

Operating Regulations of the Technical Committee 145

1. Introduction

Within the framework of the Portuguese Quality System, the Instituto Português da Qualidade (IPQ) as the National Standards Body coordinates the national standardisation activity defined in the “Regulations and Procedures for Portuguese Standardisation” [RPNP]. These RPNP comprise, among others, the following documents:

- RPNP-010/2010, Sectoral Standardisation Bodies – Establishment, recognition and duties (version 1/2010);
- RPNP-030/2010, Technical Standardisation Committees (CT) – Establishment, recognition and duties (version 1/2010);
- RPNP-040/2010, Portuguese standardisation documents – Typology, homologation, approval, review and annulment (version 1/2010);
- RPNP-041/2010, Portuguese standardisation documents – General rules for the their presentation;
- RPNP-042/2010, Portuguese standardisation documents – Drafting instructions.

These Operating Regulations transcribe and complement the terms, definitions and procedures described in the RPNP referred to above. In addition, this document also includes the requirements for processes aimed at the development of Portuguese standardisation documents for international forest certification schemes: Forest Stewardship Council® (FSC®) and Programme for the Endorsement of Forest Certification Schemes (PEFC) described by various documents, including the following:

- FSC-PRO-60-006 Process requirements for the development and maintenance of national forest stewardship standards
- PEFC ST 1001:2010 Standard Setting -Requirements

These Regulations thus seek to describe, summarise and supplement the terms, definitions, rules and procedures applicable to the operation of Technical Standardisation Committee 145 for the standardisation of sustainable forest management, in order to include all significant reporting information, particularly that which ensures the transparency and openness of the standardisation process to any interested party wishing to take part in this working forum.

These Regulations are periodically revised by TC 145 or where necessary, namely following changes in the NSB regulations, of proposals from its members or comments from other interested parties that are not part of TC 145, as a result of national dissemination actions, or deriving from a change in the composition of TC 145. All contributions should be discussed by CT 145 and, once approved by its members, are sent to the SSB for an opinion and validation by the NSB. These Regulations must be publicly available and can be read in the SSB website, without prejudice to the possible use of other means of dissemination, with proper citation of the source.

2. Terms and definitions

For the purposes of these Regulations, the terms and definitions established in the Regulations and Procedures for Portuguese Standards apply, in conjunction with the following abbreviations and definitions:

aNP - Preliminary Draft Portuguese Standard

Document drawn up by a Technical Committee that is sent to the NSB via the SSB.

DNA – Draft Portuguese Standardisation Document

Document drawn up by a Technical Committee that is sent to the NSB via the SSB.

Regular evaluation of standardisation documents

The evaluation of a standardisation document in order to determine whether its content is up-to-date and technically valid, which may result in its revision or elimination.

Category of interests

Designation of the group of stakeholders that represent relatively consistent subsectors in environmental, economic and social fields.

Consensus

Generalised acceptance, characterised by the absence of reasoned opposition to basic issues by any significant part of any of the categories represented and by a process that sought to consider the opinions of all interested parties and to reconcile divergent opinions.

Note: consensus is not necessarily “unanimity”. If a vote is necessary, consensus is defined as at least 66% of votes in favour in each of the three chambers.

TC 145

Standardisation Technical Committee in the field recognised by the NSB of Sustainable Forest Management.

DNP – Portuguese Standardisation Document

Document that provides regulations, guidelines or characteristics for an activity or its results.

Note: The term “Portuguese standardisation document” is a general term that includes documents of the following types: Standards, Guidelines; Technical Specifications, Technical Reports, Pre-standards, Technical agreements.

Working document

Draft document available for comments or voting in the context of a working group, subcommittee or technical committee.

Stakeholder

Person, group or organisation with an interest in standardisation issues, particularly in the field of the forest management.

Key stakeholder

Stakeholder whose participation is essential for the result of the standardisation work.

Disadvantaged stakeholder

Stakeholder that may have financial limitations or another type of disadvantage that places it in a unequal situation in terms of participation.

TC Member

All stakeholders that are part of a TC, whether they have voting rights or not, in the cases of non-voting members, chairman and secretaries.

NP - Portuguese Standard

Resulting from approval by the NSB of the draft NP after public enquiry.

