

# 14th International Conference on Legal Metrology

**Bucharest, Romania**

3 and 4 October 2012



Agenda and Working Document



ORGANISATION INTERNATIONALE DE MÉTROLOGIE LÉGALE

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INTERNATIONAL ORGANIZATION OF LEGAL METROLOGY



This working document for the 14th International Conference on Legal Metrology (Conference) is structured according to the draft agenda as published on the Conference web site (<http://bucharest.oiml.org/conference.html>):

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For reference purposes, the following documents are available for download on the OIML web site at <http://www.oiml.org/download/>:

References:

- [A] 13th Conference (2008) – Minutes (E) –  
[http://www.oiml.org/download/docs/ciml/13\\_conf\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/13_conf_minutes_english.pdf)
- [B] 13th Conference (2008) – Resolutions (E/F) –  
[http://www.oiml.org/download/docs/ciml/13\\_conf\\_resolutions\\_bilingual.pdf](http://www.oiml.org/download/docs/ciml/13_conf_resolutions_bilingual.pdf)
- [C] 43rd CIML Meeting (2008) – Minutes (E) –  
[http://www.oiml.org/download/docs/ciml/43\\_ciml\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/43_ciml_minutes_english.pdf)
- [D] 43rd CIML Meeting (2008) – Resolutions (E/F) –  
[http://www.oiml.org/download/docs/ciml/43\\_ciml\\_resolutions\\_bilingual.pdf](http://www.oiml.org/download/docs/ciml/43_ciml_resolutions_bilingual.pdf)
- [E] 44th CIML Meeting (2009) – Minutes (E) –  
[http://www.oiml.org/download/docs/ciml/44\\_ciml\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/44_ciml_minutes_english.pdf)
- [F] 44th CIML Meeting (2009) – Resolutions (E) –  
[http://www.oiml.org/download/docs/ciml/44\\_ciml\\_resolutions\\_english.pdf](http://www.oiml.org/download/docs/ciml/44_ciml_resolutions_english.pdf)
- [G] 44th CIML Meeting (2009) – Resolutions (F) –  
[http://www.oiml.org/download/docs/ciml/44\\_ciml\\_resolutions\\_french.pdf](http://www.oiml.org/download/docs/ciml/44_ciml_resolutions_french.pdf)
- [H] 45th CIML Meeting (2010) – Minutes (E) –  
[http://www.oiml.org/download/docs/ciml/45\\_ciml\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/45_ciml_minutes_english.pdf)
- [I] 45th CIML Meeting (2010) – Resolutions (E) –  
[http://www.oiml.org/download/docs/ciml/45\\_ciml\\_resolutions\\_english.pdf](http://www.oiml.org/download/docs/ciml/45_ciml_resolutions_english.pdf)
- [J] 45th CIML Meeting (2010) – Resolutions (F) –  
[http://www.oiml.org/download/docs/ciml/45\\_ciml\\_resolutions\\_french.pdf](http://www.oiml.org/download/docs/ciml/45_ciml_resolutions_french.pdf)
- [K] 46th CIML Meeting (2011) – Minutes (E) –  
[http://www.oiml.org/download/docs/ciml/46\\_ciml\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/46_ciml_minutes_english.pdf)
- [L] 46th CIML Meeting (2011) – Resolutions (E) –  
[http://www.oiml.org/download/docs/ciml/46\\_ciml\\_resolutions\\_english.pdf](http://www.oiml.org/download/docs/ciml/46_ciml_resolutions_english.pdf)
- [M] 46th CIML Meeting (2011) – Resolutions (F) –  
[http://www.oiml.org/download/docs/ciml/46\\_ciml\\_resolutions\\_french.pdf](http://www.oiml.org/download/docs/ciml/46_ciml_resolutions_french.pdf)
- [N] 47th CIML Meeting (2012) – Agenda and Working document - on the Meeting web site -  
<http://bucharest.oiml.org/ciml.html>

The OIML Convention (*Convention establishing an International Organization of Legal Metrology*) is also available for download from the OIML web site at:  
<http://www.oiml.org/publications/B/B001-f55.pdf> (French language) and  
<http://www.oiml.org/publications/B/B001-e55.pdf> (English translation).

## 1 Approval of the minutes of the 13th Conference

The minutes of the 13th Conference are available for download on the OIML web site at: [http://www.oiml.org/download/docs/ciml/13\\_conf\\_minutes\\_english.pdf](http://www.oiml.org/download/docs/ciml/13_conf_minutes_english.pdf).

## 2 Report on the work of the CIML (2009-2012)

### 2.1 Report by the CIML President

The CIML President will give a presentation on the work of the CIML since the 13th Conference. A written report will be made available on the Conference web site (<http://bucharest.oiml.org/conference.html>)

### 2.2 The use of French and English

At its 44th Meeting in 2009, the Committee discussed the issue of the languages used in meetings and publications of the OIML, and instructed its President and the BIML Director to prepare a detailed note on the use of French and English, to be submitted for approval to the Conference [44th CIML Meeting, Resolution No. 1].

According to the OIML Convention, French is the official language of the Organization but the Conference may provide for one or more working languages [OIML Convention, Article XI].

