Measures for the Supervision and Administration of Imported Measuring Instruments of the People’s Republic of China

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — These Measures are formulated in accordance with the relevant provisions of the Metrology Law of the People’s Republic of China and the Rules for the Implementation of the Metrology Law of the People’s Republic of China for the purpose of strengthening the supervision and administration of imported measuring instruments.

Article 2 — Any unit or individual importing measuring instruments, and foreign businesses (including foreign manufacturers and dealers, the same hereinafter) or their agents selling measuring instruments in China, must abide by these Measures.

Article 3 — The supervision and administration of imported measuring instruments shall be in the charge of the metrological administrative department under the State Council, and the specific implementation shall be the responsibility, in a division of work, of the metrological administrative department under the State Council and the relevant departments under the State Council and the relevant local departments.

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Chapter II — Pattern Approval of Imported Measuring Instruments

Article 4 — Whoever imports, or a foreign business sells within the territory of China, measuring instruments listed in the Catalogue of Measuring Instruments of the People's Republic of China Subject to Pattern Examination attached to these Measures shall apply to the metrological administrative department under the State Council for pattern approval.

For imported measuring instruments, the foreign business shall apply for pattern approval.

For measuring instruments sold within the territory of China by a foreign business, the foreign business or its agent shall apply for pattern approval.

The metrological administrative department under the State Council may make individual adjustments to the Catalogue of Measuring Instruments of the People's Republic of China Subject to Pattern Examination according to changes in circumstances.

Article 5 — A foreign business or its agent applying for pattern approval shall submit to the metrological administrative department under the State Council a pattern approval application, photographs of samples of the measuring instruments and the necessary technical materials.

The metrological administrative department under the State Council shall conduct a metrological legal examination based on the materials submitted by the foreign business or its agent.

Article 6 — After accepting the application, the metrological administrative department under the State Council shall be responsible for arranging an authorized technical institution to conduct the pattern verification, and shall notify the foreign business or its agent to provide samples and the following technical materials to the technical institution undertaking the pattern verification:

(1) the technical specifications of the measuring instruments;

(2) the general assembly drawings, structural drawings and circuit diagrams of the measuring instruments;

(3) technical standard documents and inspection methods;

(4) sample test reports;

(5) operating instructions.

The samples required for pattern verification shall be provided free of charge by the foreign business or its agent. Customs shall release the samples upon the letter of guarantee of the metrological administrative department under the State Council and exempt them from customs duties. The samples shall be returned to the applicant after verification.

Article 7 — Pattern verification shall be conducted in accordance with the verification outline. The verification outline shall be formulated by the technical institution undertaking the verification in accordance with the requirements of the Technical Specifications for Pattern Verification of Measuring Instruments issued by the metrological administrative department under the State Council. The main contents include appearance inspection, assessment of metrological performance, and tests of safety, environmental adaptability, reliability and service life.

Article 8 — The results of pattern verification shall be reported by the technical institution undertaking the verification to the metrological administrative department under the State Council for examination. Where the examination finds them qualified, the metrological administrative department under the State Council shall issue to the applicant the Certificate of Pattern Approval of Imported Measuring Instruments of the People's Republic of China, and permit the use of the mark and number of pattern approval of imported measuring instruments of the People's Republic of China on the corresponding measuring instruments and their packaging.

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Article 9 — The technical institution undertaking pattern verification and its staff shall keep confidential the technical materials provided by the applicant.

Article 10 — Under any of the following circumstances, upon the consent of the metrological administrative department under the State Council, an application for temporary pattern approval may be made, and the specific measures shall be prescribed by the metrological administrative department under the State Council:

(1) measuring instruments retained for purchase at exhibitions;

(2) measuring instruments genuinely urgently needed;

(3) measuring instruments with extremely small sales volumes;

(4) measuring instruments for which there is currently no domestic capability for pattern verification.