A document established by consensus, approved and published by the NSB, that provides, for common and repeated use, rules, guidelines or characteristics for activities or for their results, guaranteeing an optimum level in a particular context.

As technical reference documents, standards must be based on knowledge of science, of techniques and of experience and must provide guidelines, characteristics or requirements for the activities or for their results aiming to achieve an optimum solution for the community, in the specific context of their application.

The Portuguese Standard for the forest management specifies the requirements that an organisation must comply with in order to obtain certification.

NSB – National Standardisation Body

Standards body recognised at a national level, qualified to become the national member of the corresponding international and regional standardisation organisations. The NSB is the Instituto Português da Qualidade (IPQ).

SSB – Sectoral Standardisation Body

Public, private or mixed body, recognised by the NSB to engage in standardisation activities in a given field, within the framework of the Portuguese Quality System (SPQ), particularly the coordination of Technical Standardisation Committees (TCs). The SSB that coordinates this Technical Committee is the Instituto da Conservação da Natureza e das Florestas (ICNF, I.P.).

prNP – Draft Portuguese Standard

Resulting from the approval by the NSB of an aNP which is then subject to a public enquiry.

prDNP – Draft Portuguese Standardisation Document

Draft Portuguese Standardisation Document which is subject to approval by the NSB.

Complaint/dispute

Expression of displeasure, written by a member of TC 145 or another stakeholder, related to the activity of the TC 145 or to its operation.

Revision

Introduction of all the changes in content and presentation necessary for a standardisation document (Portuguese standard or other standardisation document).

Note: The results of the revision must be presented with the publication of a new version of the standardisation document.

Voting member

Person(s) indicated by the member of TC 145 to participate in its work. The voting members may be full or alternate, the full members or whoever replaces them having the right to vote and to express themselves in any other way.

3. Nature and Objective

TC 145 is a technical body that aims to draw up standardisation documents and opinions, in the field of sustainable forest management, in which individual or collective stakeholders with an interest in the matters in question voluntarily participate, resulting, as far as possible, in a balanced representation of the socio-economic and environmental interests covered.

The main objective of TC 145 is to draw up, monitor and revise a Portuguese standard for forest management, including the principles, criteria and indicators established by recognised international forest certification schemes that, given the specific characteristics of Portuguese forests, permit their certification.

a. Scope of activity

TC 145 aims to standardise definitions and requirements for forest management, in particular:

- Principles, criteria and forest management indicators
- Forest management systems;
- Specifications for the application of forest management systems.

4. Responsibilities of the SSB

The SSB is entirely responsible for the coordination of TC 145, providing general logistic support to TC 145 and making available documentation and information received from the NSB that directly affects its members.

For this purpose the SSB must keep records concerning the standardisation process, guaranteeing evidence of compliance with the requirements established in this document and the specific procedures of the NSB. The SSB is responsible for preserving, as custodian, all documentation of significance for the pursuit of its activities in an appropriate and duly ordered manner, for a minimum period of 5 years. These records must be made available to the members of TC 145 and to other stakeholders, if such request is approved by TC 145.

a. Composition of TC 145

It is for the SSB to take any actions necessary to ensure that TC 145 is sufficiently representative and to conduct regular re-evaluation of the interests represented, aiming for a balanced composition of stakeholders relevant to forest management in order for the results of its work to be considered a reflection of the national consensus.

Taking into account this principle, the SSB should ask the Portuguese representatives of FSC and PEFC to conduct documented mapping that includes a reasoned ascertainment of the significant categories of stakeholders for the objectives and scope of this committee's work, the issues most likely to be of interest for each category, identifying the people, groups or organisations and the most suitable means of communication to contact them.

This exercise, to be ratified by TC 145, must ensure the identification of criteria for recognition of “disadvantaged stakeholders” and “key stakeholders”, identifying the stakeholders in these conditions. How to promote their participation in and contribution

to standardisation activities must also be defined, as well as a proactive way of involving “disadvantaged stakeholders”.

For the purpose of the participation of stakeholders, three chambers are defined: environmental, economic and social, which represent the main interests in the standardisation of forest management. This structural organisation seeks to encourage shared decision taking and equal voting power among chambers.

