

Physikalisch-Technische Bundesanstalt

Braunschweig und Berlin
Zertifizierungsstelle für Messgeräte (ZS-M)
Certification Body for Measuring Instruments

Braunschweig, 03.04.2006

Information sheet on the implementation of the MID: Application of the transitional provisions to Supplements to type approvals of measuring instruments having been approved before 30 October 2006

1. Text of the transitional provisions:

With the entering into force of the Measuring Instruments Directive 2004/22/EC (MID) on 30-10-2006, conformity assessments in accordance with the MID will become necessary for the types of measuring instruments specified in Annexes MI-001 to MI-010. This means that from that date, it will no longer be possible to issue national and/or EEC type approvals according to the verification law valid so far.

However, for measuring instruments having obtained a national and/or EEC type approval according to the verification law valid so far before that date, the MID provides for the following transitional provision, in art. 23:

By way of derogation from Article 8(2), Member States shall permit, for measurement tasks for which they have prescribed the use of a legally controlled measuring instrument, the placing on the market and putting into use of measuring instruments that satisfy the rules applicable before 30 October 2006 until the expiry of the validity of the type approval of those measuring instruments or, in the case of a type approval of indefinite validity, for a period of a maximum of ten years from 30 October 2006.

2. Aim of the transitional provision:

The aim of this transitional provision is to grant the manufacturers the right to continue to place measuring instrument types on the market which have been approved before that date. The transitional provisions must, however, not be used to develop any further, after 30 October 2006, measuring instruments that are subjected to the MID and to place them on the market if they do not comply with the new regulations.

3. Criteria for the issuing of supplements after 30 October 2006:

The MID does not allow for the issuing of supplements to approvals that are subjected to the above-mentioned transitional provisions. From the point of view of representatives of the EU Commission, the approval authorities shall, from this date, issue supplements only in the case of formal changes (e.g. changes of the name or legal form of the manufacturer) and refrain from supplements which regard the content and metrologically relevant specifications laid down in the approvals.

As from 30 October 2006, PTB will issue supplements to approvals that are subjected to the transitional provisions **only if these are necessary to guarantee the right to continue to place measuring instrument types on the market which have been approved before that date**, whereby their layout, functionality and metrological characteristics have to remain unaltered,
e.g.

- in the case of formal changes (changes of the name or of the co-seller)
- if components laid down in the approval are replaced by equivalent ones, without any extension or modification of the functionality
- in the case of **corrections** to the software, without any extension or modification of the functionality

Each application for modifying an approval will be checked by PTB for compliance with these criteria. Modifications going beyond the mentioned criterion will be regarded as a further development of the measuring instrument type, for which a conformity assessment in accordance with the procedures and criteria of the MID is necessary.

By order
Signed
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