
STATUTORY INSTRUMENTS

2005 No. 281

The Electromagnetic Compatibility Regulations 2005

PART V

THE TECHNICAL CONSTRUCTION FILE ROUTE TO COMPLIANCE

United Kingdom competent bodies

Procedure where United Kingdom competent body is minded to make an unfavourable decision

- 58.** Before making an unfavourable decision in respect of an applicant, that is to say—
- (a) refusing to grant a technical report or technical certificate pursuant to regulation 52(4) above;
 - (b) the imposition of a condition of a technical report or technical certificate or the making of a restrictive variation of a condition thereof pursuant to regulation 56 above in circumstances where the applicant has not indicated in writing that the apparatus concerned is suitable for use subject to that condition;
 - (c) the withdrawal of a technical report or technical certificate pursuant to regulation 57 above,
- the United Kingdom competent body shall—
- (i) give notice in writing to the applicant, or holder of the technical report or technical certificate concerned, as the case may be (“the person concerned”), of the reasons why it proposes to make the unfavourable decision; and
 - (ii) give the person concerned the opportunity of making representations within a period of 28 days of the notice being given as to why that body should make a favourable decision, and consider any representations which are made by that person within that period.