Each chamber consists of stakeholders that represent the following groups of categories of interests:

Environmental chamber

- Non-governmental environmental protection organisations that ensure, inter alia, the representation of interests associated with the biological diversity, water, soil, forest ecosystems and landscape;
- Public administration bodies associated with nature conservation;
- Youth associations associated with the forest and nature conservation;
- Research centres and higher education institutions;
- Individuals with recognised technical competence.

Economic Chamber

- Organisations of forestry undertakings (large, medium-sized and small undertakings and of low management intensity);
- Other forest management organisations (large, medium-sized and small undertakings and of low management intensity);
- Public administration bodies associated with the forest;
- Organisations of forestry service providers and entities that represent them;
- Associations of forest-based industries;
- Associations of trade/wholesalers/importers of forest-based products;
- Individuals with recognised technical competence.

Social Chamber

- Non-governmental consumer protection organisations;
- Organisations representing professional, union and employer interests, of work conditions and gender equality in forest work, inter alia;
- Research centres and higher education institutions;
- Local development Associations;
- Recreational associations associated with the forest;
- Individuals with recognised technical competence.

Note 1: The above list shows examples of categories of parties with direct and indirect interests in forest management, and may not be restricted to the identified groups.

Note 2: The significant representation of interested parties that directly apply the standard or that might come to apply it should be encouraged.

Note 3: The invitations should be made in accordance with point **8.a** of these Regulations.

It is for the SSB to invite the interested parties identified during the mapping to become part of TC 145.

After the creation of TC 145 or upon revision of its representation, its composition is formalised by the SSB sending the NSB and the TC 145 members a list of its stakeholders and their representatives. This information is dynamic and due to be continuously updated over time.

Each stakeholder must appoint just one permanent representative and may and should appoint another person as an alternate to replace the representative when absent.

The permanent representatives appointed by the interested parties are given the status of members of TC 145 by the SSB at the first meeting they attend, being entitled to one vote.

Whenever TC 145 agrees, the members can be accompanied by experts when they believe this is justified by the specific nature of the issues to be discussed.

b. Admission/exclusion of members

Participation in TC 145 is open to all the stakeholders requesting to attend or invited, their participation being voluntary and not remunerated.

Any stakeholder wishing to be admitted as a member should make their request in writing, to the chairman and/or secretary and/or to the NSB, their acceptance or not being decided at a plenary meeting. In this request, the stakeholder must indicate the category of interests that they represent and their professional duties. If the stakeholder represents an entity, the request must be accompanied by credentials with details of the names of its representatives applying to be members, signed by its legal representatives.

TC 145 evaluates and decides on the entry of new members, in accordance with the RPNP and with these Regulations, sending its decision to the SSB.

New members included in the categories of interest referred to in 4.a. will be automatically accepted by TC 145. Otherwise, TC 145 must assess their relevance to the work of the committee and decide on their membership. If an application is rejected, the stakeholder must be informed in writing of the reasons for their non-acceptance.

Note: The acceptance or rejection of new members should take into account the list of categories of interests that comprise TC 145, as defined in the section “composition” of these Regulations and should take into account significant opinions accepted by a majority of TC 145.

Members must ensure a level of attendance that does not affect the progress of the work and, in the event of their absence, must ensure their replacement by their alternate, while providing the secretary with a justification for their absence.

Unjustified absence from 5 consecutive meetings will give rise to an analysis of the situation by the TC, with the TC 145 secretary questioning the stakeholder about their interest in remaining part of the committee. The absence of a response from member or a repeat of the situation shall give rise to their exclusion from TC 145, the SSB and the other members of TC 145 to be informed thereof.

5. Structure of the Technical Committee

TC 145 consists of a chairman, a secretary and the voting members. All these together are known as the members of TC 145. Whenever TC 145 believes it necessary, Subcommittees (SC) and/or Working Groups (WG) can be created.

The creation of a SC should be aimed at long-term work, while a WG is justified for work of a specific nature and, in principle, of limited duration.

The setting up of an SC or WG should be presented and approved at a plenary meeting of the TC.

The SCs may only be deactivated by TC 145, on its own initiative or upon proposal of the SSB, namely when the task for which it was set up has been concluded.

