

Decision of Minister of Industry & Trade - Chairman of the Board of Directors No. 3/2001 on Issuance of Conformity Certificate to Metrological Standards By-law

Chairman of the Board of Directors: - After taking into consideration of the following:

- Republican Decree No. 35/1991 on entities, institutions and companies,
- Law No. 44/1999 on standardization metrology and quality control,
- Republican Decree No. 52/2000 on establishing Yemen Standardization, Metrology and Quality Control Organization (YSMO),
- Republican Decree No. 46/2001 on appointing the cabinet and naming its members,
- Proposal of Director-General of the YSMO, and
- Approval of the Board of Directors,

Decided that

Article No. 1

This decision is named "By-law of Issuance of Conformity Certificate to Metrological Standards for Local and Exported Goods".

Article No. 2

The following words and phrases are given definitions to make purposes of this by-law clear:-

Republic: Republic of Yemen

Organization: Yemen Standardization Metrology and Quality Control Organization (YSMO).

Organization Chairman: Chairman of the Board of Directors.

Director General: The Executive Chairman of YSMO.

Goods: The final product intended to comply with this by-law.

Enterprise: Any factory or production unit that produces goods or any agent markets goods.

Certificate of Conformity: A certificate issued by the YSMO that confirms conformity of a specified quantity of goods with the related metrological standards.

Inspector: The YSMO's representative assigned with inspection works as to be mentioned in this by-law.

Accredited Lab: The YSMO's lab or any lab accredited by YSMO to carry out test procedures.

Consignment: A specified batch of production or a specified shipment of goods whether it is exported or imported.

Article No. 3

This by-law is applicable to enterprises that present an application to the YSMO to be granted Conformity Certificate to Yemen Metrology Standardization for a specified consignment. These enterprises are also allowed to apply for Conformity Certificate to standards of the exporting country of a specified consignment of particular goods.

Article No. 4

The enterprise is fully responsible for any violation of this by-law with no liability on the YSMO. It has the right to take suitable procedures in case of any violation happened.

Article No. 5

- 1- Certificate of Conformity is granted after completing requirements of this by-law.
- 2- Validity of this certificate is confined to the specific consignment and should not be used for any other consignments.
- 3- The certificate expires at the date defined.

Article No. 6

The YSMO grants Conformity Certificate of the consignment to metrology standards for the establishment once the following conditions are met:

- 1- Special metrological standards for the consignment.

- 2- The enterprise is officially registered and allowed to deal with such consignments according to enforced systems in the Arab countries.
- 3- The enterprise provides YSMO with any data required about the goods for which the certificate is needed and facilitates acquisition of necessary samples.
- 4- The enterprise pays expenses and costs for YSMO as defined by By-law of Costs of Services, Inspection, Examinations and Quality Control and remit them to YSMO's accounts at the Central Bank of Yemen.

Article No. 7

The enterprise that wants to be granted a Conformity Certificate should present a separate application for each consignment, complete all required data accurately and confirm correctness of these data.

Article No. 8

The YSMO conducts the following procedures to grant Certificate of Conformity:

- 1- Taking samples of the consignment to be inspected and examined according to pertinent metrology standards and reporting on them.
- 2- Studying results of inspection and examination, comparing them to related metrology standards and reporting on them.
- 3- The certificate is granted for the enterprise when samples of goods conform to the relevant metrology standards.
- 4- Writing to the enterprise in case of nonconformity and mentioning reasons.

Article No. 9

- 1- The enterprise that wants to obtain Certificate of Conformity for a specific consignment should pay expenses of samples taken and examined.
- 2- The enterprise pays all financial obligations mentioned in accordance with By-law of Costs of Services, Inspection,

Examinations and Quality Control and remit them to YSMO's accounts at the Central Bank of Yemen.

Article No. 10: General Rules

- 1- The Certificate of Conformity granted enterprise for a consignment of its goods is not allowed to advertise this product but only after referring to the YSMO and taking its approval of the mode of advertisement.
- 2- YSMO has the right to order any accredited certificates or reports for examination results done during production processes of the goods for which a Certificate of Conformity is sought after.
- 3- YSMO is allowed to keep some samples taken from the consignment.
- 4- YSMO has the right to conduct sudden inspections on the consignment granted Conformity Certificate.
- 5- Whoever utilizes this certificate or advertises it in any media means without a previous permission from YSMO would face related penalties defined in Anti-Commercial Fraud System without breaching penalties stated in any other system.

Article No. 11

This decision comes into force from the date of issuance and to be published in the official gazette.

Issued by YSMO
09/07/2001

Abdul-Rahman M. Othman
Minister of Industry and Trade
Director of the Board of Directors