LAW OF THE RUSSIAN FEDERATION NO. 4871-1 OF APRIL 27, 1993 ON THE UNITY OF MEASUREMENTS

Section I.	General Provisions	(Articles 1-5)
Section II.	Units of Magnitudes. Instruments and	(Articles 6-9)
	Methods of Measurements	
Section III.	Metrological Services	(Articles 10-11)
Section IV.	State Metrological Control and Super-	(Articles 12-22)
	vision	
Section V.	Celebration and Certification of Mea-	(Articles 23-24)
	suring Instruments	
Section VI.	Responsibility for Breaking the Present	(Article 25)
	Law	
Section VII.	The Financing of the Works of Ensuring	(Articles 26-27)
	the Unity of Measurements	
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The Resolution of the Supreme Soviet of the Russian Federation No. 4872-1 of April 27, 1993 on the Enforcement of the Law of the Russian Federation on the Unity of Measurements

The present law establishes the legal principles of the unity of measurements in the Russian Federation, regulates the relations of the state administrative bodies of the Russian Federation with juridical and natural persons in the sphere of the production, issue, operation, repair, sale, and import of measuring instruments and is aimed at the protection of the rights and lawful interests of individuals, law and order, and the economy of the Russian Federation against the negative consequences of unreliable results of measurements.

Section I. General Provisions

Article 1. Basic Concepts

The following basic concepts shall be applied for purposes of the present Law:

the unity of measurements is the state of measurements, when their results are expressed in standardized units of magnitude, and errors of measurements do not transcend the established boundaries of probability:

a measuring instrument is a technical device designed for measuring;

the standard of the unit of magnitude is a means of measuring, intended for the reproduction and storage of the unit of magnitude (multiple or share value of the unit of magnitude) with the aim of transferring its size to other means of measuring the given magnitude;

the state standard of the unit of magnitude is a standard of the unit of magnitude, recognized by decision of the state body authorized therefor as a basic standard in the territory of the Russian Federation;

normative documents on the unity of measurements are state standards, international (regional) standards, rules, regulations, instructions, and recommendations applicable in the established order;

the metrological service includes all subjects of activity and kinds of works aimed at the unity of measurements:

metrological control and supervision is the activity performed by the respective body of the state metrological service (state metrological control and supervision) or by the metrological service of a juridical person with the purpose of checking the observance of the existing metrological rules and norms;

the verification of a measuring instrument is the totality of operations performed by the bodies

of the state metrological service (by other bodies and organizations authorized therefor) with the aim of determining and confirming the compliance of the measuring instrument with the established technical requirements;

the calibration of a measuring instrument is the totality of operations performed with the aim of determining and confirming the actual value of the metrological characteristics and/or the suitability to the application of a measuring instrument which is not liable to state metrological control and supervision;

the certificates of approval of types of measuring instruments, are documents issued by the state body authorized therefor, that certify that a given type of measuring instrument has been endorsed in the order provided for by current legislation and corresponds to the established requirements;

the accreditation for the right to verify measuring instruments is the official recognition of the powers to perform checking works by the state body authorized therefor;

the license to manufacture (repair, sale or hire) measuring instruments is a document which certifies the right to engage in said kinds of activities and which is issued by the state metrological service body to juridical and natural persons;

the calibration certificate is a document which certifies the fact and results of calibration of measuring instruments and which is issued by the organization engaged in calibration.

Article 2. The Legislation of the Russian Federation on the Unity of Measurements

Relations bearing on the unity of measurements in the Russian Federation shall be regulated in accordance with the <u>Constitution</u> of the Russian Federation by the present Law, and by the legislative acts of the Russian Federation adopted in keeping with it.

Article 3. International Agreements

If an international agreement of the Russian Federation establishes rules other than those contained in the legislation of the Russian Federation on the <u>unity of measurements</u>, then the rules of this international agreement shall be applied.

Article 4. State Management of the Unity of Measurements

- 1. State management of the activities involved in the establishing of the unity of measurements shall be effected by the Committee of the Russian Federation for Standardization, Metrology and Certification (Gosstandart of Russia).
 - 2. The jurisdiction of the Gosstandart of Russia includes:

the interregional and intersectoral coordination of activities involved in the provision of the unity of measurements in the Russian Federation;

the submission to the Government of the Russian Federation of proposals on the units of magnitude admitted for use;

the introduction of rules for the creation, approval, storage, and application of the <u>standards of units of magnitude</u>;

the determination of general metrological requirements for instruments, methods, and results of measuring;

the exercise of state metrological control and supervision;

the exercise of state control over the observance of the terms of the international agreements of the Russian Federation on the recognition of tests and checks of measuring instruments;

the guidance of the State <u>Metrological Service</u> and other state services in providing for the unity of measurements;

the participation in the activity of international organizations on matters dealing with the unity of measurements.