6. Duties of TC 145

- To draw up standardisation documents and submit them to the NSB for homologation, via the SSB.
- To give an opinion on issues associated with the publication and application of standardisation documents, particularly in the context of certification systems.
- To give its opinion, from a technical point of view, on draft laws or other documents that it is sent for this purpose by the coordinating body (SSB).
- To participate, through the members it designates, in activities related to its scope of work, when requested by the SSB.
- To present to the SSB, by the end of December, an activity plan for the following year, to which, however, changes may subsequently be made, by proposal of TC 145 itself, the SSB or the NSB.
- To send the SSB the annual standardisation programme at the beginning of each year or changes to the previous standardisation programme.
- To present to the SSB, during January, the activity report for the previous year, which should include an updated list of the members of TC 145.
- To provide the SSB, whenever requested, with full details regarding its operation.
- To request, through the SSB, the collaboration of other official or private stakeholders or of individuals with recognised expertise for studies related to the work programmes.
- To provide equal opportunities for members to contribute for the drafting or revision of standardisation documents and submit their comments on the aforementioned documents.
- To consider all the comments and opinions of members, openly and transparently, in compliance with the procedures described in these Regulations.

a. Chairman

The Chairman is elected, by vote, based on a nomination made by the SSB from among the members and must obtain a simple majority of the votes. The chairman's term of office is 3 years, renewable. The duties of the chairman are:

- To chair plenary meetings and to be the spokesperson of TC 145;

- To mediate the different positions taken by members in an attempt to obtain a consensus;
- To coordinate and organise the activity of TC 145 and to establish connections with other technical committee, particularly for purposes of interface coordination;
- To chair the first meeting of an SC or WG created by TC 145, presenting the RPNP, other guidelines from the NSB, the operating rules of the TC and other information deemed necessary. The chairman must also draw up the list of members of the SC or WG and send this information to TC 145 and to the SSB;
- To ensure that the provisions laid down in the duties of TC 145 are complied with in a timely fashion;
- To set the dates of meetings and to draw up their agendas;
- To represent TC 145 whenever called on to do so by the SSB;
- To request, through the SSB, the collaboration or opinion of external stakeholders considered appropriate, for the analysis of matters under consideration;
- To ensure that TC 145 maintains the representation and efficiency necessary for its correct operation;
- To send standardisation documents and related information to the SSB for approval, as well as reports and activity plans, according to the models established by the NSB and any other information or opinions.

b. Secretary

The secretary of TC 145 is provided by the SSB. The secretary is not a voting member and their duties are to ensure that the stakeholders and representatives of the sector are involved in the work of the TC 145, through inclusive and transparent procedures, being responsible for:

- Ensuring that documents necessary for the operation of TC 145 are supplied, as well as all logistic support.
- To prepare, in accordance with the indications of the chairman, the notices of meetings of TC 145, with the agenda and working documents to be distributed to the voting members, at least 15 days in advance.
- To act as a secretary during plenary meetings and draw up their minutes which must:
 - Detail the comments and opinions presented by members, noting in particular any points that may have been the subject of considerable controversy or on which no consensus could be obtained, as well as any conclusions reached and proposals for changes;
 - Be sent in advance to voting members, at least 15 days before each meeting, to approval on the day of the meeting.
 - Be filed by the secretary, to be made available for consultation by members or other stakeholders under the terms provided for in 4.2 of these Regulations.
- To prepare information concerning the approval of standardisation documents drawn up by TC 145 to be submitted to the SSB;

- To prepare, in collaboration with the Chairman, and send to the SSB the annual activity report of TC 145, as well as the working plan for the following year or a multi-year plan, where appropriate, and the standardisation plan in accordance with the models laid down by the NSB;
- To conduct plenary meetings in the absence of the chairman.
- To participate, whenever possible, in the meetings of the SCs.
- The secretary does not have voting rights.

c. Chairman of the Subcommittee

The Chairman of each SC is elected at the first meeting of the SC by the voting members that will participate in its work, the SSB to be immediately informed of their election. The Chairman's responsibilities are:

