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STATUTORY INSTRUMENTS

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**2005 No. 281**

**The Electromagnetic Compatibility Regulations 2005**

**PART VI**

**THE EC TYPE-EXAMINATION ROUTE TO COMPLIANCE  
FOR RADIOCOMMUNICATION TRANSMISSION APPARATUS**

*United Kingdom notified bodies*

**Procedure where United Kingdom notified body is minded to make a decision unfavourable to the applicant**

- 71.** Before making an unfavourable decision in respect of an applicant, that is to say—
- (a) refusing to grant an EC type-examination certificate pursuant to regulation 66(5) above;
  - (b) the imposition of a condition of an EC type-examination certificate or the making of a restrictive variation of a condition thereof pursuant to regulation 69 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 an EC type-examination certificate pursuant to regulation 70 above,
- the United Kingdom notified body shall—
- (i) give notice in writing to the applicant, or holder of the EC type-examination 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.