Registration program
terms and conditions

(Revised 2019-03)
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Revisions table

This document will continue to be periodically reviewed by Measurement Canada to ensure its effectiveness with respect to its objectives. The following revisions are authorized by the President of Measurement Canada.

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<td>Made changes to terminology and to when a fee is charged as previously communicated by Measurement Canada.</td>
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<td>The name for “annual meetings” has been changed to “assessment meetings”; the $1,000 fee previously charged on an annual basis has changed to a $1,000 fee charged upon completion of the assessment.</td>
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Authorization

This document was produced under the authority of the President of Measurement Canada for the purposes of the registration program and issued pursuant to section 16.1 of the Weights and Measures Act, which gives the Minister the authority to designate inspectors to carry out examinations in accordance with the Act.

This document will continue to be periodically reviewed by Measurement Canada to ensure its effectiveness with respect to its objectives.
Revision process

Revisions to the Registration Program Terms and Conditions and the Registration Program Terms and Conditions Guide will be processed as follows.

Major changes to Measurement Canada requirements will be processed after stakeholder consultation.

Changes such as editorial, structure, format and content that do not require external consultation will be made by Measurement Canada as needed.
1.0 General

For the purpose of this document and its guide:

- the term "inspection" is used in a generic manner and is intended to include examinations in accordance with the Act
- "trade sector" has the same meaning as "category of trade"
- unless otherwise specified, "technician" means "recognized technician" and "organization" means "registered organization"

Note: "Opportunity for improvement" (OFI) is a term used commonly by Measurement Canada to describe an observation that may prevent a potential violation or other undesirable result.

1.1 Program name

The program is referred to as the Measurement Canada registration program. Officially, it is the terms and conditions under which an organization can be authorized to conduct examinations in accordance with the Act in trade sectors listed in section 1.3 below.

1.2 Program objectives

The program’s primary objective is to authorize qualified organizations to examine and certify devices for use in trade in accordance with the Act. Also, through the program, Measurement Canada intends to take the opportunity to help increase device compliance rates by enhancing the understanding of legal requirements by service providers and by making service providers more aware of the importance of their roles and responsibilities with respect to the creation and maintenance of a fair and competitive marketplace.

1.3 Program scope

Additional information on section 1.3 in the guide [link 2]

1.3.1 General

The program scope includes initial factory and field examinations and subsequent factory and field examinations of approved weighing and measuring devices in accordance with the Weights and Measures Act and Regulations that are used for trade in the trade sectors listed in section 1.3.2. Some sectors have limited scope in terms of examination types and device types.

Note: The scope of registration is open to certain device types or product types for which Measurement Canada training, evaluations or procedures are not yet available. An organization may apply for these device types but have its scope of registration restricted until such time as training, evaluations or procedures becomes available or Measurement Canada has accepted a combination of significant expertise and experience demonstrated by the organization as an alternative to training.

Additional information on section 1.3.1 in the guide [link 3]
1.3.2 Program scope by sector

The figures to the right of the name of the trade sector represent the first two digits of the four-digit code of the trade sector.

1.3.2.1 Downstream petroleum trade (06)
- all examination types
- all device types

1.3.2.2 Retail petroleum (18)
- all examination types
- all device types

1.3.2.3 Dairy products (15)
- all examination types
- all device types

1.3.2.4 Retail food trade (22)
- subsequent examinations only
- all device types

1.3.2.5 Fishing products (01)
- all examination types
- all device types

1.3.2.6 Forestry products (02)
- all examination types
- all device types

1.3.2.7 Grain and field crops products (03)
- all examination types
- all device types

1.3.2.8 Mining products (05)
- subsequent examinations only
- all device types

1.3.2.9 Livestock and poultry (07)
- all examination types
- all device types

1.3.2.10 Food and beverage manufacturing (09)
- all examination types
- all device types
1.3.2.11 Chemical products (10)
- all examination types
- weighing devices (scales)
- meters used to measure the following products:
  - alcohols
  - diesel exhaust fluid
  - fertilizers
  - solvents