- To ensure chairing and secretarial services for its meetings, acting as its spokesperson. Whenever deemed necessary by the Chairman of the SC, the SSB should appoint a secretary for the SC. This secretary will be a non-voting member of the SC.
- To coordinate and organise the activity of the SC;
- To ensure that notices of meetings are sent out with the agenda and any documentation;
- To mediate the different positions taken by the members in an attempt to obtain a consensus;
- To ensure a summary is drawn up of the issues dealt with at each meeting;
- To help to draw up the annual activity report and the activity plan for the following year, in collaboration with the Chairman of TC 145;
- To ensure compliance with deadlines for the production of the standardisation documents considered in its programme of activities;
- To send the chairman of TC 145 the standardisation working documents drawn up by the SC;
- To organise the collaboration or hearing of other stakeholders whenever deemed necessary;
- To represent the SC whenever called on to do so by the chairman of TC 145 or by the SSB;
- To propose the creation of the WG, if necessary.

d. Working Group Coordinator

The coordinator of each WG is elected by the members/experts who will participate in the WG and is required:

- To ensure chairing and secretarial services for its meetings, acting as its spokesperson;
- To coordinate and organise the activity of the WG;

- To ensure that documents necessary for the operation of the WG are supplied, as well as all logistic support;
- To mediate the different positions taken by the experts in an attempt to obtain a consensus;
- To send to the chairman of TC 145 or to the chairman of the SC to which it is directly answerable, the standardisation documents or opinions drawn up by the WG;
- To propose to the chairman of TC 145 or to the chairman of the SC, to which it is directly answerable, the collaboration of other stakeholders, whenever deemed fit;
- To represent the WG whenever call on to do so by the chairman of TC 145 or by the chairman of the SC to which it is directly answerable.

7. Preparation, Approval and Revision of Standardisation Documents

The standardisation documents for forest management result from the preparation by TC 145 of working documents that successively pass through stages of preliminary draft, draft, public enquiry and homologation in compliance with the conditions and procedures of RPNP-040 and 41/2010 of FSC-PRO-60-006 and PEFC ST1001:2010.

For the preparation and/or revision of standardisation documents plenary meetings are organised with the aim of discussing the draft working documents and submitting them to the vote of the members. The meetings may be face-to-face or held by electronic mail, as considered most convenient by TC 145.

Meetings for the approval of a working standardisation document for the preliminary draft of a standardisation document are face-to-face and a majority of the members of TC 145 (50%+1) must be present or represented, with all chambers represented. At these meetings, TC 145 must seek approval of the standardisation drafts in accordance with the definition of consensus.

If it is considered necessary to hold a prior public consultation for the preliminary draft of the standardisation document obtained by consensus, this consultation must be carried out by the national representatives of the FSC and the PEFC, in a form equivalent to that of the public enquiry (8.b) including the treatment of the comments received, without a need for publication on the NSB website*. This prior public consultation has a duration of 60 days and all contributions are sent to TC 145 for discussion of any changes to the preliminary draft of the standardisation document.

Before the standard stage, the SSB, in conjunction with national representatives of the FSC and the PEFC, in order to ensure compliance with the international requirements of the two certification schemes, should develop, in collaboration with the members of TC 145 and possibly other stakeholders, a test to be applied to the new document and the results obtained must be taken into consideration by TC 145 (this test is not applicable in cases of revision, in which there is already experience in the application of that document). If changes are made to the standardisation document, resulting from this test, the result must be submitted to a new 30-day public consultation. This consultation

* Note: However, if the preliminary draft for the DNP is sent to the NSB for the 1st time and after approval as a prDNP, it will always be subject to public enquiry by the NSB, in accordance with the RPNP.

must follow the same procedure as the prior public consultation of standardisation documents.

The decision to homologate standardisation documents is the responsibility of the NSB, acting on a proposal from SSB, after the approval by consensus of the prDNP at a plenary meeting of TC 145.

a. Voting on standardisation documents

The members of TC 145 with voting rights exercise this right, in their chamber, through their voting member. Whenever more than one representative of a member are present at a meeting of TC 145 (whether full members or alternates), only one shall have voting rights.

These members are grouped in their chambers according to the category of interest that they represent and within each chamber, the decision is taken in accordance with the definition of consensus.

If a chamber presents unanimous negative votes, this means an absence of consensus in TC 145 and the Chairman of TC 145 must trigger the dispute settlement mechanisms described in Point 10 of these Regulations.

Each chamber has equal voting power and equal capacity to veto.

If necessary the Chairman may determine confirmation of the consensus, using the following alternative processes:

- At the plenary meeting by means of a verbal yes/no vote.