The position regarding the use of languages in international meetings and in international organizations has changed greatly in the 56 years since the Convention was signed.

It is also clear that providing translation both at meetings and in documents requires substantial resources. Current practice is that, with a few exceptions, English is the main working language. In the case of meetings with both an “official” and “working” character, namely the Conference and the meetings of the CIML, proceedings are conducted mainly in English, with simultaneous translation into and from French.

Without exception, OIML Publications are currently developed in English. With the objective to make most OIML publications available also in French, the 46th CIML Meeting (2011) decided to expand the use of the funds from the BIML Translation Center for other purposes, such as the translation of a large backlog of documents from English to French, whereas before, these funds could only be used for translations from French to English. The CIML clearly indicated that funds from the Translation Center should not be used for routine work of the BIML.

The CIML also decided to use funds from the Translation Center to provide interpretation to and from “other languages” at the 14th Conference and 47th CIML Meeting on an experimental basis.

Based on the discussions in the Committee and after consultation of the Presidential Council, the CIML President and the BIML Director propose the following draft resolution:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XI of the OIML Convention,*

*Noting Resolution No. 1 of the 44th CIML Meeting and Resolution No. 7 of the 46th CIML Meeting,*

*Considering that French is the official language of the Organization and that, in practice, English is the Organization's main working language,*

*Resolves:*

- (a) Conference invitations, agendas, working documents, minutes and resolutions, Committee resolutions, OIML Recommendations, Documents and Basic Publications, and OIML budgets and financial reports shall be made available in French and in English;*
- (b) other publications and communications, such as: circulars to Committee Members, minutes of meetings of Technical Committees, Subcommittees, Project Groups and of the Presidential Council meetings, shall be in English;*
- (c) the OIML Bulletin shall be published in English with articles occasionally also published in French when appropriate;*
- (d) the Bureau may make available translations of publications into other languages provided by the Member States, if it is clearly indicated that the OIML is not responsible for the translation;*
- (e) Conferences and meetings of the Committee shall have simultaneous interpretation from French to English and from English to French;*
- (f) on occasion, Conferences and meetings of the Committee may have interpretation to and from other languages, provided this is not funded from the Organization's regular budget;*
- (g) the preferred language for other OIML meetings is English, but no interpretation will normally be provided by the Organization.*

### **2.3 Dissolution of the position of "Facilitator on developing country matters"**

The 13th Conference established the position of "Facilitator on developing country matters" following the dissolution of the Permanent Working Group on Developing Countries [13th Conference, Resolutions No. 12 and No. 11, respectively].

The Facilitator, Dr. Eberhard Seiler, reported to the 46th CIML Meeting that he had received practically no requests for facilitation and had concluded that it was very difficult to identify areas in which he could be active as Facilitator.

It should be noted that in the new OIML Strategy document (OIML B 15:2011), assistance to developing countries is not specifically mentioned, since it is considered to be embedded in the regular activities of the Organization, rather than as a separate activity.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article IV, first paragraph (1), of the Convention,*

*Noting the discussions in the 46th CIML Meeting on the issue of the role of the "Facilitator on developing country matters",*

*Considering that assistance to developing countries is not specifically mentioned in the OIML Strategy (OIML B 15:2011) since it is considered to be embedded in the regular activities of the Organization,*

*Expresses its appreciation for all the work done by Dr. Eberhard Seiler in his role as Facilitator between 2008 and 2011,*

*Resolves:*

*The position of “Facilitator for developing country matters” is dissolved.*

### **3 Report on the work of the BIML (2009-2012)**

#### **3.1 Organization, management and staff of the BIML**

##### *3.1.1 Composition of the BIML staff*

As of 31 December 2008 the staff of the Bureau comprised a total of 11 members:

- 1 Director
- 2 Assistant Directors
- 2 Engineers
- 1 Administrator
- 1 Office Manager
- 1 Editor / Webmaster
- 1 IT Systems Engineer
- 1 Secretary
- 1 Office clerk

Since then, the two engineers (Mr. Samuel Just and Ms. Régine Gaucher) resigned and the Office clerk (Mr. Jacques Bourgeois) retired. The secretary had been ill for more than two years and her contract was not renewed at the end of the 5-year period, in accordance with the Staff Regulations.

The term of the previous Director (Mr. Jean-François Magaña) expired at the end of 2010.

The following new staff members were recruited:

- (a) an Accountant (Ms. Florence Martinie), in October 2009,
- (b) an Engineer (Mr. Luis Mussio) in October 2010,
- (c) a Director (Mr. Stephen Patoray) in January 2011,
- (d) a Database specialist (Mr. Jalil Adnani) in June 2012.

The Administrator (Mr. Philippe Leclercq) will retire at the end of 2012, after forty-seven years of service. His duties will be taken over by the Office Manager (Mrs. Patricia Saint-Germain) and the Accountant. As a result, they now are “Administrator, Members” and “Administrator, Finance” respectively.

Consequently, as of 31 December 2012, the Bureau will comprise a total of 9 staff members (see <http://www.oiml.org/about/biml.html>):

- 1 Director
- 2 Assistant Directors
- 1 Engineer
- 2 Administrators
- 1 Editor / Webmaster
- 1 IT Systems Manager
- 1 Database Systems Manager

Based on the status of new work currently identified by the Committee, there are no current plans to add to this number.

