

1. -----IND- 2019 0277 CZ- EN- ----- 20190621 --- --- PROJET

Executive summary for the EC (not part of this legislation)

'Measuring tapes' may be placed on the market in the Czech Republic for use in measuring with protection of public interest significance in the areas of *consumer protection, contractual relations, the stipulation of sanctions, fees, tariffs and duties, health protection, environmental protection, occupational safety or the protection of other public interests protected by special legislation* under Directive 2014/32/EU (MID).

The purpose of this notified regulation is to lay down metrological and technical requirements for measuring instruments after they have been placed on the market, and only for the purpose of examining the measuring instruments at the request of a person who may be affected by incorrect measurement.

(End of executive summary.)

PUBLIC DECREE

As the authority with substantive and territorial jurisdiction in the matter of laying down metrological and technical requirements for legally controlled measuring instruments and stipulating the testing methods for type approval and verification of legally controlled measuring instruments pursuant to § 14(1) of Act No 505/1990, on metrology, as amended (hereinafter the 'Metrology Act'), and in accordance with the provisions of § 172 et seq. of Act No 500/2004, the Code of Administrative Procedure (hereinafter the 'CAP'), the Czech Metrology Institute (hereinafter the 'CMI') commenced ex officio proceedings on 12 February 2016 pursuant to § 46 of the CAP, and, based on supporting documents, issues the following:

I

DRAFT GENERAL MEASURE

number: 0111-OOP-C096-18

laying down the metrological and technical requirements for specified measuring instruments for the purposes of examining measuring instrument at the request of a person who may be affected by incorrect measurement:

‘measuring tapes’

1 Basic definitions

For the purposes of this general measure, terms and definitions pursuant to VIM and VIML¹ and the following shall apply:

1.1

physical length measure

a measuring instrument with permanent and indelible scale gradations, the separation of which is given in statutory units of length

1.2

principal scale marks

two scale marks, the separation of which is the nominal length

1.3

scale

a set of all scale marks and the associated numbering

1.4

scale interval

a value expressed in units of length; it is the difference between the values corresponding to two consecutive scale marks

2 Metrological requirements

Metrological requirements for measuring instruments are laid down in a special legislation².

3 Technical requirements

Technical requirements for measuring instruments are laid down in special legislation².

¹ TNI 01 0115 International Vocabulary of Metrology – Basic and General Concepts and Associated Terms (VIM) and International Vocabulary of Legal Metrology (VIML) are part of the technical harmonisation compendium ‘Terminology in the field of metrology’, which is publicly available at www.unmz.cz.

² Government Regulation No 120/2016 laying down technical requirements for measuring instruments (hereinafter referred to as ‘Government Regulation’), and implementing Directive 2014/32/EU of the of the European Parliament and of the Council of 26 February 2014 on measuring instruments (MID)

4 Measuring instrument markings

Requirements for measuring instrument markings are laid down in special legislation².

5 Type approval of the measuring instrument

Measuring instruments shall be placed on the market with a conformity assessment in accordance with special legislation². The provisions on type approval under Act No 505/1990 on metrology shall not apply.

6 Initial verification

Measuring instruments shall be placed on the market with a conformity assessment according to special legislation². The provisions on type approval under Act No 505/1990 on metrology shall not apply.

7 Subsequent verification

Subsequent verification shall not be performed.

8 Measuring instrument examination

The procedure in this chapter applies to the examination of a measuring instrument pursuant to § 11a of the Metrology Act at the request of a person who may be affected by an incorrect measurement.

8.1 Maximum permissible errors (MPE)

A measuring tape shall be manufactured in one of three accuracy classes designated 'I', 'II' or 'III'.

8.1.1 The maximum permissible error, positive or negative and expressed in millimetres, for the separation between two non-consecutive scale marks is given by the following formula:

$$(a + b \cdot L) \tag{1}$$

where: L is the numerical value of the monitored length rounded up to the next whole metre,
 a, b are given in Table 1 for each accuracy class.