In a chamber, no category of interest may dominate the decision case. If there is a negative vote among categories of interests in that chamber regarding basic issues, the situation must be resolved in accordance with procedure for settlement of complaints/disputes, described in Point 10 of these Regulations.

The preliminary draft of a standardisation document is approved by TC 145 and sent to the SSB, accompanied by the “report of approval of standardisation documents” drawn up by the Chairman of TC 145, which describes the process and the results of the vote, with public enquiry proposal. The SSB analyses the documentation to:

- Consider the objections occurring in TC 145;
- Check the compatibility of the preliminary draft standard with document RPNP – 040 and 041/2010 (General Rules for its presentation) and with existing standards;
- Analyse any other technical or formal aspects.

If there are no objections, the SSB must validate the aforementioned report based on the evidence of consensus and send it to the NSB.

If there are objections from the SSB, it returns the documents to TC 145, stating reasons that justify possible changes to the preliminary draft standard.

Given the documents referred to above, the NSB will take one of the following decisions:

- Approve the preliminary draft for the standardisation document as a draft standardisation document for public enquiry
- Returns the documents to the SSB stating the reasons justifying the need for TC 145 to alter the preliminary draft.

8. Dissemination at a National Level

The NSB organises dissemination at a national level in its official publication (the official publication of the NSB is that which is expressly mentioned) of the standardisation documents that are incorporated into the collection of Portuguese standards, of those that are annulled and those arising from any drafting/revision and public enquiry envisaged.

The SSB must collaborate with the NSB in take measures to disseminate standards, particularly using announcements/invitations to stakeholders about the start of a process of drafting/revision of a standardisation document and its public enquiry*. The SSB must ask Portuguese representatives of the FSC and PEFC to communicate this information to the public through its publication on the websites and/or through other means of dissemination.

TC 145 must also disseminate its standardisation activity, by the resources deemed appropriated in coordination with SSB.

a. Start of a process of preparation/revision of standardisation documents

An announcement/invitation on the start of a process of preparation/revision of standardisation documents should be made by the SSB in coordination with TC 145. This announcement should include:

- Information on the objectives, scope and steps of the standardisation process as well as its timeframe;
- Information on forms of participation and involvement in the standardisation process;
- Invitation for the appointment of representatives of the stakeholder for TC 145. The invitation to stakeholders should be made so as to ensure that it is received and that it contains all the elements necessary for an informed response, including acceptance on the public provision of produced records by TC 145 (agendas, lists of participants, minutes, attendance lists).
- The invitation to comments on the scope of the work and on details of the standardisation process to begin/revise;
- Information on the public provision of procedures associated with the standardisation process.

b. Public Enquiry

The public enquiry is intended to enable any points of view different from those taken into account in the drafting of the prDNP to be made known.

The NSB is responsible for announcing the public enquiry of a prDNP, guaranteeing that:

- It contains information about the start and end of the public enquiry period,
- Any comments should be sent to the NSB. It is published on the website of the SSB or other associations to which the matter is of concern.

* Note: This dissemination should be carried out after dissemination of the prDNP on the IPQ website.

- The period of public enquiry has the duration that the TC decides and set out in the report sent to the NSB and must never be less than 60 days.
- All comments received during the official public enquiry period are sent to the SSB and the SSB or the TC must compile the comments in a specific document (Mod-DNOR-01-06).

The SSB must also send the invitation to the stakeholders previously identified in the course of the mapping, so as to ensure that it is accepted and that it contains all the details necessary for informed participation,

At the end of the public enquiry and given comments received, TC 145:

- If deemed appropriate, may invite stakeholders that wrote the comments to a meeting to discuss them
- The comments and any proposals for alteration resulting from the comments are the subject of objective evaluation at the plenary meeting of TC 145 and may be directly put to a vote or set aside for more detailed analysis,
- The new proposal should follow the same voting procedures as the draft standardisation documents,
- Draws up one new report stating the reasons for not considering any comments and the proposal for transition from prDNP to DNP, or a new public enquiry, where appropriate.

This process having been concluded and based on the approval report, the NSB shall decide whether the prNP can transition to the NP stage or should be the subject of a new public enquiry.