### *3.1.2 Other developments*

A revision of the BIML Staff Regulations (OIML B 7) is currently being drafted and will be submitted to the Committee for comment shortly. After having obtained legal advice, a Final Draft (in French and English) will be submitted to the CIML for approval in 2013.

A law suit related to the dismissal of a staff member in 2010 remains pending at the ILO Tribunal.

The management of staff has returned to a flat structure, with all staff reporting to the Director.

## **3.2 Liaisons with other organizations**

An overview of the main developments in the liaisons with other international organizations since the 13th Conference will be presented to the Conference. For detailed information, please refer to the minutes of the 44th, 45th and 46th CIML Meetings (ref [E], [H] and [K]) and the working document for the 47th CIML Meeting (ref [N]).

## **3.3 Technical work and management of OIML systems**

An overview of the main developments in the technical work and the management of the OIML systems since the 13th Conference will be presented to the Conference. For detailed information, please refer to the minutes of the 44th, 45th and 46th CIML Meetings (ref [E], [H] and [K]) and the working document for the 47th CIML Meeting (ref [N]).

# **4 Report on the 2009-2012 financial period**

## **4.1 Developments during the reporting period**

The BIML incorporated the IPSAS accrual accounting methods for accounts and, in 2009, the BIML hired an accountant to complete the work of this transition (see 3.1.1).

Also in 2009, the BIML contracted *LG Audit & Conseils* for the financial auditing of accounts.

The full liability for the OIML pension was applied to the accounts in 2010. It was determined that the current value of the land, building and contents of 11 rue Turgot would be used as the asset to offset the liability in the accounts.

Due to the changes required to incorporate the IPSAS requirements and to include the full liability of the OIML pension obligations, the year end results varied significantly from the budget approved by the Committee. These fluctuations will not continue into the next financial period.

A revision of the BIML Staff Regulations (OIML B 7) will be submitted to the CIML for approval in 2013. This revised B 7 will contain no provision for continuing the OIML pension system. The OIML will meet all of its current obligations regarding the Pension system, but will take on no additional liabilities.

In 2011, the OIML requested and received a new *Activité Principale Exercée*, (APE) identity as a non-profit organization that engages in education, training and dissemination of information. This allows the OIML to receive substantial discounts on software and some



small discounts on computer hardware. Prior to this change, the OIML was identified as a for profit scientific company.

The BIML has obtained quotations for and will begin work on substantial infrastructure renovation. There are plans for a new roof, repair of the front and rear façades, a new heating system, removal of asbestos piping, repairs to doors and windows, the conversion of an office into a conference room, the addition of ventilation in the lower level, and the addition of an emergency escape route in the lower level. Provisions for this work, which is expected to be in the €300 000 range, have been included in the 2013-2016 budget.

The contract with *La Poste* was changed to reduce costs by over 50 %. The contract with the gardener was cancelled and the BIML itself now maintains the garden. A fully depreciated printer/copier was replaced by a new leased printer/copier at a 25 % yearly saving. In total these changes have saved the BIML over €12 000 per year.

#### 4.2 Revision of OIML B 8:2004 “OIML Financial regulations”

As a consequence of the changes in the OIML accounting procedures, following the implementation of IPSAS accounting methods, the OIML Financial Regulations (OIML B 8) have to be revised. The draft revision of OIML B 8 is submitted to the 47th CIML Meeting for approval.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXVII of the Convention,*

*Noting Resolution No. ... of the 47th CIML Meeting,*

*Resolves:*

*The revision of the OIML Financial Regulations (OIML B 8:2012) is sanctioned.*

#### 4.3 Surpluses

The Convention, in Article XXV, final paragraph, states that the Conference shall decide on what is to be done with any surpluses that exist at the end of the financial period. The two options provided are:

- a reduction in the dues of the Member States, or
- adding the surplus to the reserves.

At the 13th Conference, the BIML Director reported that over the 2005-2008 financial period, the reserves had been reduced to effectively zero. Although the cash flow situation was such that there would be no immediate cash problem, in the next financial period, some reserves would have to be built up to ensure that, should the Organization be dissolved, all its commitments could be met.

The projected total surplus over the 2009-2012 financial period is approximately €225 000, corresponding to approximately 1.5 months of operation of the Bureau.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXV, final paragraph, of the Convention,*

*Resolves:*

*The budget surpluses (net results) from the 2009-2012 financial period shall be kept in reserve.*

## **5 Approval of the accounts for 2008, 2009, 2010 and 2011**

The accounts for 2008, 2009, 2010 and 2011, after verification by an external auditor, were submitted to the Committee for review and approval in the format according to Annex 3 of the OIML Financial Regulations (OIML B 8:2004).

The accounts for 2008 and 2009 were approved by the Committee in 2010 [45th CIML Meeting, Resolution No. 25] and the accounts for 2010 were approved by the Committee in 2011 [46th CIML Meeting, Resolution No. 6].

The accounts for 2011 will be examined by the CIML at its 47th Meeting this year.

