



Council of the European Union
General Secretariat

**Interinstitutional files:
2024/0311 (COD)**

Brussels, 29 September 2025

WK 12549/2025 INIT

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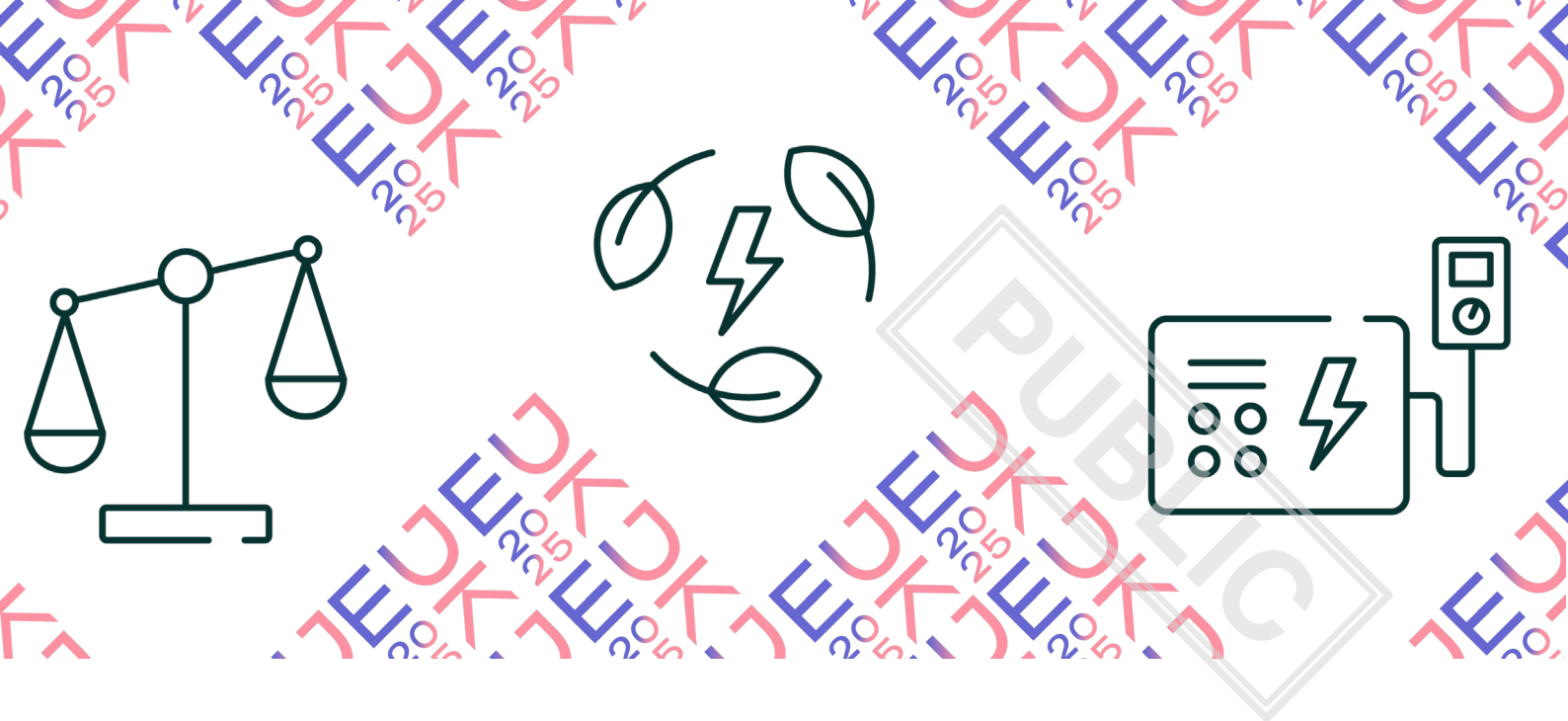
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WORKING DOCUMENT

From:	Presidency
To:	Delegations
Subject:	Presidency flash : Working Party on Technical Harmonisation (Measuring instruments directive) on 1 October 2025



FLASH Working Party Technical Harmonisation No 3

Attaché meeting party on Measuring Instruments Directive Wednesday, 01-10-2025

Dear Colleagues,

The Danish Presidency is pleased to invite you to the third Working Party in Technical Harmonisation on the targeted amendment of the Measuring Instruments Directive that is convened as an attaché meeting on Wednesday October 1st.