In the case of transition to the NP stage, the SSB, with the collaboration of TC 145, must prepare a document including a description of the standardisation process, a compilation of all the comments received, and the results obtained during the evaluation and make this publicly available, for example on its website, or the websites of other associations to which the matter is of concern.

9. Homologation of standardisation documents

After having ensured that all applicable procedures were complied with, the NSB approves, homologates and publishes the standardisation documents that become part of the Portuguese collection of standards, through their official publication within the time limits established for this purpose.

As the NSB holds collective intellectual property rights over the standardisation documents, it makes these documents available to the public under the commercial purchase conditions it establishes, without prejudice to bilateral agreements of interest to the parties involved.

10. Procedure for the Settlement of Complaints/Disputes

A complaint/dispute may be technical or procedural/administrative.

The complaint/dispute may be raised by any stakeholder during the process of drafting/revising a standard or on the occasion of a decision approving a standardisation document within the TC.

The first step to settle a complaint/dispute should be to report it to the chairman of the TC. For this purpose the SSB should establish at least one specific, easily accessed contact point for sending complaints/disputes concerning the standardisation process, such as a specific e-mail address.

Within 10 working days from reception of the complaint/dispute, the Chairman of the TC should call a meeting to submit the question in dispute to the plenary meeting and notify the claimant of its reception.

a. Settlement of a complaint/dispute

The plenary meeting of TC 145 is responsible for analysing the complaint/dispute in accordance with the following mechanisms:

- Discuss and negotiate the matter in the TC in order to reach a consensus;
- Discuss and negotiate the matter among the entities that presented the objection and entities with a different opinion in order to reach a consensus;

If this proves impossible, the existence of a conflict is confirmed and the TC must decide to create a Working Group for the Settlement of Complaints/Disputes and elect its members:

- One Coordinator
- One representative of each category of interested parties, represented in the TC
- Secretary

The members of this working group may only be replaced with the agreement of the TC.

b. Working Group for the Settlement of Complaints/Disputes

The working group for the settlement of complaints/disputes should deal impartially with any complaint or dispute submitted by the Chairman of the TC.

The working group should make every effort to ensure that has all the key details for analysis of the complaint/dispute in the origin of the conflict. The complaint/dispute must be documented and must provide sufficient objective information to justify the complaint/dispute for the investigation and evaluation to be carried out.

In its analysis of a conflict, the working group for the settlement of complaints/disputes may decide on two situations:

1. The complaint/dispute in the origin of the conflict is not justified and is rejected;
2. The complaint/dispute in the origin of the conflict is justified. In this case the working group must debate and discuss the question in dispute in order to achieve an understanding between the positions of the parties in conflict. Meetings and other operational aspects must take place in accordance with the provisions of the TC Regulations.

The working group for settlement of Disputes/Conflicts shall submit its recommendation for a decision at a plenary meeting, to be ratified by the TC. The issue and its conclusion must be registered by the TC secretary in the minutes for the meeting and the members of the Working Group who are exempted.

The Chairman must inform the complainant and the parties in dispute on the decision.

11. Deactivation

The deactivation of TC 145 can be carried out by the NSB, on its own initiative or when proposed by the SSB, on the following terms:

- TC 145 does not have a chairman or secretary for a period of more than 1 year;
- TC 145 itself proposes and justifies its deactivation;
- There has been a clear and unjustified deviation of its work in relation to the purpose for which it was created;
- For reasons of reorganisation of the standardisation of TC 145's sector.

12. Revision

The standards produced in the context of the committee must be evaluated and revised at least every 5 years. The revision must follow a methodology identical to that of drawing up a new standard.

The revision criteria must be based on the experience acquired with their application, the most recent scientific knowledge available and the principle of continuous improvement.

In order to ensure effective participation, the list of stakeholders in the different categories must be updated before the start of the revision procedure for the standard, in due time so as to ensure participation. The list is drawn up by the SSB with the support of TC 145 and sent to the NSB and voting members of TC 145 in the following month.

The SSB must publicise the start of the revision as stipulated in 8.a of this document

The transition date should not exceed one year except in circumstances in which the implementation of the new document requires a longer period of time.

13. Omissions

On all matters on which these Regulations are silent, the provisions contained in the IPQ document “Rules and Procedures for Portuguese Standardisation” and other NSB guidelines shall apply.