The accounts for 2008, 2009, 2010 and 2011, as approved by the Committee, are reproduced in Annex A.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXV, penultimate paragraph, of the Convention,*

*Noting Resolutions No. 25 of the 45th CIML Meeting, No. 6 of the 46th CIML Meeting, and No. ... of the 47th CIML Meeting,*

*Resolves:*

*The audited accounts for 2008, 2009, 2010 and 2011 are hereby approved. The CIML President and the BIML Director are finally discharged for the financial management during these years.*

## **6 Sanctioning of OIML Recommendations**

The Recommendations to be sanctioned are listed on the Conference web site (<http://bucharest.oiml.org/sanction>) and may be downloaded from that site for reference.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article VIII, first and fifth paragraphs, of the Convention,*

*Noting the approval of the following OIML Recommendations by the Committee:*

*...*

*Resolves:*

*The OIML Recommendations listed above are hereby sanctioned. Member States are reminded of their obligation to implement these Recommendations as far as possible.*

## **7 Strategy of the OIML - Sanctioning of OIML B 15:2011**

After his election by the Committee at its 45th Meeting, the then President-elect started the process of reviewing the existing “Strategic plan” that had been adopted by the Committee in 2006. This process involved extensive consultations with the members of the Presidential Council and led to the drafting of the current OIML Strategy in the form of a revision of OIML B 15.

OIML B 15:2011 was approved by the Committee [46th CIML Meeting, Resolution No. 15] and was subsequently published. It may be downloaded from the OIML web site at: <http://www.oiml.org/publications/B/B015-e11.pdf>.

As it is one of the purposes of the Conference to “study questions concerning the aims of the Organization” (Article IV, first paragraph (1), of the Convention), the Conference is requested to approve the OIML Strategy by sanctioning OIML B 15:2011.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article IV, first paragraph (1), of the Convention,*

*Noting the approval by the Committee at its 46th Meeting of the OIML Strategy in the form of a revision of OIML B 15, and the subsequent publication of OIML B 15:2011,*

*Resolves:*

*The OIML Strategy as laid down in OIML B 15:2011 is hereby sanctioned. The Committee is instructed to implement this strategy taking into account the budgetary resources.*

## **8 Member States' contributory classes and the contributory share for 2013-2016**

According to Article XXVI (1) of the Convention, Member States are classified according to the size of their population and may be put in a lower class when the use of measuring instruments is clearly below the average. In 2005, the CIML decided on a procedure to implement this provision of the Convention as follows:

The classification is reviewed every year (x) on the basis of World Bank figures for the population in year (x-2), adjusted for the size of the economy according to their Gross National Income per capita (GNI):

- by one class for lower middle income countries whose GNI is greater than twice that of low income countries,
- by two classes for lower middle income countries whose GNI is lower than twice that of low income countries, and
- by three classes for low income countries, the resulting class being at least Class 1.

Any change in the classification of a Member State as a result of this review takes effect from the year (x+2).

Based on the review conducted in 2012 on the basis of the World Bank figures over 2010, the following Member States are being reclassified, effective from 2014:

Algeria:	from Class 1 to Class 2;
P.R. China:	from Class 3 to Class 4;
Cuba:	from Class 1 to Class 2;
Egypt:	from Class 1 to Class 2;
India:	from Class 1 to Class 2;
Indonesia:	from Class 2 to Class 3;
Iran:	from Class 2 to Class 3.

The full information concerning this classification review is contained in Annex B, which shows the resulting number of contributory shares, excluding the new Member Colombia, to be 122 before reclassification and 134 after reclassification. The number of contributory shares is:

- 1 for Class 1,
- 2 for Class 2,
- 4 for Class 3, and
- 8 for Class 4.

Including the new Member State Colombia (effective from 2013) the total number of contributory shares is:

- for 2013: 126,
- for 2014, 2015 and 2016: 138,

exclusive of any changes due to admissions or resignation of Member States.

It should be noted that an annual review with the objective to reclassify Member States is not in line with Article XXVI (1) of the Convention which implies that the contributory share of a Member State is fixed for the financial period and that the annual contribution is determined by equally distributing the share of a Member State over all the years of a financial period. Therefore, a reclassification should only be initiated for the whole financial period, based on a review in the year immediately prior to that period. However, because the Conference decides on the contributory shares at a time when the Member States would already have prepared their budgets for the first year of the next financial period, the change in contribution should be made effective only from the second year of the financial period.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXVI (1) of the Convention,*

*Recalling the decision of the 12th Conference in 2004, instructing the Committee to annually review the situation of those Member States that benefit from a lower contributory class,*

*Considering the procedure for the classification of Member States as decided by the Committee in its 40th Meeting in 2005,*

*Resolves:*

*The classification of Member States according to Article XXVI (1) of the Convention shall be reviewed in the final year of a financial period in order to determine the respective contributory shares of the Member States for the following financial period. The review shall be according to the method decided by the Committee at its 40th Meeting in 2005. However, any change in the classification of a Member State shall take effect from the second year of the following financial period.*

## **9 Budget for the 2013-2016 financial period**

At its 47th Meeting the Committee will examine the draft budget for the 2013-2016 financial period, proposed by its President and the BIML Director, as follows:

### **9.1 Member State contribution**

The base contributory share (annual contribution for a Member State in Class 1, as defined in Article XXVI (1), of the Convention) for 2012 was set at €14 500. The proposed progression for the 2013-2016 financial period is as follows:

2012: €14 500  
2013: €14 000  
2014: €14 000  
2015: €14 000  
2016: €14 000

This represents a decrease of 3 % in 2013 compared to 2012, with no increase in the subsequent years.

