

**The Palestine Liberation Organization  
Palestinian National Authority  
Office of the President**

## **PALESTINIAN STANDARDS AND MEASUREMENTS LAW NO. (6) OF 2000**

**Chairman of the Executive Committee of the PLO  
President of the Palestinian National Authority  
Pursuant to the Decree issued by the President of the PLO in Tunis on 28<sup>th</sup> of January 1994  
issuing the the Standards and Measurements Institute Law; and  
Upon the request of the Ministry of Industry; and  
Based on the Draft Law submitted by the Council of Ministers, and  
Pursuant to the adoption of the PLC in its session held on 28<sup>th</sup> of June 2000;  
We issue this Law:**

### **First Chapter**

#### **DEFINITIONS AND GENERAL PROVISIONS**

##### **Article (1)**

The following words and phrases shall have the meaning specified for each of them hereunder, unless the context otherwise indicates.

**The National Authority:** The Palestinian National Authority.

**The Minister:** The Minister of Industry.

**The Institute:** Palestinian Standards and Measurements' Institute.

**The Board:** The Board of Directors of the Institute.

**The President of the Institute:** The President of the Board of Directors.

**The Director General:** The Director General of the Institute

**The Palestinian Standard :** the characteristics of the good, material, commodity or service and its properties ,level of quality , dimensions , measurements or its safety requirements which include the used terminology, symbols, testing and specimen selection methods , in addition to the methods used in packaging and labeling or the content requirement adopted by the Board.

**The Product:** the good or commodity or service.

**The Mandatory Technical Instructions:** the document which defines the products characteristics and properties or the operations related to it, which require mandatory adherence. It may also contain or deal with the technical terms or symbols or packaging or defining the distinguishing characteristics or the requirements for preparing the content label, which applies to the product or to the manufacturing method.

**The Conformity Assessment Procedure:** any procedures which is used directly or indirectly in order to make sure that the standards requirements, the technical instruction, the specimen collection and testing procedures in addition to the evaluation , diagnosis in order to guarantee the conformity and registration in order to issue the certificate or the Institute’s approval.

**Legal Measurement Units:** the applied international system’s units (the Modern Metric System).

**Measurement Tools:** the technical equipment, devices and tools, which are made for the purpose of measuring. It includes direct measurement units such as weights, Pecks, lengths and other similar units; it also includes the indirect measurements such as the thermometer, water meter, pursuer meter, electricity meter and other similar meters.

**Conformity Mark:** it is a registered mark issued according to the rules and regulations governing the issuance of certificates, where it certifies that the related product or activities or services do confirm with a specified standard.

**Conformity Certificate:** a document issued according to the rules and regulations governing the issuance of certificates, where it certifies that the related product or activities or services do confirm with a specified standard.

**Standardization:** the processes which define the degree of deviation the measurement and testing tools have.

## Article (2)

1. An Institute which shall be named “the Palestinian Standards and Measurements Institute” shall be established according to the provisions of this law, which shall enjoy a legal personality and financial autonomy, where it shall have its own budget within the general budget of the Palestinian National Authority.
2. The Institute shall be the only reference in Palestine for all matters related to preparing and approving the standards and measurements in addition to granting conformity marks. The institute may seek guidance from public and private institutions and other national or foreign departments which work in this field.
3. The main offices of the institute shall be located in Jerusalem and it may establish other branches in any part inside Palestine.

## Second Chapter

### Article (3)

The Institute aims at achieving the following goals:

1. The adoption of certain systems for standards and measurements which are based on modern scientific basis and in line with the scientific developments in the field of standards, measurements and quality control.
2. Participating in providing the health, environmental, economical protection for the consumer through the adoption of the Palestinian standards and measurements and the issuance of the conformity marks and certificates.

3. Supporting the national economy and the economical development plans and participating in developing and rehabilitating the industry in coordination with the related institutions and bodies in Palestine.

#### Article (4)

The Institute shall have the following functions and powers:

1. Prepare and adopt the Palestinian standards and measurements related to goods, materials, services and other items and reviewing such standards and measurements and amending or replacing in addition to publishing them. Human and veterinary medications, vaccines and serums shall be excluded from the Institutes' scope of powers and functions.
2. Developing a national measurement system.
3. Unifying and developing the measurement methods in addition to calibrating and adjusting the measurement tools.
4. Issuing the conformity marks and certificates which are approved by the Board.
5. Adopting the national main measurement references for the calibration of measurement tools in order to stamp or brand them.
6. Approving the testing and calibration labs which are qualified and specialized in conducting the tests and analyses on goods and other materials in order to apply the related standards and measurements.
7. Approving the products' labels.
8. Cooperation with the local governmental bodies and scientific institutions in order to achieve the Institute's goals and carry out its functions and duties.
9. Support and encourage the research conducted in the approved testing and examination labs in areas related to standards, measurements and quality control, in addition to holding training sessions and programs related to the Institutes scope of work.
10. Enter into agreements with Arab, regional and international agencies, related to the mutual recognition of conformity marks and certificates, provided that such agreements include an agreement on the previous and continuing testing of the material included in the agreement, in order to make sure that it confirms with adopted technical standards and conditions.
11. Cooperating and coordinating with Arab, regional and international institutions which work in the standard and measurements field and joining such institutions.
12. Publish and distribute the publications related to standards and measurements issued by the Institute or other Arab, regional or international related bodies.

### Third Chapter

#### Management of the Institute

#### Article (5)

1. The Institute shall be managed by a Board of Directors composed of the following members :
  - a) Minister of Industry.
  - b) A representative of the Ministry of Industry.
  - c) A Representative of the Ministry of Health.
  - d) A Representative of the Ministry Trade and Economy.
  - e) A Representative of the Ministry of Finance.

- f) A Representative of the Ministry of Supplies .
  - g) A Representative of the Ministry Housing.
  - h) A Representative of the Ministry Agriculture.
  - i) A Representative of the Ministry of Environmental Affairs.
  - j) A Representative of the Palestinian Universities nominated to the post by the Higher Education Council.
  - k) President of the Engineering Association.
  - l) A Representative of the Union of the Chambers of Commerce.
  - m) The President of the General Union of Palestinian Industries.
  - n) A Representative of the Contractors' Union.
2. The members of the Board of Directors which is composed of the bodies and institutions stipulated in paragraph (1) of this article shall have the needed expertise and specialization and shall be appointed according to a decision issued by the President of the National Authority according to a nomination by the Minister. The members shall be recommended to the Board's membership by the ministers of the ministries or presidents of the councils they belong to, provided that the representatives of the ministries shall at least have the rank of a director general.
  3. The President of the General Union of Palestinian Industries shall be the vice president of the Institute.

#### Article (6)

The membership term at the Board shall be for two years and when the membership of one of the members comes to an end for any reason before the end of his/her membership term , another members shall be appointed to replace him/her in order to complete the remaining period.

#### Article (7)

1. The Board shall hold its ordinary meetings at least once every two months according to an invitation by its president.
2. The Board holds its extraordinary meetings whenever there is a need to convene. Such meetings shall be held based on a request submitted to the President or his/her deputy in case of the absence of the President, by at least one third of the Board's members.

#### Article (8)

1. The quorum needed in order for the Board's meetings to be legally held is a simple majority of (50% + 1) of the present members provided that the President of the Board or his/her deputy is among the attending members.
2. The decisions of the Board shall be issued according to the majority votes of its attending members. In case of equal voting, the vote of the President of the meeting shall be the deciding vote.

#### Article (9)

The Board shall have the right to invite any person of knowledge and expertise it deems appropriate to attend its meetings in order to seek his/her opinion in any matter before the board , provided that such person shall not have the right to vote.

#### Article (10)

In addition to the functions and powers given to the President of the Board according to the provisions of this law, he/she shall assume the following additional functions:

1. Chairing and managing the meetings.
2. Representing the Board in official settings and forums.
3. Following up on the implementation of the Board's decisions and recommendations.
4. Overseeing all the Institutions functions and matters.

#### Article (11)

The Board shall assume the following functions and responsibilities:

1. Establishing the Institute's general policy and supervising its implementation.
2. Adopting, amending, canceling or replacing the standards and measurements.
3. Approving the conformity marks and certificates issuance systems and the testing laps in addition to amending, canceling and replacing such systems.
4. Approving the draft budget.
5. Preparing the draft laws and regulations related to the Institute.
6. Preparing the Institute's Organizational Structure and bylaws.
7. Issuing the executive, regulatory, financial, technical and administrative instructions related to the Institute in order to guarantee its fulfillment of its objectives and goals.
8. Approving the contracting with the specialized scientific agencies, consultants and experts in order to provide the needed services and studies related to the Institutes goals and objectives.
9. Set the priorities of the Institute.

#### Article (12)

The Institute's General Director shall be appointed according to a decision issued by the President of the National Authority based on a nomination by the President of the Institute.

#### Article (13)

The General Director shall perform the following functions and responsibilities:

1. Implement the Board's general policy and executing its decisions.
2. Managing the Institutes affairs and supervising its employees and its technical related issues according to the provisions of this law and the regulations issued according to it.
3. Developing the programs that would assist in achieving the Institute's goals and functions in addition to submitting the related recommendations to the Board.
4. Participating in the Board's meetings without having the right to vote.

