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