The number of Member States as of 1 January 2013 will be 58. Taking into account the classification of the Member States and the reclassification of some Member States on 1 January 2014, as indicated in section 8, the total number of base contributory shares is 126 for 2013 and 138 for the subsequent years.

It is proposed to set the entry fee for new Member States, mentioned in Article XXVIII, second paragraph, of the Convention, at €0 for the 2013-2016 financial period.

### **9.2 Corresponding Member fee**

As decided by the 13th Conference, the annual Corresponding Member fee shall be equal to 10 % of the base contributory share for a Member State. As a result, the progression for the 2013-2016 financial period would be:

2012: €1 450  
2013: €1 400  
2014: €1 400  
2015: €1 400  
2016: €1 400

The number of Corresponding Members is estimated to be 57 for the entire 2013-2016 financial period.

There is no entry fee for Corresponding Members.

### 9.3 Tariffs for services provided by the OIML

#### 9.3.1 OIML Bulletin

Following Resolution No. 28 of the 46th CIML Meeting, containing the proposal to render the OIML Bulletin free of charge, no income from Bulletin subscriptions is included in the proposed budget.

#### 9.3.2 MAA

The proposed application fee for becoming an Issuing Authority for the 2013-2016 financial period is €1 700 (2012: €1 710).

The BIML no longer makes arrangements for peer assessments. Consequently, there is no need to fix a lump sum per assessor day (2012: €1 620).

#### 9.3.3 OIML Basic Certificates and MAA Certificates

The proposed registration fee for OIML Basic Certificates and MAA Certificates for the entire 2013-2016 financial period is €350.

### 9.4 Proposed budget for the 2013-2016 financial period

Based on the principles set out in 9.1–9.3 above, and taking into account an estimated annual inflation rate of 2 %, the CIML President and the BIML Director propose the budget given in Annex C for the 2013-2016 financial period.

The following draft resolution is proposed to the Conference:

*Resolution No. ...*

*The Conference,*

*Having regard to Article XXIV, first paragraph, Article XXVI (1), and Article XXVIII, second paragraph, of the Convention,*

*Noting Resolutions No. ... , No. ... and No. ... of the 47th CIML Meeting,*

*Considering that the total number of base contributory shares, taking into account the classification of Member States as reviewed in 2012, is 126 for the year 2013 and, after reclassification of some Member States, 138 for the remaining years of the 2013-2016 financial period,*

*Resolves:*

*(1) The overall amount of credits, necessary to cover the Organization's operating expenses shall be €8 278 200 for the 2013-2016 financial period;*

*(2) the annual base contributory share for the 2013-2016 financial period is €14 000. This results in a total contribution for a Member State classified according to Article XXVI (1) of the Convention in Class 1, Class 2, Class 3 or Class 4 of €56 000, €112 000, €224 000 or €448 000, respectively,*

*(3) in case of admission of a Member State during the financial period, the overall amount of credits mentioned in (1) is increased with the contributory share of that Member State, calculated from its classification and the base contributory share, proportionate to the period from its admission to the expiry of the financial period,*

*(4) for the 2013-2016 financial period, newly admitted or readmitted Member States shall not pay an entry fee.*

## 10 Examination of the situation of Member States in arrears

### 10.1 Overview of Members in arrears and actions taken

The BIML Director will give an overview to the Conference of Member States and Corresponding Members in arrears and the actions taken.

### 10.2 Procedure related to resignation and readmission of Members

In its Resolution No. 19, the 13th Conference instructed the Committee to elaborate a procedure to implement Article XXIX, second paragraph, of the Convention, related to resignation and readmission of Members, to be submitted to the next Conference.

In its Resolution No. 27, the 46th CIML Meeting requested the CIML President to present a proposal to the 14th Conference for a comprehensive policy for the implementation of Article XXIX of the Convention concerning Member States which have not paid their membership contributions for a number of years.

It appears that decisions with respect to Members in arrears have not always been taken in a consistent manner. As a result, there are Member States for which the OIML accounts show arrears in excess of three years of membership contributions, which is not in line with the provisions of Article XXIX, first paragraph, and Article XXX, second paragraph, of the Convention.

Before a decision can be taken as to what should be done to rectify this situation, the two paragraphs of the Convention mentioned above should be clarified.

