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| Title： | Revisions of Regulations Governing Commissioned Metrological Activities Ch |
| Date： | 2016.10.31 |
| Legislative： | 1.Adopted and promulgated by Ministerial Order 09204609120 on July 23, 2003.<br>2.Articles 2 promulgated by Ministerial Order 09904607380 on November 16, 2010<br>3.Articles 2, 3, 6, 9 and 11 amended and Article 2-1 added and promulgated by Ministerial Order 10104607490 on November 15, 2012<br>4.Articles 2 promulgated by Ministerial Order 10304605760 on November 28, 2014<br>5.Amended and promulgated by Ministerial Order 10504605410 on October 31, 2016 |
| Content： | Article 1<br>These Regulations are established in accordance with Paragraph 2, Article 6 of the Weights and Measures Act (hereinafter referred to as “the Act”).<br><br>Article 2<br>Government agencies or organizations commissioned to conduct verification on ten categories measuring instruments, including Electricity meters, Radar speedometers, Laser speedometers, Inductive loop speedometers, Sound level meters, Breathe alcohol testers and analyzers, Rice grain moisture meters, Field Corn Moisture Meters, Vehicle exhaust emissions analyzers, and Illuminance meters shall meet the following requirements:<br>1.Administrative bodies or institutions, public or private college or university, or non-profit juristic persons of the Republic of China<br>2.To be equipped with complete testing equipment and adequate space inside the country to conduct the commissioned activities;<br>3.To have testing laboratories accredited per he CNS 17025 or ISO/IEC 17025 and received a certificate issued by the accreditation bodies in Taiwan that participating in and signing the Mutual Recognition Arrangement of the International Laboratory Accreditation Cooperation. However, an approval certificate issued by the dedicated weights and measures authority for the accreditation is also acceptable when concerned items are not available to the said accreditation bodies.<br>4.To have technical supervisors and technicians actually engaged in the commissioned activities that meet the following qualifications:<br>(1)The technical supervisors for reviewing the test records completed by the metrological technicians and signing the report of verification result shall fulfill the qualification for Class A metrological technical personnel with a certificate issued by the dedicated weights and measures authority; and<br>(2)The technicians actually engaged in the commissioned activities shall fulfill the qualification for Class B metrological technical personnel with a certificate issued by the dedicated weights and measures authority.<br>5.Other activities that the commissioned agency engaging in shall have no conflict of interest with the commissioned activities, and shall not affect the impartiality of the commissioned activities. |

Article 3
Government agencies or organizations commissioned to conduct metrological activities on weighing instruments shall meet the following requirements:
1.Administrative bodies or institutions, public or private college or university, or non-profit juristic persons of the Republic of China;
2.To be equipped with complete testing equipment and adequate space inside the country to conduct
the commissioned activities;
3.To have testing laboratories accredited by the weights and measures authority or accredited per the CNS 17025 or ISO/IEC 17025 and received a certificate issued by the accreditation bodies in Taiwan that participating in and signing the Mutual Recognition Arrangement of the International Laboratory Accreditation Cooperation.
4.The technical supervisors for reviewing the test records completed by the metrological technicians and signing the report of verification result and technicians actually engaged in the commissioned activities shall fulfill the qualification for Class A or Class B metrological technical personnel with a certificate issued by the dedicated weights and measures authority, respectively.
5.Other activities that the commissioned agency engaging in shall have no conflict of interest with the commissioned activities, and shall not affect the impartiality of the commissioned activities.

Article 4
The applicant meeting the requirements set in the 2 preceding Articles want to be a commissioned agency shall submit application form and relevant documents to the dedicated weights and measures authority.
The dedicated weights and measures authority should establish assessment panel to execute the document review and on-site assessment for the preceding application. The said panel shall execute the on-site assessment the applicant whose documents passed the review procedure to assess its quality management systems, technical competence and capability of performing activities against metrological technical specifications.
The dedicated weights and measures authority may negotiate the terms and fees concerning commissioned activities and commission with the applicant who meets one of the following requirements
for the activities:
1.The applicant has passed the fore-mentioned assessment.
2.The applicant has passed the fore-mentioned assessment and has not been interrupted of the activities commissioned or has been interrupted but has been validated by the dedicated weights and measures authority in conformance with the preceding two eligibility criteria.
The applicants who have been commissioned by the dedicate weights and measures authority to activity
implementation before December 31, 2016 shall be deemed as passed the assessment as in Paragraph 2.

Article 5
A commission contract, depending on the content of the commissioned activities, shall be signed, which shall be made in writing to prescribe the scope of business.

Article 6
The commissioned agency shall maintain sufficient resources and capacity to conduct the commissioned
activities effectively and shall not subcontract the commissioned activities to third parties.
With the consent of the dedicated weights and measures authority, the commissioned agency may subcontract non-major parts of the commissioned activities to third parties.

