



**D080031 – Instruments Split
Ownership, Split Location
And software downloading concept
D080031 - 2017-06-07 – Rev 6 – PCL/JM**



- In the “fair deal” process, both parties agree on a transaction
- Instrument is provided by the merchant (who sells the goods)
- MID (and national metrology legislation and rules/markings) provides “safety” so customers can trust results of measurement
- QUESTION: what if instrument does not belong to merchant?
 - *Totally: instrument is rented from a professional organisation/company*
 - *In part: part of the instrument does not belong to merchant (e.g.: self service device)*
- ANSWER: some countries apply restrictions on ownership, in some cases:
 - *Merchant has to be 100% liable and responsible for instrument conformity*
 - *Renting/leasing allowed but not from a company involved in repairs or verification process*
 - *Clause 7.6 of MID annex I applies. “Ownership” is part of “design” and shall not impeach check or verification of instruments (access to instrument and/or all parts of instrument), for periodic verification as well as for “spot checks”, market survey or seals check*
 - *National markings and seals shall not be interfered with by “owners” nor user*
 - *Tracking of repairs/modifications back to “connected instruments” can be difficult (SSD)*



■ Acceptable in:

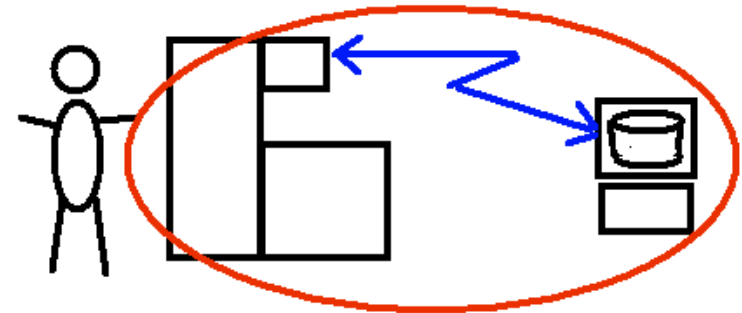
- *Belgium : Self Service Device not under legal control*
- *Germany: acceptable as "site owner" remains liable 100%*

■ Not acceptable:

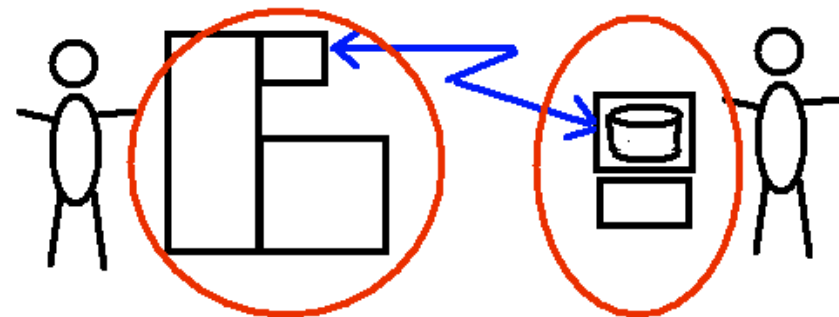
- *France : restrictions apply to repair and verification companies that cannot own SSD*

■ Unknown in:

- *TBC*
- *CECOD trying to establish a clear list with WELMEC WG10 members for petrol stations and industrial measuring systems*



One Owner for pump and SSD



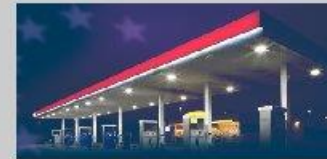
Split ownership
One for pump and one for SSD