Therefore, the following draft resolutions are proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXIX of the Convention,*

*Desiring to clarify Article XXIX, first paragraph, of the Convention with respect to Member States which have not fully paid their annual contribution,*

*Resolves:*

*(1) A Member State which has not paid its annual contribution for three consecutive years shall automatically be considered as having resigned, according to Article XXIX, first paragraph, of the Convention;*

*(2) A Member State which has not fully paid its annual contribution shall be automatically considered as having resigned when its accumulated arrears amount to the total of the last three years of contributions due;*

*(3) A Member State in arrears will receive a final written warning at least six months before the expiry of the three-year term mentioned in (1) or (2). The warning will include a request to pay the full amount of the arrears before the expiry of the three-year term;*

*(4) The provisions of (1), (2) and (3) apply accordingly to Corresponding Members with respect to annual Corresponding Member fees.*

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XXX of the Convention,*

*Desiring to clarify Article XXX, second paragraph, of the Convention with respect to the readmission of Member States which have officially been regarded as having resigned,*

*Resolves:*

*(1) A Member State which has officially been regarded as having resigned may be readmitted only after it has settled its unpaid contributions, the amount of which is calculated as the total contribution that the Member State would have had to pay over the last three years immediately prior to the year of readmission according to the classification of that Member State at the time of readmission;*

*(2) The provisions in (1) apply accordingly to Corresponding Members with respect to Corresponding Member fees.*

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Articles XXIX and XXX of the Convention,*

*Recalling its Resolutions No. ... and No. ... and Resolution No. 19 of the 13th Conference,*

*Noting Resolution No. 27 of the 46th CIML Meeting and Resolution No. ... of the 47th CIML Meeting,*

*Considering that for some Member States, the OIML accounts show arrears in excess of three years of membership contribution, but that these should not have amounted to more than three years of membership contribution and that the accounts need to be adjusted to rectify this situation,*

*Resolves:*

*(1) Current Member States and Member States regarded as having resigned for which the OIML accounts show arrears in excess of three years of membership contribution, shall have their arrears reduced to three years of membership contribution;*

*(2) The reductions shall be accounted for in the 2012 accounts; any deficits resulting from these reductions shall be compensated by drawing from the reserve funds;*

*(3) The provisions of (1) and (2) apply accordingly to Corresponding Members.*

## **11 Interpretation of the OIML Convention**

### **11.1 Article XV: Case where the position of first Vice-President becomes vacant**

Article XV of the OIML Convention calls for the election of a CIML President and a first and second Vice-President and rules that, in case the President is absent or incapable, the first Vice-President shall temporarily assume the duties of the President.

At its 45th Meeting, the Committee considered that Article XV does not deal with the case that the first Vice-President resigns or his mandate otherwise ceases before that of the second Vice-President, while the President is absent or incapable. The Committee noted that the



Convention does not specify a procedure for distinguishing between the first Vice-President and the second Vice-President. The possibility of regarding the senior of the two Vice-Presidents as the “first” Vice-President was considered, but the Committee was of the opinion that it was preferable that the first and second Vice-Presidents should be elected ‘in office’ and that, when the position of first Vice-President becomes vacant, the second Vice-President should temporarily become first Vice-President until the Committee elects a new first Vice-President.

The Committee instructed the CIML President to prepare a proposal to be submitted to the 14th Conference on the interpretation of Article XV in the event that the position of first Vice-President becomes vacant and the President is incapable of performing his duties [45th CIML Meeting, Resolution No. 11].

The CIML President proposes that when the position of first Vice-President becomes vacant a similar rule is applied as in the case when the position of President becomes vacant, i.e. that the second Vice-President temporarily assumes the duties of first Vice-President until a new first Vice-President is elected.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XV of the Convention,*

*Noting the proposal from the CIML President following the discussions at the 45th CIML Meeting and Resolution No. 11 of the 45th CIML Meeting,*

*Resolves:*

*In the event of the absence, impediment, cessation of mandate, resignation or death of the first Vice-President, his duties shall be temporarily assumed by the second Vice-President.*

## **11.2 Article XVII: The meaning of the term “colleague”**

At its 46th Meeting, the Committee adopted Resolution No. 26, in which it requested the Conference to approve an interpretation of the term “colleague” in the first paragraph of Article XVII of the Convention.

The Committee considered that because of the evolution of the role of the Organization as a standard-setting body and of the role of the CIML Member as the representative of his or her country, it would be appropriate if the CIML Member could give a proxy to vote on his or her behalf to a person from his or her own government or administration, as an alternative to giving the proxy to another CIML Member.

It is thought likely that in the original version of the text of the Convention, “colleague” was meant to refer to another CIML Member. However, the amendment of the Convention of 1968 changed the membership of the Committee from twenty experts designated by the Conference to one representative per Member State designated by his or her government and the Committee notes that it would not be inconsistent with the wording of the Convention for “colleague” also to be interpreted as referring to someone from the CIML Member’s own government or administration.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article XVII of the Convention,*

*Noting Resolution No. 26 of the 46th CIML Meeting,*

*Considering that the 1968 amendment of the Convention changed the membership of the Committee from twenty experts designated by the Conference to one representative per Member State,*

*Resolves:*

*A 'colleague' as mentioned in the first paragraph of Article XVII of the Convention may be: either another CIML Member, or someone designated by the absent CIML Member to represent him/her. In the latter case, the representative shall be from the same government or administration as the absent CIML Member and may not represent other CIML Members, i.e. may not receive proxies from other CIML Members.*

## **12 Date and venue of the next Conference**

According to Article X of the Convention, the Conference shall meet at least every six years. In practice, the Conference meets every four years. This coincides with a four-year budget period. Following this practice, the next Conference should be organized in 2016. The Conference may delegate the responsibility to fix date and place of the next Conference to the Committee.