5. Prepare at the end of each year within a period not to exceed three months from the end of the year , the Institutes budget and final accounts. He/she shall also prepare a report regarding the Institute's activities and functions during the past financial year. He/she shall submit a copy of the report to the Board for its approval and a copy shall be submitted by the Board to the Council of Minister.
6. Prepare at least three months before the end of the financial year the Institute's budget for the coming year and submit it to the Board for its approval. The draft budget shall be submitted after its approval to the official related bodies in order to be approved.
7. Any other responsibilities which might be given to him/her by the Board or according to this law or the regulations and instructions issued according to it.

#### Fourth Chapter

##### Preparing and Adopting the Standards

###### Article (14)

1. The Board forms one or more technical committees in order to prepare the draft standards and measurements; provided that the members of such committees are selected from among the parties specialized in preparing such drafts. The members of the committee shall be from among the specialized and expert persons in the committee's work field.
2. The General Director shall submit the draft standards and measurements referred to him/her by the technical committees, to Board along with his/her recommendations.
3. The Board studies and discusses the draft standards and amends it as it wishes. The standards and measurements approved by the Board shall be considered as Palestinian standards and shall be issued as voluntary standards and shall have their effect starting from the date stated in the decision approving them. The information related to the standards numbers, the date of its implementation and its addresses and value, shall all be published in the Official Gazette and in two local newspapers.
4. If the Board rejected any of the draft standards submitted to it, such draft shall be returned to the related technical committee in order to restudy it.

###### Article (15)

The Board shall issue instructions governing the procedures to be followed in setting the standards and measurements in addition to defining the financial remuneration of the technical committees' members and the Institute employees.

Fifth Chapter  
The Mandatory Technical Instructions

Article (16)

In coordination with the related minister, the President of the Institute shall issue the mandatory technical instructions related to the implementation of the Palestinian standards and measurements.

Article (17)

1. It is prohibited to import any commodity or material and enter it into Palestine or produce it in the country unless such commodity or material does confirm with the standards' requirements specified in the mandatory technical instructions for such commodity. The Institute's President in coordination with the competent minister may exempt any commodity from the provisions of this article in special instances.
2. All ministries, governmental departments, official institutions and local municipalities' councils shall adhere in its works, projects and in its procurement bidding documents of commodities, services and goods, to the Palestinian standards and measurements as the minimum quality standard.
3. Factories' owners shall adhere to the mandatory technical instructions related to the goods and commodities produced in their factories and in relation to all materials they use. They are prohibited from announcing or writing the phrase "confirms with the Palestinian standards and measurements" on any commodity's label or using such phrase in any way unless they have the Institute's written consent.

Article (18)

The Board based on a recommendation by the Director General may agree under special circumstances to extend the beginning of applying the standard for a certain period of time in relation to a certain commodity or material, provided that the party requesting such extension submits the technical justifications supporting such request. The extension period or the total sum of the requested extensions shall not exceed one year. A decision concerning the extension shall be issued by the Institute's President.

Article (19)

It is prohibited to use the measurement units, which are not approved in Palestine.

Article (20)

The approval, evaluation and supervision of testing and examination labs and the calibration labs, shall be done according to the basis issued by the Board, which shall define the methods followed in evaluating and approving and supervising such labs.

Article (21)

The examination, testing and calibration fees and charges in addition to the fees related to reviewing and inspecting the quality certificates, and fees and charges for other services provided by the Institute, shall all be defined and stipulated in a regulation issued by the Board. The fees shall be paid by the parties benefiting from provided services.

#### Article (22)

The Institute issues its own conformity certificates and marks and it may give any product or commodity or material inside or outside Palestine a permission to use such certificate or mark according to a regulation which shall be issued for such purpose according to the provisions of this law.

#### Article (23)

The authorities which shall have the responsibility to inspect and supervise the application of the mandatory technical instructions shall be defined by a Council of Ministers' decision. Such decision shall take into consideration what is stated in other related laws.

#### Article (24)

In order to implement the provisions of this law, in addition to the regulations and instruction issued according to it, the staff members of the authorities entrusted with supervising the application mandatory technical instructions shall have judicial enforcement powers according to their geographical and subject matter jurisdiction.

#### Article (25)

The Institute's financial resources shall be composed of the following:

1. The amounts allocated to the Institute in the general budget.
2. Loans, grants and donations given to the Institute and approved by the Council of Ministers.