- In the “fair deal” process, both parties agree on a transaction
- Instrument is provided by the merchant (who sells the goods)
- MID (and national metrology legislation) provides “safety” so customer can trust result of measurement
- **QUESTION:** what if parts of the instrument are not located on site of use?
 - *National: remote part (e.g.: memory of SSD) is on*
 - *national territory or EU territory*
 - *Abroad: remote part is out of the EU → how can Blue Guide / import liability apply here?*
 - *Cloud: remote part (e.g.: memory of SSD) is on Cloud (virtual)*
 - *In all cases, how is “link” secured if not 100% under owner’s liability/land/site? Is encryption securing all weaknesses? How can DNS translation be secured?*
- **ANSWER:** some countries apply restrictions on split location, in some cases:
 - *Clause 7.6 of MID annex I applies, where split location design can impeach check or verification of instruments (access to instrument and/or all parts of instrument), for periodic verification as well as for “spot checks”, market survey or liability over seals*
 - *National markings and seals might not be applicable due to design*
 - *Tracking of repairs/modifications back to “connected instruments” very difficult if modification applied to remote part, and knock-on effect to all (many) connected instruments very difficult to anticipate*

Split Locations (countries)

This is CECOD feeling after CECOD TC meeting of October 2016



■ Acceptable in:

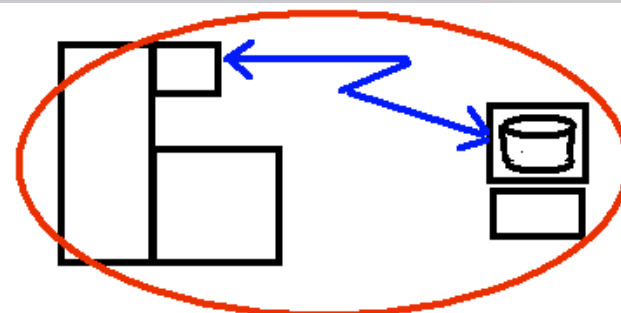
- *Belgium : Self Service Device not under legal control*

■ Not acceptable:

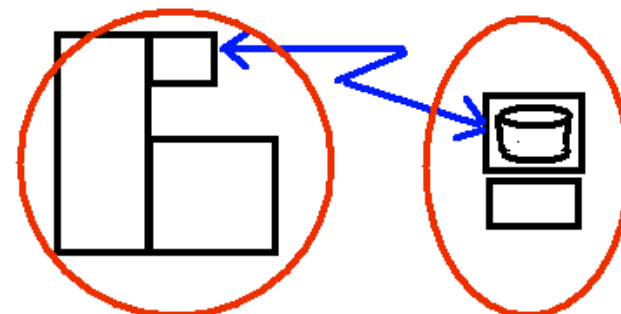
- *France : clause 7.6 of Annex I of directive 2014/32/EU (MID)*

■ Unknown in:

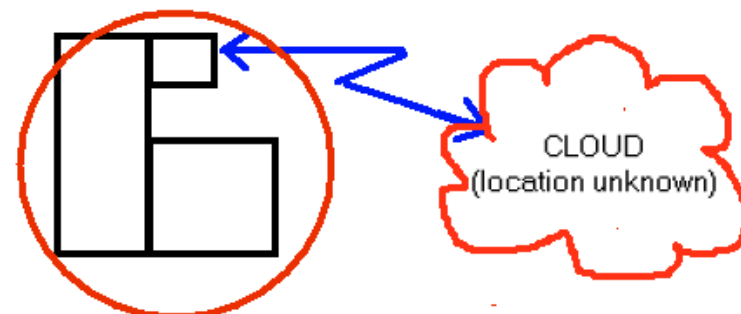
- *TBC*
- *CECOD trying to establish a clear list with WELMEC WG10 members for petrol stations and industrial measuring systems*



Same Location (SSD and Calculator on same site as core measuring instrument)



Split Location (SSD and/or Calculator not on same site as core measuring instrument)



Split Location - SSD on "Cloud"