The following draft resolution is proposed to the Conference:

*Draft Resolution No. ...*

*The Conference,*

*Having regard to Article X of the Convention,*

*Considering the standing practice to organize a Conference once every four years,*

*Resolves:*

*The Committee is hereby charged to organize the 15th Conference in 2016, the venue and dates to be decided by the Committee.*

## **Annex A Audited accounts for 2008, 2009, 2010 and 2011**

This Annex, containing the reports of the audited accounts for 2008, 2009, 2010 and 2011, as submitted to and approved by the Committee, may be downloaded from the Conference web site at: <http://bucharest.oiml.org/conference.html>.

## **Annex B Member State classification review**

Etats Membres (en 2011) Member States (in 2011)	Population (million)														
	World Bank data 2010	Multiplier by population only	Current multiplier as of 2012	Current Discrepancy (before rise)	World Bank GNI per capita 2010	OIML allowed declassification	Adjustment	Multiplier after adjustment	Check for more adjustment	Outcome	2012	2013	2014	2015	2016
*Pays bénéficiant d'un déclassement *Countries benefiting from a lower class.															
Afrique du Sud	49	4	4		6100			4	OK		58 000	56 000	56 000	56 000	56 000
Albanie	3	1	1		4000			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Algérie</b>	35	2	1	1 class	4460		1 class	2	OK		14 500	14 000	28 000	28 000	28 000
Allemagne	81	4	4		43330			4	OK		58 000	56 000	56 000	56 000	56 000
Arabie Saoudite	25	2	2		17200			2	OK		29 000	28 000	28 000	28 000	28 000
Australie	22	2	2		43740			2	OK		29 000	28 000	28 000	28 000	28 000
Autriche	8	1	1		46710			1	OK		14 500	14 000	14 000	14 000	14 000
Republique de Belarus	9	1	1		6030			1	OK		14 500	14 000	14 000	14 000	14 000
Belgique	10	1	1		45420			1	OK		14 500	14 000	14 000	14 000	14 000
Bresil	194	8	8		9390			8	OK		116 000	112 000	112 000	112 000	112 000
Bulgarie	7	1	1		6240			1	OK		14 500	14 000	14 000	14 000	14 000
Canada	34	2	2		41950			2	OK		29 000	28 000	28 000	28 000	28 000
<b>Republique Populaire de Chine</b>	1 338	8	4	1 class	4260		1 class	8	OK		58 000	56 000	112 000	112 000	112 000
Chypre	1	1	1		30460			1	OK		14 500	14 000	14 000	14 000	14 000
Republique de Corée	48	4	4		19890			4	OK		58 000	56 000	56 000	56 000	56 000
Croatie	4	1	1		13760			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Cuba</b>	11	2	1	1 class	5550		1 class	2	OK		14 500	14 000	28 000	28 000	28 000
Danemark	5	1	1		58980			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Egypte*</b>	84	4	2	2 classes	2340	1 class	1 class	2	ADJ	OK -1 class	14 500	14 000	28 000	28 000	28 000
Espagne	46	4	4		31650			4	OK		58 000	56 000	56 000	56 000	56 000
Etats-Unis d'Amérique	309	8	8		47140			8	OK		116 000	112 000	112 000	112 000	112 000
Finlande	5	1	1		47170			1	OK		14 500	14 000	14 000	14 000	14 000
France	64	4	4		42390			4	OK		58 000	56 000	56 000	56 000	56 000
Grèce	11	2	2		27240			2	OK		29 000	28 000	28 000	28 000	28 000
Hongrie	10	1	1		12990			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Inde*</b>	1 170	8	3	3 classes	1340	2 classes	1 class	2	ADJ	OK -2 class	14 500	14 000	28 000	28 000	28 000
<b>Indonésie*</b>	232	8	2	2 classes	2580	1 class	1 class	4	ADJ	OK -1 class	29 000	28 000	56 000	56 000	56 000
<b>Republique Islamique d'Iran</b>	73	4	2	1 class	4530		1 class	4	OK		29 000	28 000	56 000	56 000	56 000
Irlande	4	1	1		40990			1	OK		14 500	14 000	14 000	14 000	14 000
Israël	7	1	1		27340			1	OK		14 500	14 000	14 000	14 000	14 000
Italie	60	4	4		35090			4	OK		58 000	56 000	56 000	56 000	56 000
Japon	127	8	8		42150			8	OK		116 000	112 000	112 000	112 000	112 000
Kazakhstan	16	2	2		7440			2	OK		29 000	28 000	28 000	28 000	28 000
<b>Kenya*</b>	40	2	1	1 class	780	3 classes	0	1	ADJ	OK -3 class	14 500	14 000	14 000	14 000	14 000
Macedoine, Ex-R.Y. de	2	1	1		4520			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Maroc*</b>	32	2	1	1 class	2850	1 class	0	1	ADJ	OK -1 class	14 500	14 000	14 000	14 000	14 000
Monaco	0	1	1		197460			1	OK		14 500	14 000	14 000	14 000	14 000
Norvege	4	1	1		85380			1	OK		14 500	14 000	14 000	14 000	14 000
Nouvelle-Zélande	4	1	1		29050			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Pakistan*</b>	173	8	3	3 classes	1050	3 classes	0	1	ADJ	OK -3 class	14 500	14 000	14 000	14 000	14 000
Pays-Bas	16	2	2		49720			2	OK		29 000	28 000	28 000	28 000	28 000
Pologne	38	2	2		12420			2	OK		29 000	28 000	28 000	28 000	28 000
Portugal	10	1	1		21860			1	OK		14 500	14 000	14 000	14 000	14 000
Roumanie	21	2	2		7840			2	OK		29 000	28 000	28 000	28 000	28 000
Royaume-Uni	62	4	4		38540			4	OK		58 000	56 000	56 000	56 000	56 000
Russie	141	8	8		9910			8	OK		116 000	112 000	112 000	112 000	112 000
Serbie	7	1	1		5820			1	OK		14 500	14 000	14 000	14 000	14 000
Republique Slovaque	5	1	1		16220			1	OK		14 500	14 000	14 000	14 000	14 000
Slovenie	2	1	1		23860			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Sri Lanka*</b>	20	2	1	1 class	2290	1 class	0	1	ADJ	OK -1 class	14 500	14 000	14 000	14 000	14 000
Suède	9	1	1		49930			1	OK		14 500	14 000	14 000	14 000	14 000
Suisse	7	1	1		70350			1	OK		14 500	14 000	14 000	14 000	14 000
<b>Republique-Unie de Tanzanie*</b>	45	4	2	2 classes	530	3 classes	0	1	ADJ	OK -3 classe	14 500	14 000	14 000	14 000	14 000
Republique Tchèque	10	1	1		17870			1	OK		14 500	14 000	14 000	14 000	14 000
Tunisie	10	1	1		4070			1	OK		14 500	14 000	14 000	14 000	14 000
Turquie	75	4	4		9500			4	OK		58 000	56 000	56 000	56 000	56 000
<b>Vietnam*</b>	88	4	2	2 classes	1100	3 classes	0	1	ADJ	OK -3 classe	14 500	14 000	14 000	14 000	14 000
57 Member States		155	122					134			1 769 000	1 708 000	1 876 000	1 876 000	1 876 000