See also the <u>Procedure</u> for Carrying out State Control and Supervision by the State Committee for Standards, Patents and Measures of the Russian Federation Over Observance of Obligatory Requirements for State Standards, the Rules of Obligatory Certification and Over Certified Products (Works, Services) approved by <u>Order</u> of the State Committee for Standards, Patents and Measures of the Russian Federation No. 239 of December 30, 1993

Article 5. Normative Documents on the Unity of Measurements

- 1. In conformity with the present Law and other legislative acts of the Russian Federation the Gosstandart of Russia approves the <u>normative documents on the unity of measurements</u> which introduce metrological rules and norms that bind all organizations in the territory of the Russian Federation.
- **2.** Normative documents on the unity of measurements may be approved by the Gosstandart of Russia and the interested state administrative bodies of the Russian Federation which are responsible for the application of said documents in the relevant spheres of administration.

Section II. Units of Magnitude. Instruments and Methods of Measurement

Article 6. Units of Magnitude

1. The Russian Federation shall admit the application of the units of magnitude of the International system of units adopted by the General Conference on Measures and Weights, which have been recommended by the International Organization of Legislative Metrology.

The names, designation, and rules of writing magnitude units, and also rules of their application in the territory of the Russian Federation, shall be established by the Government of the Russian Federation, except in cases provided for by the legislative acts of the Russian Federation.

The Government of the Russian Federation may admit to application other units of magnitude in addition to the magnitude units of the International System of Units.

2. The characteristics and parameters of products furnished for export, including <u>measuring</u> <u>instruments</u>, may be expressed in the magnitude units requested by the customer.

Article 7. State Standards of Magnitude Units

<u>State standards of magnitude units</u> shall be used as the initial ones for the reproduction and storage of magnitude units with the aim of transferring them to all the measuring instruments in the territory of the Russian Federation.

State standards of magnitude units shall be the exclusive federal property and shall be subject to approval by and under authority of the Gosstandart of Russia.

Article 8. Measuring Instruments

- 1. Measuring instruments shall be used to determine magnitude whose units are admitted to application in the Russian Federation in the statutory manner and shall comply with the conditions of operation and the other established requirements.
- **2.** Gosstandart of Russia shall decide whether a technical device may be used as a measuring instrument, and shall establish the intervals between calibration checks.

Article 9. Methods of Measuring

Measurements shall be made in keeping with the methods approved in the statutory order. The procedure for the elaboration and approval of methods of measuring shall be determined by the Gosstandart of Russia.

Section III. Metrological Services

Article 10. The State Metrological Service and Other State Services Providing for the Unity of Measurements

1. The State Metrological Service shall be under the authority of the Gosstandart of Russia. It includes:

state scientific metrological centres;

bodies of the State Metrological Service in the territory of the Republics within the Russian Federation, the autonomous formations, the territories, regions, and the cities of Moscow and St. Petersburg.

The Gosstandart of Russia shall guide the State Service of Time and Frequencies and Determination of Parameters of the Earth's Rotation (SSTF), The State Service of Standard Specimens of the Composition and Properties of Substances and Materials (SSSS) and the State

Service of Standard Reference Data on Physical Constants and Properties of Substances (SSSRD) and coordinate their activities.