#### Article (26)

Notwithstanding the provisions of any other legislation, no ministry, governmental department, public institution, natural or legal person shall be exempted from the financial charges and which shall be collected for the services provided by the Institute or which shall be paid to it as a result of the provisions of this law and the regulations issued hereto, unless such exemption is done according to a special exemption issued by the Board.

#### Article (27)

1. The Institute's assets and properties shall be considered a public property.
2. The Institute shall enjoy the exemptions and facilitations given to other ministries, and governmental institutions.

#### Article (28)

All the Institute's revenues shall be forwarded to the public treasury. The Institute shall have a special budget within the National Authority's annual general budget and it shall be subject to inspection and monitoring done by the competent inspection and monitoring authorities in Palestine according to the provisions of the regulating the general budget and the rules of public finance.

#### Article (29)

The Institute shall apply in relation to keeping its accounts and records the rules and principles of unified accounting standards applied in Palestine.

#### Article (30)

If the commodity or material which is subject to the mandatory technical instructions does not confirm with such instruction , the competent supervisory authorities shall issue an order to confiscate , destroy , re- export or re- manufacture such commodity or material in accordance with the applicable instructions. It shall also send a written warning to the owner or such commodity or material or its manufacturer, requesting him/her to adhere to the said instructions within the period specified by the competent authority.

### Sixth Chapter Penalties

#### Article (31)

Without prejudice to any more severe penalty stipulated in any other law:

1. Any person who commits one of the following acts , shall be punished by imprisonment for a period not less than one month and not more than one year or by a fine not less than one thousand Jordanian Dinars and not more than ten thousand Jordanian Dinars or its equivalent in the legally circulated currency or by both penalties :
  - a) Manufacturing or selling or tampering with any measurement tools, with the intention to commit fraud.
  - b) Using any measurement tools which are not branded or stamped by the competent authorities.
  - c) Prevent or obstruct any of the officials who are duly authorized by the provisions of this law from finding any illegal measurement tools whether such tools belong to him/her or to anyone else.
  - d) Deny any of the duly authorized officials entry to any factory or commercial store or warehouse or any other place for the purpose of inspection and monitoring.
  - e) Tampering with any stamp or report or certificate used by the competent authority or issued by it.
  - f) Tampering with the weights and sizes of materials with the intention defraud.
  - g) Offering materials which do not comply with the mandatory technical instructions in the markets or commercial stores.
  - h) Tampering with the information stated in the product's label with the intention to defraud.

- i) Using the phrase “confirms with the Palestinian standards and measurements” on any commodity’s label or using such phrase in any way without acquiring the Institute’s written consent.
  - j) Any actions that would lead to defrauding or deceiving the consumers such as the misleading announcement related to the commodity or material such person may import or manufacture or offer for sale.
2. In case of repetition the penalty shall be doubled.
  3. The competent authority shall have the power to publish the information of the non confirming commodities in the various media outlets.

## Seventh Chapter Final Provisions

### Article (32)

The preparation and adoption of the standards, the mandatory technical instructions and the conformity evaluation procedures shall be done according to related the international standards and recommendations (if any), unless such references are not suitable for achieving the legitimate goals such as preserving national security, the protection of humans, animals, plants, the environment or for geographical or climatic factors or for reasons related to problems in the infrastructures or in order to satisfy Palestine’s development or commercial needs , provided that commerce shall only be restricted to the level needed in order to achieve such goals or provide the needed level of protection.

### Article (33)

When preparing the standards, the mandatory technical instructions and the conformity evaluation procedures, which might affect commerce, the Institute or the competent authority shall publish and announce such standards, mandatory technical instructions and conformity evaluation procedures according to the principles established by the World Trade Organization or the related international recommendations.

### Article (34)

The Institute’s President may delegate the power to issue the conformity certificates and the power to approve the laps to any party approved by the Board according to the international best practices in this field.

### Article (35)

According to the provisions of this law and for dispute settlement purposes , the report issued by the Institution according to the results of the tests and analysis that were performed on a certain commodity or material in relation to its conformity with the applicable standards and measurements ,such report shall be considered as final and shall not be contested before any administrative or judicial body.

Article (36)

The Council of Ministers upon a recommendation by the Board, shall issue the regulations needed in order to implement the provisions of this law. The Institution's President shall issue the decisions and instructions needed for its application.

Article (37)

Any provision which may contradict the provisions of this law shall be deemed null and void.

Article (38)

All concerned parties, each within its area of jurisdiction shall implement the provisions of this law, which shall come into force after thirty days of the date of its publication in the Official Gazette.

Issued in Gaza City on the 17<sup>th</sup> of September 2000.

Yaser Arafat ,

Chairman of the PLO's Executive Committee

President of the Palestinian National Authority.