Note: Colombia not included

Base contribution		14 500 for 2012		14500	14000	14000	14000	14000
			per footnote					
reduction	1 class	4000	3975 rounded up to next 100					
reduction	2 class	2000	4000 divided by 2 per resolution					
reduction	3 class	1100	1005 rounded up to next 100					

h. Estimated to be upper middle income (\$3,976 to \$12,275). i. Estimated to be high income (\$12,276 or more). j. Estimated to be low income (**\$1,005** or less). k. Estimated to be lower middle income (\$1,006 to **\$3,975**).

## **Annex C Proposed budget for the 2013-2016 financial period**

**BUDGET 2013 – 2016**

	2013	2014	2015	2016	
<b><u>INCOMES</u></b>					
Member State Contr. – 0%	1 764 000	1 932 000	1 932 000	1 932 000	A
C M Fees – 0%	79 800	79 800	79 800	79 800	B
Certificates Fees	70 000	70 000	70 000	70 000	C
Translation Center	15 000	15 000	15 000	15 000	C
Financial Income	15 000	15 000	15 000	15 000	C
<b>TOTAL INCOMES</b>	<b>1 943 800</b>	<b>2 111 800</b>	<b>2 111 800</b>	<b>2 111 800</b>	
<b><u>CHARGES</u></b>					
Active Staff	1 232 971	1 254 930	1 315 110	1 341 312	D
Pension System	107 499	110 186	112 941	115 764	E
<b>TOTAL STAFF COSTS</b>	<b>1 340 469</b>	<b>1 365 116</b>	<b>1 428 051</b>	<b>1 457 076</b>	
Running Costs	66 162	67 521	68 912	70 337	F
Administrative Costs	66 204	67 365	68 547	69 750	F
Communication Costs	54 104	55 287	56 501	57 748	F
Meetings Costs – CIML	77 746	88 991	86 591	87 890	F
Travel & Accommodation Costs – BIML	105 580	109 336	109 017	111 742	F
Miscellaneous Costs	17 182	17 338	17 495	17 653	F
Special Fund for Developing Count	35 000	35 000	35 000	35 000	F
<b>TOTAL OTHER CHARGES</b>	<b>421 978</b>	<b>440 838</b>	<b>442 063</b>	<b>450 120</b>	
Depreciations	110 178	116 718	117 101	118 670	G
Provision for retirement	40 000	40 000	40 000	40 000	G
Provision for uncollected funds	18 200	32 200	60 200	60 200	G
<b>TOTAL DEPRECIATIONS &amp; PROVISIONS</b>	<b>168 378</b>	<b>188 918</b>	<b>217 301</b>	<b>218 870</b>	
<b>TOTAL CHARGES</b>	<b>1 930 825</b>	<b>1 994 872</b>	<b>2 087 414</b>	<b>2 126 066</b>	
<b>RESULT</b>	<b>12 975</b>	<b>116 928</b>	<b>24 386</b>	<b>-14 266</b>	<b>140 022</b>
Total Contributory shares	126	138	138	138	