1.3.2.12 Fruits, vegetables and other crop farming (19)
- all examination types
- all device types

1.3.2.13 Textiles (12)
- all examination types
- all device types

1.3.2.14 Transportation (21)
- all examination types
- all device types

1.3.2.15 Scrap metal (20)
- all examination types
- all device types.

1.3.2.16 Waste collection and disposal (23)
- all examination types
- all device types

1.3.3 Program exclusions
- examinations of systems for cryogenic liquids and other liquefied gases
- examinations of automatic continuous totalizing devices (conveyor belt scales, device subtype 6-11)
- examinations of integrating dynamic weighing devices (device subtypes 8-20: scales mounted on waste disposal and recycling vehicles and 8-22: front end loaders)
- examination of in-motion railway scales (device subtype 10-11)
- complaint examinations

Additional information on section 1.3.3 in the guide [link 4]
1.4 Definitions

Unless otherwise stated, the definitions below as well as those included in the Act and Regulations are applicable.

**Act:** means the Weights and Measures Act [link 5].

“**As found**” results: results of tests performed or observations made upon arrival at the site and before the device is adjusted or repaired.

**Authorized service provider:** organization that has been designated as an inspector to carry out examinations in accordance with the Act.

**Calibration:** comparison of measuring equipment, a device or a meter of unknown accuracy to other measuring equipment, or another device or meter of known accuracy (traceable to a recognized national standard) to detect, correlate, report or eliminate by adjustment any variation from the required performance limits of the unverified measuring system, device or meter. For the purposes of this document, calibration takes place prior to final examination activities.

**Device:** as defined in the Act and Regulations.

**Device Examination Certificate:** certificate issued to a device owner by fax, email or regular mail once the device examination data is successfully submitted in the Online Reporting Application. Device examination certificates are commonly referred to as device inspection certificates.

**Device non-compliance:** condition where the device is not in accordance with the requirements.

**Device type:** any device type or subtype described in the device types and subtypes tables [link 6] on Measurement Canada website.

**Examination:** activity of measuring, examining, evaluating, testing or gauging one or more characteristics of a device to determine its acceptability in accordance with the Act, as well as documenting results. For the purposes of the registration program, replaces “inspection”.

**Examination (inspection) sticker:** see the definition of “examination sticker” in the Regulations. For the purposes of the registration program, replaces “verification indicator”.

**Examination mark:** see the definition of “examination mark” in the Regulations. For the purposes of the registration program, replaces “inspection marking” and is used at the time of initial examination.

**Follow-up examination:** activity performed by Measurement Canada that has for objective the monitoring of the examination work performed by a recognized technician. This could be done by examining a device previously certified by the technician or observing the technician while he or she conducts the examination.

**Initial examination:** mandatory examination performed before a device is used in trade for the first time.

**Inspector:** in the context of the registration program, a registered organization that has entered into an agreement with Measurement Canada and has been delegated examination powers in accordance with the Act.

**Legal requirements:** all pertinent requirements contained in the Act, Regulations, specifications and any related documents used for the purposes of administering the Act and Regulations.
Management representative: person in authority who acts as the organization’s representative and the main contact for Measurement Canada.

Online Reporting Application: Measurement Canada web application that enables device examination data to be submitted to Measurement Canada. Once the examination data is reported and successfully submitted, a device examination certificate is issued in accordance with the Act. The use of the Online Reporting Application to report inspection data is a mandatory requirement to be a Measurement Canada authorized service provider.

Organization: corporation (legal entity) incorporated or continued under the laws of Canada, a province or territory that wants to be registered or is registered by Measurement Canada.

Organization number: alphanumeric code assigned by Measurement Canada to an organization that has been designated as an inspector.

Point of service: location from where a technician offers examination services. These services can be offered from a place of business or the residence of the technician.

Recognized technician: individual, employed by an authorized service provider, whose competencies have been successfully assessed and who is recognized by Measurement Canada to examine devices and to submit device examination data for the issuance of device examination certificates in accordance with the Act.

