which are not liable to the state metrologic supervision are liable to calibration during their output from production.

The necessity of calibration carrying out at the exploitation of measuring instrument which are not liable to the state metrological supervision is determined by their user.

2. The calibration laboratories which conduct calibration of measuring instrument for other enterprises, organizations and persons who are subjects of business undertaking activity must be accredited according to requirements of Article 21 of this Law.
3. Calibration and its results registration are carrying out in the order which is established by Derzhstandard of the Ukraine.

*Article 32. Accreditation of calibration and measurement laboratories*

1. Metrological services of the central bodies of the executive power and enterprises and organizations which are authorised by them realize accreditation of calibration and measurement laboratories of the enterprises and organizations which are related to the field of their control.

These services realise accreditation of the following:

calibration laboratories of enterprises and laboratories for the right of conducting calibration of measuring instrument for own needs of these enterprises and laboratories;

measurement laboratories of enterprises and organizations (except the laboratories which are envisaged by Article 21 of this Law) for the right of measurement conducting.

2. Accreditation of measurement laboratories which carry out measurements in the field of acting the state metrological supervision is realized with the obligatory participation of the territorial bodies of Derzhstandard of the Ukraine.
3. Accreditation of laboratories is realized according to the requirements which are established by the central bodies of executive power and associations of enterprises on agreement with Derzhstandard of the Ukraine.

*Article 33. Metrological research of documentation and reports of scientific - research works, certification of measurement carrying out methods*

1. Metrological research of documentation (technical tasks, normative documents, design, project and technological documentation) and reports of scientific & research works and geological prospecting of mineral wealth, certification of measurement conducting methods are realized according to the requirements of the normative documents of Derzhstandard of the Ukraine.

2. Certification of the methods of conducting the measurements which are used in the field of acting the state metrological supervision can be conducted by metrological services of the central bodies of the executive power, enterprises and organizations providing their accreditation according to Article 21 of this Law.

*Article 34. Metrological supervision on measurements unity assurance*

1. During the metrological supervision on measurements unity assurance the check is made of the following:
  - state and use of measuring instrument;
  - use of measurement conducting methods;
  - correctness of measurement conducting;
  - well-timed presenting measuring instrument for verification and calibration;
  - keeping terms and rules of conducting verification and calibration of measuring instrument and measurements conducting which is made by accredited verification, calibration and measurement laboratories;
  - keeping the requirements of the normative documents on metrology.
2. Metrological services of the central bodies of the executive power, enterprises and organizations have the right to give orders on ceasing and removing metrological norms and rules infringements according to the results of metrological supervision.
3. The order of conducting metrological supervision for traceability assurance, giving orders according to the results of metrological supervision is established by the central bodies of the executive power, enterprises and organizations keeping the requirements of legislation.

*Article 35. The peculiarities of metrological activity in the field of the Ukraine defence*

The peculiarities of metrological activity in the field of the Ukraine defence are regulated by the separate provision which is confirmed by the Cabinet of Ministers of the Ukraine according to the presentation of the Ministry of Defence of the Ukraine and Derzhstandard of the Ukraine and it must not contradict to this Law.

*Article 36. The peculiarities of metrological activity in the field of scientific research and developments in Ukraine*

The peculiarities of metrological activity in the field of scientific research and developments in Ukraine are regulated by the separate provision which is confirmed by the Cabinet of Ministers of the Ukraine according to the presentation of National Academy of Science of the Ukraine and Derzhstandard and it must not contradict to this Law.

## **PART VI. METROLOGICAL ACTIVITY FINANCING**

*Article 37. Financing activity of the State metrological service*

1. Financing activity of the State metrological service is realized at the expense of:
  - the state budget means;
  - entries from fulfilment of works on the state metrological control, other metrological works and rendering metrological services;

- means resulting from fulfilment of scientific & research works;  
other entries which are envisaged by the law.
2. The followings are liable to the obligatory financing at the expense of the means of the State budget of the Ukraine:
- of fundamental research and development of normative documents in the field of metrology;
  - realization, improvement, acquisition, keeping and use of national standards;
  - the works which are related to the activity of the state services of unified time and standard frequencies, standard specimens of composition and properties of substances and materials, standard reference data of physical constants and properties of substances and materials;
  - the works related to the fulfilment of the state and diversified scientific & technical programs in the field of metrology;
  - works on the state metrological supervision.
3. Means for fulfilment of the abovementioned works are annually determined during forming the State budget of the Ukraine and the Program of economical and political development of the Ukraine for the corresponding year proceeding from the possibilities of the State budget of the Ukraine.
4. Social & economical and scientific & technical programs must envisage the units on metrological assurance and determine the sources of financing works on these units tasks solving.

*Article 38. Paying metrological works and using means which are got for fulfilment of these works and rendering metrological services*

Enterprises, organizations and persons that are subjects of entrepreneur activity pay metrological works which are connected with realization on the self-financing base of all kinds of the state metrological control which are determined by Article 17 of this Law in the order which is established by the Cabinet of Ministers of the Ukraine.

Means which are got for the fulfilment of the said metrological works and rendering metrological services which are envisaged by Paragraph 5 of Article 12 of this Law can be used by metrological centres and territorial bodies of Derzhstandard of the Ukraine for assurance of their production and scientific activity.

*Article 39. Financing activity of metrological services of the central bodies of the executive power, enterprises and organizations.*

1. Metrological services of the central bodies of the executive power, and also of enterprises and organizations which are related to the field of their control, which are financed from the State budget of the Ukraine fulfil all the works which are related to traceability assurance at the expense of the means of the State budget of the Ukraine which are given for their keeping for the corresponding year according to their calculations, and also the means which are got for rendering metrological services.
2. Financing activity of metrological services of all other enterprises and organizations is conducted at the expense of the means of these enterprises and organizations.

## **PART VII. FINAL PROVISIONS**

*Article 40. Admission of the results of metrological works which have been conducted in foreign states*

According to the international treaties of the Ukraine the results of state tests, confirmation of type, verification, calibration and metrological certification of measuring instrument, certification of measurements conducting methods which are conducted in foreign states can be admitted.

*Article 41. Responsibility for offence against the legislation on metrology and metrological activity*

The persons who are guilty of offence against the legislation on metrology and metrological activity can be called to disciplinary, civil, administrative account or to be instituted criminal proceedings.

*Article 42. Bringing this Law into force*

1. This Law comes into force since the day of its publishment except Article 38 which comes into force in three months after the day of this Law publishment.
2. Normative & legal documents which were admitted before this Law coming into force are acting on matters which do not contradict this Law.
3. The Cabinet of Ministers of the Ukraine shall present the proposals about insertion of changes in the laws of the Ukraine which result from this Law to the Supreme Council of the Ukraine during two months since this Law publishment.
4. To June 1, 1998 the Cabinet of Ministers of the Ukraine shall do the following:
  - to develop and bring its normative & legal documents in correspondence with this Law;
  - to provide revision and cancel of the central bodies of the executive power documents which contradict this Law by these bodies.
5. The Cabinet of Ministers of the Ukraine shall admit as losing its force its Decree from April 26, 1993 No.40-93 "On traceability assurance" (Vedomosti of Verkhovnoi Rady of the Ukraine, 1993, No.26, p.278), except Article 31 which will lose its force in three months after this Law publishment (13 March 1998).

***President of Ukraine L. Kuchma***