- **2.** The state scientific metrological centres shall bear responsibility for the creation, improvement, storage, and application of <u>state standards for magnitude units</u>, and also for the drafting of normative documents on the <u>unity of measurements</u>.
- **3.** The bodies of the State Metrological Service shall exercise state <u>metrological control and supervision</u> in the territory of the Republics within the Russian Federation, the autonomous formations, territories, regions, and the cities of Moscow and St. Petersburg.
- **4.** The State Service of Time and Frequencies and Determination of Parameters of the Earth's Rotation shall ensure interregional and intersectoral unity of measurements of time, frequencies and the determination of the parameters of the Earth's rotation.
- **5.** The State Service of Standard Specimens of the Composition and Properties of Substances and Materials shall coordinate the development and introduction of interregional and intersectoral standard specimens of the composition and properties of substances and materials in the branches of the national economy, for the purpose of ensuring the unity of measurements on the basis of their application.
- **6.** The State Service of Standard Reference Data on the Physical Constants and Materials shall coordinate the interregional and intersectoral invention and introduction of standard reference data on the physical constants and properties of substances and materials in science and technology with the aim of ensuring the unity of measurements on the basis of their application.
- **7.** Regulations for the organizations and organs of the State Metrological Service and other state services of ensuring the <u>unity of measurements</u>, listed in <u>Items 2</u>, <u>3</u>, <u>4</u>, <u>5</u>, and <u>6</u> of this Article, shall be approved by the Government of the Russian Federation in keeping with the present Law.

Article 11. Metrological Services of the State Administrative Bodies of the Russian Federation and Legal Entities

1. The state administrative bodies of the Russian Federation, and also the enterprises, organizations and institutions which are legal entities, shall in cases of necessity set up in the statutory manner <u>metrological services</u> in order to ensure the unity and accuracy of measurements and to exercise <u>metrological control and supervision.</u>

In the process of performing works in the spheres provided for by <u>Article 13</u> of this Law, it is obligatory to create metrological services and other organizational structures for ensuring the unity of measurements.

The rights and duties of metrological services shall be determined by the regulations approved by the heads of the state administrative bodies of the Russian Federation or of legal entities in the order prescribed by the Government of the Russian Federation.

2. The metrological control and supervision shall be exercised by the metrological services of legal entities by means of:

calibration of measuring instruments;

supervision over the upkeep and application of <u>measuring instruments</u>, attested by the methods of measuring, the standards of magnitude units applicable for the calibration of measuring instruments, the observance of metrological rules and norms, and <u>normative documents on the unity of measurements</u>;

the issue of obligatory orders aimed at the prevention, termination, or removal of breaches of metrological rules and norms;

the verification of the timely submission of measuring instruments for tests in order to approve the type of measuring instruments, and also for <u>checking</u> and calibrating.

Section IV. State Metrological Control and Supervision

Article 12. Types of State Metrological Control and Supervision

- **1.** State <u>metrological control and supervision</u> shall be exercised by the State <u>Metrological Service</u> of the Gosstandart of Russia.
 - 2. State metrological control includes the:

approval of the type of measuring instruments;

verification of measuring instruments, including standards;

<u>licensing</u> of the activities of juridical and natural persons involved in the manufacture, repair, sale, and rental of measuring instruments.

3. State metrological supervision shall be exercised over the:

issue, condition, and use of <u>measuring instruments</u>, attested by the methods of measuring, the standards of magnitude units, and the observance of metrological rules and norms;

quantity of goods alienated during trade operations;

quantity of packed goods in packages of any kind during their packing and sale.

See the Procedure for State Metrological Supervision over the Quantity of Packed Goods in Packages of Any Kind During Their Packaging and Sale, approved by Decision of the State Committee for Standards, Patents and Measures of the Russian Federation No. 8 of February 8, 1994

Article 13. The Extent of State Metrological Control and Supervision

State metrological control and supervision, exercised to verify the observance of metrological rules and norms, shall extend to the following spheres:

health protection, veterinary practice, environmental protection and labour safety engineering; trade operations and mutual settlements between buyers and sellers, including operations with the use of slot machines and other devices;

state accounting operations;

the State defence:

geodesic and hydrometeorological works;

banking, tax, customs, and postal operations; manufacture of products delivered under contracts to meet state needs in conformity with the legislation of the Russian Federation;

tests and control of quality of products for their compliance with the compulsory requirements of state standards of the Russian Federation;

obligatory certification of products and services;

measurements carried out on behalf of courts of law, procurator's offices, courts of arbitration, and state administrative bodies of the Russian Federation; registration of national and international sports records.

State <u>metrological control and supervision</u> may be extended to other spheres of activity as well by normative acts taken by the Republics within the Russian Federation, autonomous formations, territories, regions, regions, the cities of Moscow and St. Petersburg.

Article 14. Approval of the Type of Measuring Instruments

1. In the spheres of state metrological control and supervision, <u>measuring instruments</u> shall be subject to obligatory tests with the subsequent approval of the type these instruments.

