

THE ECC CONSULTATION PROCESS REGARDING DRAFT ECC REPORTS

The following extract below from the ECC Working Methods describes the Mechanism for ECC Reports. Articles directly relevant to the Public Consultation process within the ECC are marked with the yellow background.

APPENDIX 7

MECHANISM FOR ECC REPORTS

1. INTRODUCTION

- 1.1 ECC Reports are the results of studies by the ECC, normally in support of a harmonisation measure.
- 1.2 There are two main elements to the mechanism for ECC Reports: development and approval, and amendment.

2. DEVELOPMENT AND APPROVAL

- 2.1 The Plenary or the appropriate Working Group(s) or other ECC entities if authorized to do so in their terms of reference shall decide whether a new item of work should lead to an ECC Report.
- 2.2 Where more than one entity is involved, before the work is started, the involved entities should agree the responsible entity. In case an ECC Report is developed by the task of the Plenary, the responsible entity is designated by the Plenary.
- 2.3 Draft ECC Reports shall follow the standard format.
- 2.4 A draft ECC Report agreed by the responsible entity for Public Consultation shall be notified to Members by the Office using e-mail. A copy of the draft shall either be attached to the e-mail or shall be placed within the website documentation area for downloading by members, as advised in the e-mail. Providing no objections to proceed to Public Consultation are received by the Office from any Member within two weeks of this notification, the draft ECC Report is considered to be approved for Public Consultation to be carried out during a minimum period of two months. If such an objection is received, the draft ECC Report shall be placed on the agenda of the next responsible entity meeting for decision on Public Consultation. In cases where there is no consensus the voting procedure of Article 12.2.15 of the Rules of Procedure shall be applied.
- 2.5 In cases where the ECC Plenary approves draft Reports for Public Consultation, this will proceed without the notification referred to in 2.4.
- 2.6 The responsible entity shall consider the results of the Consultation when approving the draft ECC Report.

2.7 If no agreement can be reached, the responsible entity shall present the draft ECC Report to the Plenary together with the comments received. The Plenary shall decide on the approval of the ECC Report, preferably by consensus. In cases where this is not possible, a voting procedure in accordance with Article 12.2.15 of the Rule of Procedure shall be applied.

2.8 The final text of the ECC Report shall be included as an Annex to the Minutes of the meeting at which it is approved.

3. REVIEW

Every Report can be reviewed following a request by an entity or following the guidance of the Plenary, to update the frequency bands indicated in the Report or other information, taking into account an initial assessment made by an entity and any other relevant information. The time for such reviews is not strictly established. As a consequence of a review, the responsible entity or the Plenary shall decide whether amend the ECC Report or not.

4. AMENDMENT

4.1 The Plenary or the responsible entity shall decide whether or not a process to amend an ERC/ECC Report should start.

4.2 The development and approval of amended ERC/ECC Reports should follow the provisions of paragraph 2 above.

4.3 Unless agreed otherwise, the reference number of the amended ECC Report remains unchanged, but the new version should have a reference next to the title, stating: “Amended < place, date >”.