Re-examination: any examination performed following a subsequent examination where a device has been rejected. Does not apply following an initial examination.

Regulations: means the Weights and Measures Regulations [link 7].

Reporting location: location of the manager the technician reports to when performing examination services.

Subsequent examination: any examination other than the initial examination of a device. For the purpose of this document, it includes re-examination. Subsequent examinations do not include additional initial examinations that may be performed until such time as the device is certified as meeting the requirements for the first time.

Top manager: the person who directs and controls the organization at the highest level for the scope of registration being sought (top management).

Violation: refers to actions or omissions committed by an organization or a technician that contravene program requirements. This definition applies only to the registration program and is different from the one used in the Act and Regulations.
1.5 Eligibility

Any organization that agrees to comply with the criteria and requirements established in this document may apply for registration to perform examinations of devices used in commercial transactions in the trade sectors listed in section 1.3.2.

To be eligible for the registration program and to maintain its registration, the organization must:

- be an established legal entity such as organizations incorporated under the laws of Canada, a province or territory
- abide by Measurement Canada’s policies and procedures related to the registration process
- have at least one recognized technician as their employee or undertake the steps required to have one of their technicians recognized
- use Measurement Canada’s ORA for the issuance of device examination certificates and comply with the Terms and Conditions of Use

Note: With regard to applications from organizations in the United States and Mexico, additional review of the organization’s legal status must be conducted by Measurement Canada prior to the acceptance of the application. These organizations are not required to be incorporated under the laws of Canada, a province or territory, but they are required to be an established legal entity in their respective country.

1.6 Registration application

Any organization filing a registration application must:

- submit to Measurement Canada an Application for Authorization of Service Providers form signed by a top manager of the organization with executive authority
- meet the eligibility criteria
- commit to comply with the requirements of the registration program and Measurement Canada policies and procedures
- provide all relevant information, including:
  - the legal (registered) name and address of the organization (the provincial or federal registration number must be included)
  - tax numbers as applicable
  - the most recent articles of incorporation
  - the organization’s scope with respect to the registration program
  - the name of the management representative
  - the name of the top manager

Additional information on section 1.6 in the guide

1.7 Scope of registration of the organization

The organization must define the scope for which it requests registration. The organization must, in its request, clearly specify the device types that it intends to examine and certify and, as applicable, the product types measured by the devices and the physical standard types it will use.
1.8 Granting, maintenance, suspension, revocation and reinstatement of registration

1.8.1 Granting of registration

To be granted registration, the organization must:

- submit an Application for Authorization of Service Providers
- pay the registration fees
- demonstrate by appropriate evidence that it meets all applicable requirements
- sign an agreement when all requirements are met

The granting of registration by Measurement Canada is based on the information provided by the applicant as well as the applicant’s ability to demonstrate compliance with the requirements. Objective evidence of compliance is obtained through the process of granting registration and associated meetings.

For organizations to perform examinations in accordance with the Act, the organization’s top manager (as defined in section 1.4 of this document) and Measurement Canada, on behalf of the Minister, must enter into an agreement and the organization must be designated as an inspector. Refer to Appendix 2 of this document for an example of a registration agreement.

If an application for registration is not accepted, the applicant will be advised of the reasons for non-acceptance.

Additional information on section 1.8.1 in the guide [link]

1.8.1.1 Granting of registration to an organization that is or was accredited by Measurement Canada

If an organization has been subject to an enforcement action by Measurement Canada, it will have to demonstrate to Measurement Canada the extent to which it has instituted changes in order to fully meet all applicable requirements.

Measurement Canada will review the information provided by the organization to determine if all requirements are met and if the reinstatement process can begin.

Meetings with Measurement Canada may be required prior to the granting of registration.

Additional information on section 1.8.1.1 in the guide [link]

1.8.2 Maintenance of registration

Once granted, the registration is not transferable. In the case of a change of the organization’s legal entity, the agreement is no longer valid. A new application must be submitted to and accepted by Measurement Canada before the organization can proceed to perform any examination activities.