This meeting aims to clear out the last technical details in the targeted amendment of the Measuring Instruments Directive before we can reach a mandate in Coreper to start the trilogues with the European Parliament.

This was originally foreseen at the Coreper session of 24 September, but immediately before the file was set to go to Coreper the Presidency was made aware of some inconsistencies in Article 2 and a delegation expressed a wish for

longer transposition and transitional period. Further to this a delegation also expressed a strong preference to better elaborate on the solution in Annex IV to change charging cables in the event of damage or theft.

Minor amendments have been made to the text to address these issues, and are described below. Specific wordings have been introduced to ensure a longer transposition and transitional period in Article 3, and to change annex IV to allow to change charging cables on EVSE's without having to recalibrate the entire measuring instrument. Furthermore, Article 2 has been adjusted, presenting two different options on how long products under the scope of the current MID and national legislation can be placed on the market. This is to address differences in interpretation on the text in the note prepared for Coreper (doc. 12877/25), where it could be possible to read both options as a possible outcome of the previous text.

Delegations are invited to share their views on these topics, including their preference for alternative 1 or 2 of Article 2. We will kindly ask delegations to focus on these three topics. We do not foresee a discussion on the rest of the text.

With these changes we expect to go to Coreper for a mandate to open trilogues with the European Parliament on October 8.

Proposed changes in Article 2

Alternative 1

This first version of the text keeps the intention of the original proposal from the Commission, where products under the scope of the current MID and under the scope of national legislation can be placed on the market for 30 months until the entry application. The measuring instruments can continue to be made available and put into use for the duration of the 12-year period, until the certificates are no longer valid.

	Entry into force	Entry into application 30 months	Max end of certificates 12 years
Products under the scope of MID	Placing on the market	Making available and putting into use	
Products under the scope of national legislation	Placing on the market	Making available and putting into use	
Products certified under the scope of amended MID		Placing on the market, making available and putting into use	

Article 2

1. By way of derogation from Article 7(2) of Directive 2014/32/EU, Member States shall ~~neither not~~ impede the making available on the market and putting into use of measuring instruments that are in conformity with that Directive **or with national regulations of a Member State** on [OP please insert the date = the date of 1 day before of entry into force of this **amending** Directive] and that have been placed on the market before [OP please insert the date = [2730 months] after the date of entry into force of this **amending** Directive], ~~nor impede the placing on the market and putting into use of measuring instruments that are covered by certificates that are valid in accordance with paragraph 2 of this.~~
2. By way of derogation from Article 7(2) of Directive 2014/32/EU, certificates ~~issued under covering measuring instruments that fall within the scope of~~ Directive 2014/32/EU, **as amended on** ~~before~~ [OP please insert the date = date of entry into force of this amending Directive] **whether these are issued** ~~and~~ **nationally or under certificates, covering measuring instruments that fall within the scope of** Directive 2014/32/EU, ~~as amended on~~ **before** [OP please insert the date = date of entry into force of this amending Directive], shall remain valid until the expiry of their validity, and in any case no longer than until [OP please insert the date = 12 years from the date of entry into force of this **amending** Directive].

Alternative 2

In the second version of the text, it is possible to place new instruments on the market for the 12-year period until the certificates are no longer valid.

	Entry into force	Entry into application 30 months	Max end of certificates 12 years
Products under the scope of MID	Placing on the market, making available and putting into use		
Products under the scope of national legislation	Placing on the market, making available and putting into use		
Products certified under the scope of amended MID		Placing on the market, making available and putting into use	