The approval of a type of measuring instrument shall be taken by the Gosstandart of Russia and certified by a <u>certificate of approval of the type of measuring instrument</u>. The duration validity of this certificate shall be fixed when it is issued by the Gosstandart of Russia.

The approved type of measuring instrument shall be entered into the State Register of Measuring Instruments, which is kept by the Gosstandart of Russia.

2. Tests of measuring instruments for the purpose of approving their types shall be carried out by the state scientific metrological centres of the Gosstandart of Russia, accredited by it as the state measuring instruments testing centres.

Other specialized organizations may be accredited as state measuring instruments testing centres by decision of the Gosstandart of Russia.

- **3.** Specimens of measuring instruments together with appropriate normative and operation documents shall be presented for tests in the order prescribed by the Gosstandart of Russia.
- **4.** Compliance of measuring instruments with the approved types on the territory of the Russian Federation shall be controlled by the bodies of the State Metrological Service in the location of their manufacturers or users.

- **5.** A mark of approval of the type of measuring instruments of the established form shall be noted on the <u>measuring instrument</u> of the approved type and on the operation documents that accompany every copy.
- **6.** Information about the approval of the types of measuring instruments, and decisions on their cancelation, shall be published in the official publications of the Gosstandart of Russia.

Article 15. Verification of Measuring Instruments

1. Measuring instruments subject to state <u>metrological control and</u> supervision shall be subjected to <u>verification</u> by the bodies of the State Metrological Service when they are released from production or repair or when they are brought in in case of import for use. Only verified measuring instruments may be sold or rented out.

The lists of groups of measuring instruments subject to verification shall be endorsed by the Gosstandart of Russia.

2. By decision of the Gosstandart of Russia, the right to verify of measuring instruments may be granted to the accredited <u>metrological services</u> of legal entities. These metrological services shall operate in keeping with current legislation and <u>normative documents on the unity of measurements.</u> The order of <u>accreditation</u> shall be determined by the Government of the Russian Federation.

The verification activity carried on by the accredited metrological services of legal entities shall be controlled by the bodies of the State Metrological Service at the location of these legal entities.

3. Measuring instruments shall be verified by a natural person certified as a calibrator by the respective body of the State Metrological Service.

Responsibility for improper performance of verification operations and for the non-observance of the requirements of the appropriate normative documents shall be borne by the respective body of the State Metrological Service or by the legal entity whose metrological service has carried out the verification operations.

4. In the spheres of state <u>metrological control and supervision</u> the juridical and natural persons which release <u>measuring instruments</u> from production or repair, import and use measuring instruments, rental or sale, shall be obliged to submit these instruments for <u>verification</u> in good time.

The order of submission of measuring instruments for verification shall be instituted by the Gosstandart of Russia.

5. Positive results of verification of measuring instruments shall be certified by a calibration stamp or certificate.

The form of the calibration stamp or certificate and the order of its noting shall be established by the Gosstandart of Russia.

6. While carrying on verification operations on the territory of a separate region with attendance of the place of operation of measuring instruments, the executive body of this region shall be obliged to render its assistance to calibrators in the following ways:

by giving appropriate premises to them;

by providing than with auxiliary personnel and transport vehicles;

by informing all the owners and users of measuring instruments of the times for calibration.

Article 16. The Licensing of the Activity of Juridical and Natural Persons Involved in the Manufacture, Repair, Sale, and Rental of Measuring Instruments

- **1.** The activities involved in the manufacture, repair, sale, and rental of measuring instruments applicable in the spheres of state metrological control and supervision, may be performed by juridical and natural persons only if they possess a <u>license</u> issued in the order prescribed by the Gosstandart of Russia.
- **2.** The licensing of the activity involved in the manufacture, repair, sale, and rental of <u>measuring instruments</u> shall be carried out after verification by the bodies of the State <u>Metrological Service</u> of the availability of necessary conditions, and also of the observance of metrological rules and norms by the persons who carry on these activities.

See the <u>Procedure</u> of Licensing the Manufacture, Repair, Sale and Hire of Measuring Instruments, endorsed by Decision of the State Committee for Standards, Patents and Measures

3. The license shall be annulled in cases when the conditions established by <u>Item 2</u> of this Article are broken.

Article 17. State Metrological Supervision over the Release, Condition, and Use of Measuring Instruments Certified by the Methods of Measuring and Standards, and by the Observance of the Metrological Rules and Norms

State <u>metrological supervision</u> over the release, state, and use of measuring instruments, attested by the methods of measuring, <u>standards</u>, and by the observance of the metrological rules and norms, shall be exercised in the order prescribed by the Gosstandart of Russia.