An organization, including any of its recognized technicians, that does not examine any devices for a period of 12 consecutive months must contact Measurement Canada when it plans to perform examinations so that Measurement Canada can ensure that the organization’s technicians have maintained the required level of knowledge and competencies in order to retain their recognition.
The organization must advise Measurement Canada in writing of any changes of ownership, legal entity, top manager, manager representative, or contact person under the agreement as soon as these changes come into effect.

Additional information on section 1.8.2 in the guide [link 16]

1.8.3 Voluntary suspension of registration

An organization may decide to voluntarily suspend its registration at any time. The request for voluntary suspension must be submitted in writing by the top manager of the organization.

When there is no longer a recognized technician employed by the organization and the required steps are not taken to add a recognized technician, the organization no longer meets the eligibility requirements. The registration of the organization will be suspended by Measurement Canada. This suspension will be reported in the list of authorized service providers published by Measurement Canada as a voluntary suspension.

1.8.4 Suspension of registration due to Measurement Canada enforcement

The suspension of registration is normally the result of serious misconduct on the part of the organization. Suspension may apply to certain technicians or to the whole organization.

Depending on the degree of severity, a first violation committed intentionally could result in the suspension of the organization’s registration.

When the suspension is due to a Measurement Canada enforcement action, the organization must ensure that the situation that led to the suspension is corrected before submitting a request to reinstate its registration or the recognition of a technician.

1.8.5 Revocation of registration due to Measurement Canada enforcement

The revocation of the registration of an organization is the result of serious misconduct on the part of the organization. A revocation involves the agreement between Measurement Canada and the organization being revoked. Additional legal action may also be pursued by Measurement Canada. Registration may be reinstated once additional conditions have been fully met.

1.8.6 Reinstatement of registration

An organization that has had its registration suspended may submit a request to Measurement Canada to have it reinstated. This request must be submitted in writing by the top manager of the organization.

If the suspension of the registration was voluntary, the organization must provide appropriate objective evidence that all applicable requirements are met before Measurement Canada reinstates it.

If the suspension was the result of an enforcement action by Measurement Canada, the organization must demonstrate, through appropriate objective evidence, that it has taken effective corrective actions to address all violations that have been identified and to prevent the occurrence of further violations. The organization must also fully meet all applicable requirements.

Before the reinstatement process can begin, Measurement Canada may also require the following:

- a new application for registration using the official application form
- successful theoretical retraining on the applicable course modules and/or one or more successful practical evaluations for one or more of the technicians that the organization wants to have in its Schedule A

Registration program terms and conditions
• the payment by the organization of the registration fees, if applicable, in addition to any other outstanding fees
• the signing of a new agreement
• a meeting with Measurement Canada to review and demonstrate the extent to which the organization has instituted changes in order to fully meet all applicable requirements

Further meetings with Measurement Canada may be required prior to reinstatement.

1.9 Amendments to the agreement and its schedules

The organization must submit to Measurement Canada a written application (letter, electronic format or Application for Authorization of Service Providers) signed by the organization’s top manager to request an amendment to the content of its agreement or to its schedules.

Measurement Canada will not process requests for expansions of scope for a technician or addition of technicians if the applicant has not adequately addressed or resolved an outstanding violation or has a delinquent account with Measurement Canada, of any sort.

When a recognized technician is no longer employed by a registered organization, the organization must advise Measurement Canada and request that the name of the recognized technician be withdrawn from Schedule A.

Additional information on section 1.9 in the guide

1.10 Surveillance and monitoring

On a regular basis, through meetings with the management representative of the organization and follow-up examinations, Measurement Canada will monitor organizations and technicians. In addition to the reference documents listed in section 2.4, organizations and technicians must be able to produce, on demand:

• examination (inspection) stickers
• documents (records) used for the collection and submission of device examination data and results
• seals
• sealing apparatus used
• examination mark stickers as applicable

Follow-up examinations will be performed in a manner such that a variety of device types and subtypes, standard types and geographic locations are targeted to verify whether:

• the organization still has the competencies required to examine all devices within its scope;
• recognized technicians still have the competencies required to examine complex devices, physical standard types and products within their scope.