Article 11 — After measuring instruments manufactured in a foreign country have obtained pattern approval in China, they shall be published by the metrological administrative department under the State Council.

Chapter III — Examination and Approval of Imported Measuring Instruments

Article 12 — Application for importation of measuring instruments shall be examined and approved in accordance with the procedures prescribed by the state for the importation of commodities.

The relevant competent departments and centralized examination departments responsible for examination and approval shall examine the statutory units of measurement for measuring instruments applied for import and listed in the Catalogue of Measuring Instruments Managed in Accordance with Law of the People's Republic of China, and examine whether the measuring instruments applied for import under Article 4 of these Measures have obtained pattern approval. Where the examination finds them non-compliant, the examination and approval departments may not approve the importation, and the foreign-trade operating units may not handle the ordering procedures.

Customs shall release the imported measuring instruments upon the approval documents of the examination and approval departments.

Article 13 — Where, due to special needs, an application is made to import measuring instruments in non-statutory units of measurement and other measuring instruments the use of which is prohibited by the State Council, approval must be obtained from the metrological administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government.

Article 14 — A unit applying to import measuring instruments in non-statutory units of measurement and other measuring instruments the use of which is prohibited by the State Council shall provide the following materials and documents to the metrological administrative department of the people's government of the province, autonomous region or municipality directly under the Central Government:

(1) an application report;

(2) the performance and technical indicators of the measuring instruments;

(3) photographs and operating instructions of the measuring instruments;

(4) the approval documents of the competent department at the next higher level of the unit.

Chapter IV — Legal Liability

Article 15 — Whoever, in violation of these Measures, imports measuring instruments in non-statutory units of measurement or other measuring instruments the use of which is prohibited by the State Council shall be pursued for legal liability in accordance with Article 44 of the Rules for the Implementation of the Metrology Law of the People's Republic of China.

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Article 16 — Whoever, in violation of Article 4 of these Measures, imports or sells measuring instruments that have not obtained pattern approval from the metrological administrative department under the State Council, the metrological administrative department shall have the power to seal up the measuring instruments, order it to go through the pattern approval procedures, and may impose a fine of no more than 30% of the import or sales amount.

Article 17 — A technical institution undertaking pattern verification of imported measuring instruments that violates Article 9 of these Measures shall be pursued for legal liability in accordance with Article 58 of the Rules for the Implementation of the Metrology Law of the People's Republic of China.

Chapter V — Supplementary Provisions

Article 18 — The supervision and administration of measuring instruments furnished as part of complete sets of imported equipment and of measuring instruments not intended for sale shall be handled in accordance with the relevant provisions of the state.

Article 19 — The forms of application forms, certificates and marks related to these Measures shall be uniformly formulated by the metrological administrative department under the State Council.

Article 20 — Application for pattern approval and pattern verification of imported measuring instruments shall pay fees in accordance with the relevant provisions of the state.

Article 21 — The supervision and administration of standard reference materials imported for the purpose of unifying quantity values may be handled by reference to these Measures.

Article 22 — These Measures shall be interpreted by the metrological administrative department under the State Council.

Article 23 — These Measures shall take effect on the date of promulgation.

Schedule — Catalogue of Measuring Instruments of the People's Republic of China Subject to Pattern Examination

1. Weighing instruments (including balances)
2. Sensors
3. Sound level meters
4. Coordinate measuring machines
5. Surface roughness measuring instruments
6. Geodetic surveying instruments
7. Calorimeters
8. Flow meters (including water meters and gas meters)
9. Pressure gauges (including sphygmomanometers)
10. Thermometers
11. Digital voltmeters
12. Field strength meters
13. Electrocardiographs and electroencephalographs
14. Monitors for harmful gases, dust and water pollution
15. Ionizing radiation protection instruments

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16. Spectrophotometers (including ultraviolet, infrared and visible light spectrophotometers)
17. Gas chromatographs and liquid chromatographs
18. Temperature and moisture measuring instruments

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