Article 18. State Metrological Supervision over the Quantity of Goods Alienated During Trade Operations

State metrological supervision over the quantity of goods alienated during trade operations shall be exercised for the purposes of estimating the mass, volume, consumption, and other magnitudes describing the quantity of these goods.

The procedure for this type of state metrological supervision shall be established by the Gosstandart of Russia in compliance with the legislation of the Russian Federation.

See the Procedure for State Metrological Supervision over the Quantity of Goods, Alienated during Trade Operations, approved by Decision of the State Committee for Standards, Patents and Measures of the Russian Federation No. 8 of February 8, 1994

Article 19. State Metrological Supervision over the Quantity of Packaged Goods in Packings of Any Kind during Their Packing and Sale

State metrological supervision over the quantity of packaged goods in packings of any kind during their packing and sale shall be exercised in cases when the contents of the packing cannot be changed without its opening or deformation, with the mass, volume, length, area, and other magnitudes indicating the quantity of goods contained in the packing, being designated on it.

The order of the carrying out of the said type of state <u>metrological supervision</u> shall be established by the Gosstandart of Russia in accordance with the legislation of the Russian Federation.

See the Procedure for State Metrological Supervision over the Quantity of Packed Goods in Packages of Any Kind During Their Packaging and Sale, approved by Decision of the State Committee for Standards, Patents and Measures of the Russian Federation No. 8 of February 8, 1994

Article 20. The Rights and Duties of State Inspectors Ensuring the Unity of Measurements

1. State metrological control and supervision shall be exercised by the officials of the Gosstandart of Russia - the chief state inspectors and state inspectors ensuring the <u>unity of measurements</u> in the Russian Federation, the Republics within this Federation, the autonomous formations, territories, regions, and the cities of Moscow and St. Petersburg (hereinafter referred to as state inspectors).

State metrological control and supervision may be exercised by state inspectors responsible for supervision over state standards, which are in effect in keeping with the legislation of the Russian Federation and which have been certified as State inspectors ensuring the unity of measurements.

State inspectors who <u>verify measuring instruments</u> shall be subject to certification as calibrators.

2. State inspectors who exercise state metrological control and supervision shall have the right to freely discharge the following functions upon producing their certificate of employment:

pay visits to the facilities which operate, produce, repair, sell, or store <u>measuring instruments</u>, regardless of their subordination and forms of property;

to check the compliance of the magnitude units used with those admitted for application;

to verify measuring instruments, check their condition and terms of use, and also to check their compliance with the approved type of measuring instruments;

to examine the application of attested methods of measuring, and the state of <u>standards</u> used to verify measuring instruments;

to take stock of the quantity of goods alienated during trade operations;

to select specimens from the products and goods, and also packaged goods in packing of any types for supervision:

- to employ the technical equipment and the personnel of the facility subjected to state metrological control and supervision.
- **3.** Upon discovering breaches of the metrological rules and norms, the state inspector shall have the right:
- to ban the use and release of measuring instruments of non-approved types, or those inconsistent with the approved type, and also those which have not been verified;
- to cancel calibrated stamps or annul certificates of calibration in cases when the measuring instrument shows wrong readings or when the interval between <u>verifications</u> has been exceeded;

to withdraw measuring instruments from operation in case of necessity;

- to formulate proposals on the annulment of <u>licenses</u> for the manufacture, repair, sale, and rental of <u>measuring instruments</u> in cases of violating the requirements for these kinds of activity;
- to issue obligatory orders and fix the time of removing breaches of the metrological rules and norms; and

to draw up minutes on the violation of the metrological rules and norms.

Article 21. Responsibility of State Inspectors

1. State inspectors exercising state metrological control and supervision shall be obliged to strictly observe the legislation of the Russian Federation, and also the provisions of <u>normative</u> <u>documents on the unity of measurements</u> and state metrological control and supervision.

For failure to, or for improper discharge of their official duties, for exceeding their powers, and for other breaches, including the divulgence of a state or commercial secrets, state inspectors may be called to account in keeping with the legislation of the Russian Federation.