Measurement Canada will notify the organization when a violation is detected. The organization must determine the cause(s) of the violation and initiate the required corrective actions, to the satisfaction of Measurement Canada.

Additional information on section 1.10 in the guide
1.11 Violations and enforcement

When the organization is advised by Measurement Canada or it observes on its own that one or more violations have been committed, the organization must implement the corrective actions required to address the situation. Corrective actions must give the desired results within a given time frame.

The cause of violations must be established in all cases. The organization must analyze causes so as to identify and apply the appropriate corrective actions to prevent the repetition of violations.

An enforcement measure will be taken when an organization or a technician is unable to continue to respect the applicable criteria and requirements.

The application of this measure will depend on:

- the severity of the violation
- its impact on the fairness and accuracy of measurement
- the fact that it is accidental or intentional
- the number of repetitions or frequency

Outstanding nonconformances or outstanding fees may also result in enforcement action such as suspension.

The enforcement measure may result in, without being limited to, the revocation of powers to conduct examinations.

Measurement Canada reserves the right to take enforcement action without notice, as appropriate.

Additional information on section 1.11 in the guide [link 20]

1.12 Appeal process

Measurement Canada accepts appeals, complaints and disputes from organizations that are registered or are seeking registration. Regional directors are the first point of contact for appeals, complaints and disputes. The Vice-President of the Innovative Services Directorate is the second point of contact, and the President of Measurement Canada is the third.

1.13 Registration fees

An assessment is conducted by Measurement Canada prior to granting registration to the organization. The organization must pay an initial assessment fee of $1,000 prior to being granted registration.

Once registration is granted, assessment meetings are conducted by Measurement Canada. In order to maintain its registration, the organization must pay a $1,000 fee each time an assessment meeting is conducted.

The applicable training fees are $100 per partial or full day per technician and are payable prior to commencement of the course.

The organization must pay all Measurement Canada fees within required time frames set out in invoices.

Additional information on section 1.13 in the guide [link 21]

Registration program terms and conditions
1.14 Official Languages Act

All services provided by an organization as part of the registration program must be in accordance with the Official Languages Act [link 22].

2.0 Requirements for registered organizations or organizations seeking registration

2.1 Conformance with requirements

Top management of the organization must take the necessary actions to ensure that all activities conducted by the organization and its personnel are in conformance with Measurement Canada program requirements, directives, policies and procedures, and the Weights and Measures Act and Regulations.

2.2 Recognized technicians

Only technicians that are listed in the Schedule A of an organization are allowed to perform examinations in accordance with the organization’s defined scope. Registered organizations cannot submit device examination data and results if the examination was carried out through technicians who are not their employee(s), over whom they have no authority or with whom there is no employer-employee relationship.

The organization is liable for the work performed by its technicians in accordance with the registration program.

The organization must ensure that criminal record checks are initiated and conducted for technicians who will perform work on behalf of the organization in its capacity as a designated inspector by Measurement Canada. Specifically, the organization’s top manager must ensure that no offence for which a pardon has not been granted has a negative impact on their technicians’ present behaviour or job performance.

All criminal record checks must be completed and documented by organizations seeking registration or seeking to add technicians to Schedule A before the granting or addition is made.

Additional information on section 2.2 in the guide [link 23]

2.3 Technician training and competency

The organization must ensure that its technicians:

- have the appropriate knowledge, competency and training for the device(s) they intend to certify
- understand Measurement Canada requirements and apply them correctly
- maintain the level of knowledge required by Measurement Canada

The organization must maintain up-to-date individual records of the training received by its technicians.

Measurement Canada reserves the right to monitor technicians at any time. If a technician is found to no longer have the required knowledge or skills, the technician's recognition may be suspended by Measurement Canada.
2.4 Reference documents

The organization must ensure that its technicians have direct access at all times to current versions of the documents below and are able to provide evidence as such during a follow-up examination or meeting, should Measurement Canada request it.