Table 1

Accuracy class	a (mm)	b (mm)
I	0.1	0.1
II	0.3	0.2
III	0.6	0.4

8.1.2 If the start of the scale is restricted by an area, the maximum permissible error shall be increased by the value given in Table 2 for any distance starting at that start point.

Table 2

Value for individual accuracy classes(mm)		
I	II	III

0.1	0.2	0.3
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8.2 Tests

8.2.1 Reference conditions

Unless otherwise specified by the manufacturer and unless otherwise appropriately marked on the measuring tape, the reference temperature shall be 20 °C.

When measuring, a tension force of 50 N or other force value specified by the manufacturer and appropriately marked on the measuring tape shall be applied.

8.2.2 Test procedure

The following shall be performed when examining a measuring instrument:

- a) a visual inspection;
- b) an accuracy test.

8.2.2.1 Visual inspection

The purpose of the visual inspection is to ascertain whether the measuring instrument is:

- mechanically damaged;
- appropriately marked (scale numbering; accuracy class; CE marking and additional metrological marking including the identification number of the notified body or equivalent marking etc.).

8.2.2.2 Accuracy test

A check of the accuracy and linearity of the scale, i.e. the distance between two non-consecutive marks, of which one mark is always zero, shall be performed at five different places randomly distributed over the whole measuring length and comprising a nominal length and the disputed length, if known.

Any errors detected in the test measuring instrument shall not exceed twice the relevant value of the maximum permissible errors given in this chapter, in Tables 1 and 2.

9 Notified standards

For the purposes of specifying the metrological and technical requirements for measuring instruments and specifying the testing methods for their type approval and verification arising from this general measure, the CMI shall notify Czech technical standards, other technical standards or technical documents of international or foreign organisations, or other technical documents containing more detailed technical requirements (hereinafter referred to as 'notified standards'). The CMI shall publish a list of these notified standards attached to the relevant measures, together with the general measure, in a manner accessible to the public (on www.cmi.cz).

Compliance with notified standards or parts thereof is considered, to the extent and under the conditions stipulated by a general measure, to be compliance with the requirements stipulated by this measure to which these standards or parts thereof apply.

Compliance with notified standards is one way of demonstrating compliance with the requirements. These requirements may also be met by using another technical solution guaranteeing an equivalent or higher level of protection of legitimate interests.

II

G R O U N D S

The CMI issues, pursuant to § 14(1)(j) of the Metrology Act, towards the implementation of § 6(2), § 9(1) and (9) and § 11a(3) of the Metrology Act, this general measure, stipulating metrological and technical requirements for the specified measuring instruments and test methods for the type approval and verification of the specified measuring instruments - 'measuring tapes'.

Implementing Decree No 345/2002 specifying measuring instruments for mandatory verification and measuring instruments subject to type approval, as amended, classifies the measuring instruments under item 1.1.2 in the annex entitled 'List of legally controlled measuring instruments' as measuring instruments subject to type approval and mandatory verification.

This legislation (General Measure) was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

III

N O T I C E

In accordance with § 172(1), in conjunction with § 39(1) of the CAP, the CMI has stipulated a time limit for comments of 30 days as of the date of posting on the official notice board. Comments submitted after this time limit will not be considered.

The persons concerned are hereby invited to comment on this draft general measure. With a view to the provisions of § 172(4) of the CAP, the comments shall be submitted in writing and meet the requirements for submissions in accordance with § 37 of the CAP.

The comments shall include the particulars referred to in § 37(2) of the CAP and clearly state the following: who is making the comments; which general measure they concern; to what extent the comments challenge the measure; how the general measure runs contrary to legislation or how the general measure or the procedure that preceded it is inaccurate; which matters the comments concern and what is being proposed. Said comments must also identify the administrative authority to which they are addressed and be signed by the person making them.

The supporting documents for this draft general measure may be consulted at the Czech Metrology Institute, Legal Metrology Department, Okružní 31, 638 00 Brno, after making arrangements by telephone.

This draft general measure shall be posted for 15 days.

Czech Metrology Institute
Director General