2. Complaints against state inspectors' actions shall be filed within 20 days of the day of the presentation of their decisions to that body of the State <u>Metrological Service</u> to which they are directly subordinate, or to the higher body. Complaints shall be considered and decisions on them taken within one month from the day of filing the complaints.

The actions of state inspectors may be also appealed to a court of law in the statutory manner.

3. The appellation of the actions of state inspectors shall not delay the implementation of their orders.

Article 22. Assistance to the State Inspector

Juridical and natural persons shall be obliged to render assistance to the state inspector in the fulfillment of his duties. Persons who hinder state <u>metrological control and supervision</u> shall be accountable in keeping with the legislation of the Russian Federation.

Section V. Calibration and Certification of Measuring Instruments

Requirements for the fulfilment of calibration works were approved by Decision of the Committee for Standardization, Metrology and Certification of the Russian Federation No. 17 of September 21. 1994

Article 23. Calibration of Measuring Instruments

1. Measuring instruments which are not liable to <u>verification</u>, may be subjected to calibration when they are released from production or repair, when they are brought in in case import or use, rental or sale.

Calibration of measuring instruments shall be effected by the <u>metrological services</u> of legal entities with the use of <u>standards</u> coordinated with the state <u>standards of magnitude units.</u>

<u>Calibration results of measuring instruments</u> shall be certified by a calibration stamp which is printed on the <u>measuring instruments</u> or by a <u>calibration certificate</u>, and also by an entry in operation documents.

2. The relevant metrological service of legal entities may be accredited for the right to carry on calibration works on the basis of contracts concluded with state scientific metrological centres or bodies of the State Metrological Service.

In these cases the accredited metrological services of the legal entities shall be given the right to issue calibration certificates on behalf of the organs and organizations which have accredited them.

Responsibility for improper calibration works shall be borne by the legal entities whose metrological services have completed the calibration works.

In the examination of disputes in courts of law, courts of arbitration, and administrative bodies of the Russian Federation, the calibration results, drawn up in a proper way, may be used as evidence.

- **3.** The calibration activities of the accredited metrological services of legal entities shall be controlled by state scientific metrological centres or bodies of the State <u>Metrological Service</u> in accordance with the terms of the concluded contracts.
- **4.** The procedure for accreditation for the right to conduct calibration works and to issue a <u>certificate of calibration</u> or to print a calibration stamp, and the requirements for the accomplishment of calibration works shall be established by the Gosstandart of Russia.

Article 24. Certification of Measuring Instruments

A voluntary certification of <u>measuring instruments</u> shall be carried out in compliance with the legislative acts of the Russian Federation.

Section VI. Responsibility for Breaking the Present Law

Article 25. Criminal, Administrative, or Civil Responsibility

The juridical and natural persons, and also the state administrative bodies of the Russian Federation, guilty of breaking the provisions of this Law, shall bear criminal, administrative, or civil responsibility in keeping with current legislation.

Section VIII. The Financing of the Ensuring the Unity of Measurements

Article 26. Compulsory State Financing

1. The following works shall be subject to compulsory state financing:

the elaboration, improvement, storage, and application of state <u>standards of magnitude units;</u> fundamental research into metrology;

works associated with SSTS, SSSS and SSSRD;

the maintenance, acquisition and development of equipment needed for the supply of the bodies of the State <u>Metrological Service</u>;

the drafting of <u>normative documents</u> to be approved by the Gosstandart of Russia to ensure the unity of measurements:

the works involved in state metrological supervision.

2. In the process of elaborating federal and other state programmes to be financed in full or in part from the Republican budget of the Russian Federation, including the programmes of creating and developing the production of defence items, provision shall be made for the insertion in them of sections dealing with metrological provision.

Article 27. Payments for Metrological Works and Services

Metrological works and services rendered to juridical and natural persons by state scientific metrological centres and bodies of the State Metrological Service of Gosstandart of Russia, including tests for the subsequent approval of the type of measuring instruments, licensing of the activity involved in the manufacture, repair, sale, and rental of measuring instruments, certification of measuring instruments, calibration of measuring

<u>instruments</u>, certification the attestation of methods of measuring, expert examination of normative documents, <u>accreditation</u> of metrological services and laboratories, and other services, shall be paid by interested persons in keeping with the terms of contracts being concluded.

President of the Russian Federation Moscow, the House of Soviets of Russia Boris Yeltsin