- the Act and applicable sections of the Regulations
- applicable ministerial specifications
- applicable Measurement Canada bulletins
- applicable device examination procedures (Field Examination Manual, examination procedure outlines and standard test procedures for mass \(^{[24]}\) and volume \(^{[25]}\))
- certificates of designation for physical standards used
- ORA User Manual and other related documents
- applicable notices of approval \(^{[26]}\)
- Measurement Canada Enforcement Policy for Weighing and Measuring Devices, Part 1 — Authorized Service Providers \(^{[27]}\)
- any other document required for device examination and certification

Additional information on section 2.4 in the guide \(^{[28]}\)

2.5 Physical standards

The organization must use and maintain in good condition standards that are traceable, accepted and designated within the time frames prescribed by Measurement Canada. A copy of a valid certificate of designation must be retained by the organization, and a copy must be kept with the standard.

The organization must provide clear instructions to all of its technicians requiring them to verify the condition of standards (dents, leaks, rust, etc.) and to ensure that Measurement Canada certificates of designation are valid. This also applies to borrowed or rented standards. A copy of the certificates of designation for those borrowed or rented standards must be maintained by the organization.

Standards that are used by technicians to examine devices used in trade and that require particular attention must be monitored by the organization for accuracy at the frequency determined by Measurement Canada (e.g., ice point test performed on electronic thermometers) and records of results must be maintained.

Standards that are damaged, whose security seal is broken, or whose quality or accuracy is questionable, must be taken out of service immediately upon the discovery of such. They must be repaired, recalibrated and designated before being put back into service.

In the event that an organization owns standards that are not designated as local standards (cannot be used for device certification), these standards must be clearly identified to differentiate them from those standards that are used to certify devices.

Additional information on section 2.5 in the guide \(^{[30]}\)
2.6 Service and examination of devices used in trade

When an organization services, examines, marks or seals devices used in trade, it must comply with Measurement Canada requirements.

An organization is not authorized to seal (lock out) devices to prevent their use or to seize non-compliant devices; however, they must follow the Measurement Canada Enforcement Policy for Weighing and Measuring Devices, Part 1—Authorized Service Providers when the requirements of the Act, Regulations and specifications are found to be contravened.

In the event that an organization or technician notices that due to a mistake on their part, a device that does not meet requirements has been put into service or certified, the organization must:

- take the necessary corrective action with the trader who owns or uses the device
- attempt to determine the cause of the non-compliance
- submit a report to Measurement Canada outlining the actions taken

Additional information on section 2.6 in the guide [link 31]

2.7 Forms, certificates, seals, examination marks and examination (inspection) stickers

Seals and examination mark indicators must be designed and produced in compliance with the requirements set out in Appendix 3, and must be accepted by Measurement Canada prior to use by the organization. The organization must use and retain them in accordance with Measurement Canada instructions.

Examination (inspection) stickers are provided by Measurement Canada and cannot be altered in any manner. Upon request by Measurement Canada, the organization must return all examination (inspection) stickers to Measurement Canada.

The organization must adhere to the instructions in the ORA User Manual for the completion of the forms that will be used to issue device examination certificates.

All documents retained by the organization in accordance with these registration program requirements must be available upon request by Measurement Canada.

The retention period for records relating to registration must be:

- for certificates of designation of test standards, the lesser of a period equivalent to three calibration cycles or until the standard is withdrawn from service
- for training records for technicians, the duration of such employment
- for examination certificates issued before using ORA, a minimum of three years
- for other records, two years

2.7.1 Test reports and examination certificates

Device examination certificates are issued through the Measurement Canada ORA.

The organization must submit device examination data and results to Measurement Canada through ORA. This also applies to devices that do not comply with the legal requirements and that cannot be repaired or brought to compliance for any reason at the time of examination. Measurement errors and Registration program terms and conditions
other non-compliances must be determined and examination results reported in an accurate manner. The examination results must reflect the performance of the device. Submitting results that are different from the actual performance of the device during examination may lead to enforcement action. Once the examination results have been reported and successfully transmitted, a device examination certificate is issued in accordance with the Act.