Article 7
During the term of the commission, a newly appointed technical supervisor or technician engaged in the commissioned activities shall meet the requirements set forth in Article 2 or Article 3 and shall report to the dedicated weights and measures authority for reference within ten days after they take the duties.

Article 8
When serious incidents or other causes that will affect the performance of the commissioned activities
occur during the term of commission, the commissioned agency shall immediately notify the dedicated
weights and measures authority, and the two parties shall negotiate with each other to adjust the commissioned activities.

Article 9
The commissioned agency shall maintain relevant documents for a period in accordance with relevant laws and regulations.
The outdated documents may be destroyed with the approval of the dedicated weights and measures
authority and the records of destroying such documents shall be maintained.

Article 10
The dedicated weights and measures authority and its branches may supervise and audit the commissioned
agency's performance of the commissioned activities. The commissioned agency shall cooperate and may not evade, hinder or refuse such supervision and audit. When non-conformities are found, the commissioned agency shall take corrective action within a given time limit.

Article 11
The commissioned agency shall submit a monthly statistical report on the performance of commissioned
activities to the dedicated weights and measures authority before the tenth day of following month.
The commissioned agency shall submit the annual stamp and annual report listing the use of conformity
certificates or marks to the dedicated weights and measures authority and return them within one month after the end of each year. The commissioned agency shall also submit a final report, including analysis of objectives, summary of achievements, analysis of expenses and performance evaluation, to
the dedicated weights and measures authority. When necessary, the dedicated weights and measures authority may request that the commissioned agency give briefings or accept on-site investigation.

Article 12
The commissioned agency shall comply with the supervision and audit prescribed in Article 10 during the contracting period. The dedicated weights and measures authority may notify the commissioned agency in two months prior to the expiration of the commission contract and file application in accordance with Paragraph One of Article 4. The dedicated weights and measures authority shall renew the commission contract with the commissioned agency passing the document review.
The commissioned agency that fails to renew the signing of commission contract will not be accepted for application in 1 month prior to the expiration of the commission contract period. The preceding accepted application for review shall be completed before the expiration of the commission contract period.

Article 13
The dedicated weights and measures authority may suspend a commissioned agency from conducting
commissioned activities under any of the following circumstances. The commissioned agency may re-start
to conduct the commissioned activities after the circumstances have been corrected or improved by the
commissioned agency and confirmed by the dedicated weights and measures authority.
1.When the agency fails to effectively maintain the qualification set forth in Article 2 or Article 3,
2.When the agency fails to comply with the provision of Paragraph One of Article 6 by not maintaining
sufficient resources and capability or subcontracting the commissioned activities to others,
3.When the agency fails to comply with the provision of Paragraph Two of Article 6 by subcontracting
the commissioned activities to other agencies without approval from the dedicated weights and measures
authority,
4.When the agency fails to report in accordance with the provision of Article 7 within a given time limit,
5.When the agency fails to notify the dedicated weights and measures authority in accordance with the provision of Article 8,
6.When the agency fails to maintain relevant documents in accordance with the provision of Paragraph
One of Article 9,
7.When the agency fails to take correction action within the specified time limit in accordance with the provision of Article 10, or
8.When the agency fails to submit monthly statistical reports at least two times in accordance with the provision of Paragraph One of Article 11 within the same commissioned contract period.

Article 14
The dedicated weights and measures authority may terminate the entitlement of a commissioned agency
to conduct commissioned activities under any of the following circumstances:
1 When the agency fails to conduct the commissioned activities within the scope of business agreed upon in the commission contract as referred to in Article 5, or slacks in performing the contract,
2.When the agency violates the provision of Paragraph Two of Article 9,
3.When the agency violates the provision of Article 10 and evade, hinder or refuse supervision or

audit,
4.When the agency presents falsified verification records or the monthly report, or
5.Other causes that will terminate the commission contract as agreed upon in the contract.

Article 15
The dedicated weights and measures authority may revoke the eligibility of qualified accreditation of a commissioned agency and the concerned commissioned agency shall not apply for conducting commissioned activities in accordance with the provision of Article 4 within one year under any of the following circumstances:
1.When the agency violates the provision of Article 10 and has evaded, hindered or refused supervision or audits for at least two times,
2.When the agency fails to return the annual stamp within the given time limit and expires to submit within the deadline notified by the dedicated weights and measures authority in accordance with the provision of Paragraph Two of Article 11, or
3.When the agency violates the provision of Paragraph Two of Article Four of preceding Article.

Article 16
These Regulations shall come into force as of the date of promulgation.

Data Source：Ministry of Economic Affairs R.O.C.(Taiwan) Laws and Regulations Retrieving System