Article 2

1. By way of derogation from Article 7(2) of Directive 2014/32/EU, Member States shall not impede the making available on the market and putting into use of measuring instruments that are in conformity with that Directive **or national regulations of a Member State** on *[OP please insert the date = the date of 1 day before of entry into force of this **amending Directive**]*, and that have been placed on the market before *[OP please insert the date = ~~[27 months~~**12 years**] after the date of entry into force of this **amending Directive**]*. **For measuring instruments covered by certificates issued before [OP please insert the date = the date of entry into force of this **amending Directive**] under Directive 2014/32/EU or under national regulation of a Member State, this derogation shall apply only for the duration of the validity of the certificate, and in any case no later than [OP please insert the date = the date of 12 years from the date of entry into force of this **amending Directive**]**, nor impede the placing on the market and putting into use of measuring instruments that are covered by certificates that are valid in accordance with paragraph 2 of this.
2. ~~By way of derogation from Article 7(2) of Directive 2014/32/EU, certificates issued under Directive 2014/32/EU before [OP please insert the date = date of entry into force of this **amending Directive**] and national certificates, covering measuring instruments that fall within the scope of Directive 2014/32/EU, as amended on [OP please insert the date = date of entry into force of this **amending Directive**], shall remain valid until the expiry of their validity, and in any case no longer than until [OP please insert the date = 12 years from the date of entry into force of this **Directive**].~~

Proposed changes to the recitals relating to Article 2 – in accordance with scenario 2

If alternative 2 is chosen, it is necessary to make the following changes to recitals 11 and 12 to support the new text.

(11) In order to enable distributors to supply stock of measuring instruments that have been placed on the market before the date of application of the national measures transposing this Directive, it is necessary to provide for reasonable transitional arrangements that allow the making available on the market and putting into use of measuring instruments that have already been placed on the market in accordance with Directive 2014/32/EU or national regulations of a Member State, before the date of application of the national measures transposing this Directive.

(12) ~~Moreover, in order to provide sufficient time for manufacturers to adapt their products to the essential requirements set out in the Annexes to this Directive, it is also necessary to provide for reasonable transitional arrangements that allow the making available on the market and putting into use of measuring instruments that have been placed on the market in accordance with national certificates or for which a certificate was issued under Directive 2014/32/EU before the date of application of the national measures transposing this Directive, and that will fall in the scope of Directive 2014/32/EU as of the date of entry into force of this Directive.~~

Moreover, in order to avoid that certificates expire which cover measuring instruments that fall within the scope of Directive 2014/32/EU, as amended on the date of entry into force of this Directive, regardless of whether they have been issued under national regulation of a Member State or under Directive 2014/32/EU, it is necessary to foresee that they will remain valid until the expiry of their validity with a maximum of 12 years from the date of entry into force of this Directive

Proposed changes in Article 3

The dates in Article 3 relating to adopting national legislation and applying these provisions have been extended to 24 months and 30 months respectively. This will give member states longer time to adopt and apply national legislation transposing the amended MID.

Article 3

1. Member States shall adopt and publish, by *[Note to PO: insert exact date – [~~15~~24 months] after entry into force of this Directive]*, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from *[Note to PO: insert exact date – [~~27~~30 months] after entry into force of this Directive]*.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Proposed changes in Annex IV (new Annex Va)

In Annex IV changes have been made to further ensure that cables with connectors can be easily replaced.

Firstly, 'cables and connectors' was changed to 'cables with connectors' to underline that they are working together as a unit. Secondly, it is introduced that the EVSE shall be marked with the characteristics. This is to ensure that manufactures have access to this information and are able to produce compatible cables. Lastly, it is added that cables with connectors must be assessed independently according to the relevant conformity assessment procedure modules.

4. Operating requirements

For measuring systems for EVSE including a cable ~~and~~with connector mounted between the point at which the energy is measured and the transfer point, either of the following shall apply:

- (a) ~~these~~ cable ~~and~~with connector ~~are~~is not replaceable and ~~are~~is secured by an appropriate hardware seal; or
- (b) if the cable ~~and~~with connector ~~are~~is intended to be replaceable while the measuring system for EVSE is under seal, ~~they~~it shall be:
 - identified in the relevant conformity assessment **of the measuring system for EVSE as interchangeable and the measuring system for EVSE shall be marked with the characteristics of compatible cables with connectors.** ~~and that~~ interchangeability shall not affect compliance with the BMPEs of the declared accuracy class at the transfer point throughout the rated operating conditions;
 - marked with ~~their~~its characteristics and unique identification; and ~~their~~its replacement units shall also bear such marking **and be assessed independently and separately according to the relevant conformity assessment procedures**; and
 - sealed separately in such a way that the replacement does not require access to, or breaking of, the metrologically sealed parts of the measuring system.