Organizations wishing to upload examination data directly from their examination database into Measurement Canada’s database must abide by the Measurement Canada Online Reporting Application Web Services Terms and Conditions of Use (Schedule D of the agreement).

Additional information on section 2.7.1 in the guide

2.7.2 Control of seals, examination marks and examination (inspection) stickers
The organization must take all reasonable steps to ensure the control of seals, examination marks and examination (inspection) stickers so as to avoid their loss or misuse. Seals, examination marks and examination (inspection) stickers must be used solely on devices certified in accordance with the Act.

2.7.3 Requirements of sections 40, 41 and 42 of the Weights and Measures Regulations
The organization is not required to submit the reports required in sections 40, 41 and 42 of the Regulations when devices it services (repairing, altering or adjusting) are of types within the scope of its registration and for which examination certificates were issued. Examination certificates are used for this purpose. In all other cases, when a seal is broken or a device is altered, adjusted or repaired, the organization must submit the reports set out in sections 40, 41 and 42 of the Regulations.

2.8 Device traceability
For each examination performed, the organization must be capable of identifying physical standards which were used for the examination.

Additional information on section 2.8 in the guide

2.9 Planning follow-up examinations by Measurement Canada
The organization must work with Measurement Canada in planning and conducting follow-up examinations. At the request of Measurement Canada, the organization must provide all necessary information and reasonable assistance to conduct these examinations.

When requested by Measurement Canada, the organization must plan its examinations so that a follow-up examination in the presence of the technician is conducted.

Additional information on section 2.9 in the guide
2.10 Additional responsibilities of registered organizations

The registered organization or the organization seeking registration must:

- ensure it remains abreast of any changes to requirements issued by Measurement Canada that may have an impact on the work performed in accordance with the organization’s registration, institute any necessary changes to meet the changes to requirements, and request Measurement Canada acceptance as applicable
- only claim that it is registered with respect to those activities for which it has been granted registration
- not use its registration in such a manner as to bring Measurement Canada into disrepute, and not make any statement regarding its registration which Measurement Canada may consider misleading or unauthorized
- ensure that no registration document, mark or report, or any part thereof, is used in a misleading manner
- in making reference to its registration in communication media such as documents, brochures or advertising, comply with the requirements of Measurement Canada. This includes the use of the authorized service provider logo [link 34]
- upon suspension or revocation of its registration (however determined), discontinue use of all advertising matter that contains any reference thereto and return any registration documents as required by Measurement Canada
- on request by Measurement Canada, demonstrate that the legal entity used for its registration agreement is currently valid

The requirement of a criminal record check for technicians (section 2.2) also applies to the authorized user who requests access to the Online Reporting Application via web services (see Schedule D of the agreement: Measurement Canada Online Reporting Application Web Services Terms and Conditions of Use). The criminal record checks must be completed and documented by the organization before the organization is granted access to the web services features of the Online Reporting Application

Additional information on section 2.10 in the guide [link 35]

3.0 Requirements for recognized technicians

3.1 Technician recognition, training and evaluation

To be recognized and to be granted authorization to conduct, examinations of devices governed in accordance with the Act within an organization’s scope, technicians must:

- be employed by an organization
- have successfully completed mandatory theoretical training that may be given by Measurement Canada or by an organization recognized by Measurement Canada
- have successfully passed the associated practical evaluation
- be on the list in Schedule A to the said organization’s agreement with Measurement Canada

Technicians must receive additional training when significant changes are made to examination requirements or procedures. Measurement Canada, in consultation with the organization, must determine supplementary training and evaluation needs.

Additional information on section 3.1 in the guide [link 36]

Registration program terms and conditions
3.2 Maintenance of authorization to conduct examinations

To maintain authority to examine devices, technicians must demonstrate they have maintained their knowledge by achieving satisfactory results in periodic follow-up examinations of devices for which they are authorized to examine.

After such follow-up examinations, if technicians are found to no longer have the knowledge or skills required, their authority to examine devices must be suspended temporarily until such time as they can demonstrate their ability to once again meet requirements. In such cases, new training and re-evaluation will be conducted, as required.