- In the “fair deal” process, both parties agree on a transaction
- Instrument is provided by the merchant (who sells the goods)
- MID (and national metrology legislation) provides “safety” so customer can trust result of measurement
- QUESTION: how can software of instrument get updates at best cost?
 - *Instrument (measuring part) - calculator*
 - *Self Service Devices – usually purely digital system for bank card process (automatic)*
- ANSWER: some countries apply restrictions to software downloading, as such is required to follow national legislation for repairs or modifications of instruments:
 - *Origin of “new software” has to be proven (source of data loaded)*
 - *Evidence of design compliance (EC/PC/TC) → Confirm checksum is enough*
 - *Evidence of testing after application of new software (check after repair, or verification)*
 - *Independence of verification after modification when required by law (and taxes?)*
- CECOD community need for 21st century is
 - ***Automatic software updating with no manual action nor additional verification (similar to Windows updating itself from Microsoft servers)***



Fully Automatic downloading is the need:

■ Accepted in

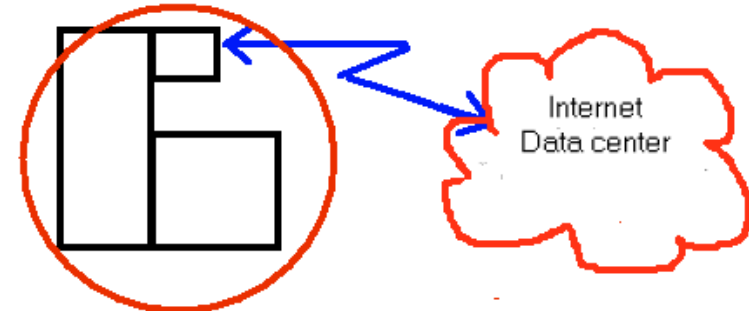
- Sweden (**tbc**): Approved Data Center
- Germany via MessEG approvals

Manual download accepted, but Automatic not acceptable:

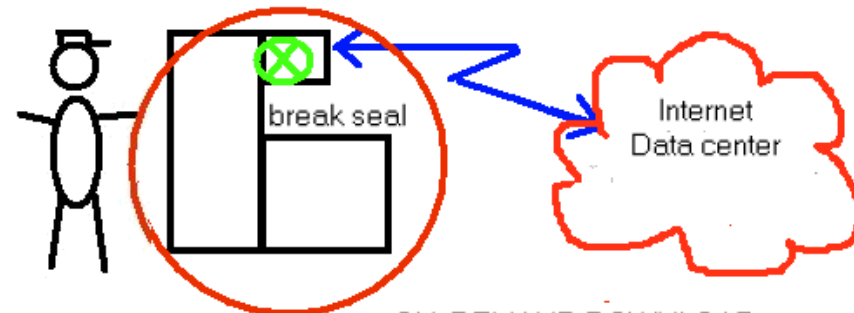
- France: modifications or repairs of software require physical "verification" after
- CZ (answer from CMI on 13/10/2016): download allowed but seal shall be broken in presence of W&M officer

Unknown in:

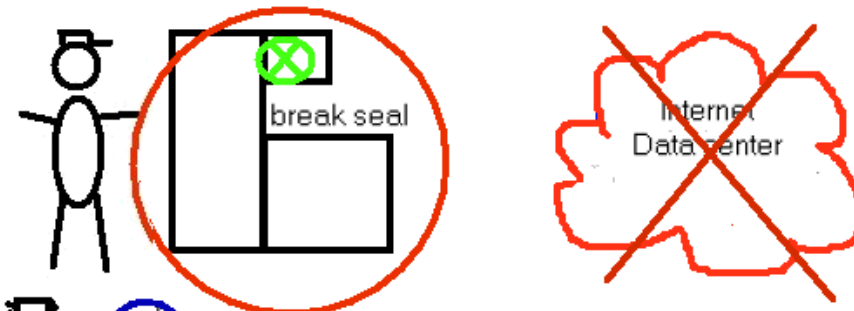
- All other countries - TDC
- CECOD trying to establish a clear list with WELMEC WG10 members for petrol stations and industrial measuring systems



AUTOMATIC DOWNLOAD



ON DEMAND DOWNLOAD



or



Download not allowed - Physical support required