Measurement Canada reserves the right to reassess technicians at any time.

Additional information on section 3.2 in the guide [link 37]

3.3 Use of physical standards

Technicians must:

- use appropriate standards when calibrating devices used in trade, keeping in mind the type and capacity of the device and the product being measured
- use standards as per the procedures set out by Measurement Canada
- maintain and preserve standards in good condition to prevent their deterioration
- be able to provide a current valid certificate issued by Measurement Canada for each standard used for examination, upon request by Measurement Canada

3.4 Examination and certification

Only technicians actively employed by an organization are authorized to examine and certify devices. They must calibrate, examine, seal and mark in accordance with Measurement Canada requirements.

In order to be certified for use in trade, each weighing and measuring device must be examined individually and its accuracy determined in relation to a relevant local standard; sampling is not permitted. The entire evaluation and examination procedure must be performed prior to the issuance of a certificate showing the device meets the requirements of the Act and Regulations.

Bulletin M-23 [link 42] regarding the inspection of scales that are affected by differences in acceleration due to gravity must be followed as applicable, so that the examination certificates can be issued to the device's owner or to the person in possession of the device.

As soon as examinations end, technicians must seal and mark the device if it meets all legal requirements. Seals and stickers must be used solely on devices certified in accordance with the Act. Legal requirements include those related to device configuration, performance and installation.

Additional information on section 3.4 in the guide [link 38]

3.5 Reports and certificates

Technicians must complete reports and submit device examination data and results that comply with program requirements. For each examination, they must report the “as found” measurement errors and other non-compliances (i.e. devices that are not configured or installed properly or located in an appropriate location, etc.) for Measurement Canada compliance monitoring purposes as well as to assist Measurement Canada in determining the frequency of device certification periods.

Registration program terms and conditions
Technicians must also adhere to all reporting requirements.

Additional information on section 3.5 in the guide

4.0 Responsibilities of Measurement Canada

Measurement Canada must:

a) establish and publish the policies and procedures regarding registration

b) assist interested organizations to acquire and interpret information relevant to the registration program

c) review applications for registration and verify that each application falls within the scope of the program

d) where applicable, deliver the appropriate technical training to the technician(s) of organizations seeking registration

e) grant registration to organizations which have demonstrated compliance with all the criteria and requirements specified for registration, subject to any conditions or limitations that Measurement Canada may impose on the designation

f) specify any conditions to which the granting of registration is subject

g) issue letters of registration to successful applicants

h) maintain and publish a list of registered organizations, as well as organizations that have had their registration suspended or revoked due to enforcement

i) at least once a year, meet the organization to confirm the continued adherence to the registration criteria and requirements

j) perform follow-up examinations to provide additional assurance in the organization's ability to provide examination services that ensure the conformance of devices to legal requirements

k) report the results of follow-up examinations to the organization concerned

l) notify a transgressing organization of the pending revocation of its registration and, after revocation of a registration, amend the list of registered organizations to indicate that the registration has been revoked

m) suspend a technician or the registration for all or part of an organization's scope of registration in instances where the technician or the organization fails to adhere to the requirements of the Act and Regulations or the terms and conditions under which registration was granted

n) revoke the recognition of the organization's registration if it fails to take adequate corrective action following either a suspension of registration or the commission of an offence under the Act and Regulations, or if the situation justifies it

o) inform organizations of any changes to the applicable legislation, regulations, policies and procedures
p) issue device examination certificates after receiving, from authorized service providers, device examination data and results

Additional information on section 4.0 in the guide

Appendix 1—Application for Authorization of Service Providers

http://www.ic.gc.ca/eic/site/mc-mc.nsf/eng/lm00495.html

Appendix 2—Agreement for organizations registered to perform examinations pursuant to the Weights and Measures Act


Appendix 3—Requirements for seals, initial examination marks and examination (inspection) stickers applicable to organizations authorized to perform examinations pursuant to the Weights and Measures Act


Appendix 4—Requirements for device examination certificates
