



**Asia-Pacific  
Economic Cooperation**

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**2017/SOM3/SCSC/JRAC/004**

Agenda Item: 5b

## **Governance Improvements of APEC Fora and Joint Regulatory Advisory Committee**

Purpose: Information  
Submitted by: APEC Secretariat



**22<sup>nd</sup> Joint Regulatory Advisory Committee on  
Electrical and Electronic Equipment Meeting  
Ho Chi Minh City, Viet Nam  
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Asia-Pacific  
Economic Cooperation



Advancing  
Free Trade for Asia-Pacific  
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# Governance Improvements of APEC fora and JRAC

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# Governance Improvements of APEC Fora : Background



Proposal by Australia and endorsed at SOM 2 2017 ([2017/SOM2/002](#)):

1. Monitoring and enforcing quorum across all sub-fora (Working Groups/Sub-Committees)
2. Adopting and enforcing a consistent approach to the operation of sunset clauses across all sub-fora
3. New instructions for the governance of Friends of the Chair (FoTC).

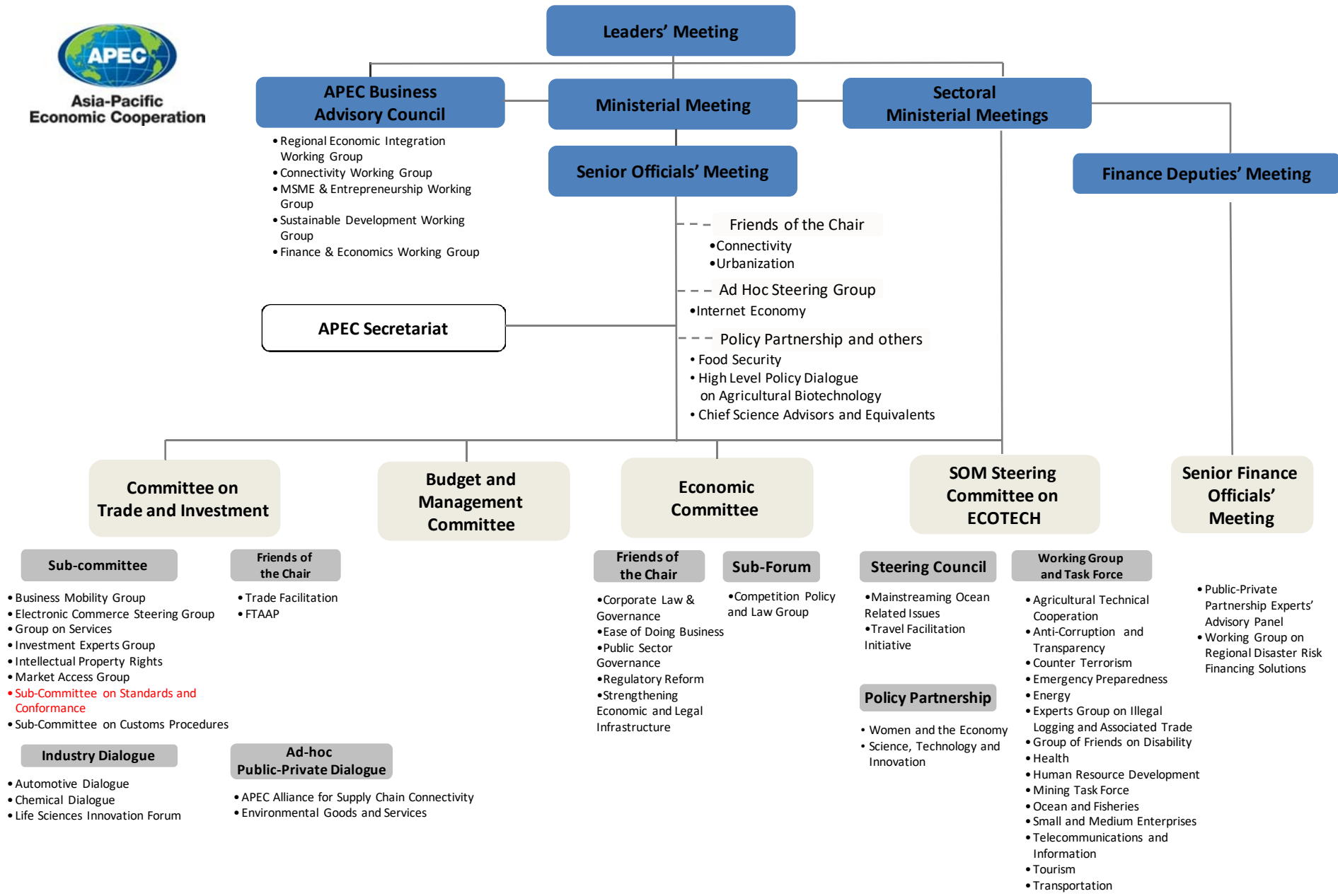
Terminology:

- **Sub-fora (=SCSC)**/Working Groups/ Sub-committees: sectoral and technical working level groups reporting to Committees.
- **Sub-group (= JRAC)**: established under Working Groups/ Sub-Committees to address specific areas under the Working Groups/ Sub-Committee's scope.

Annex 1

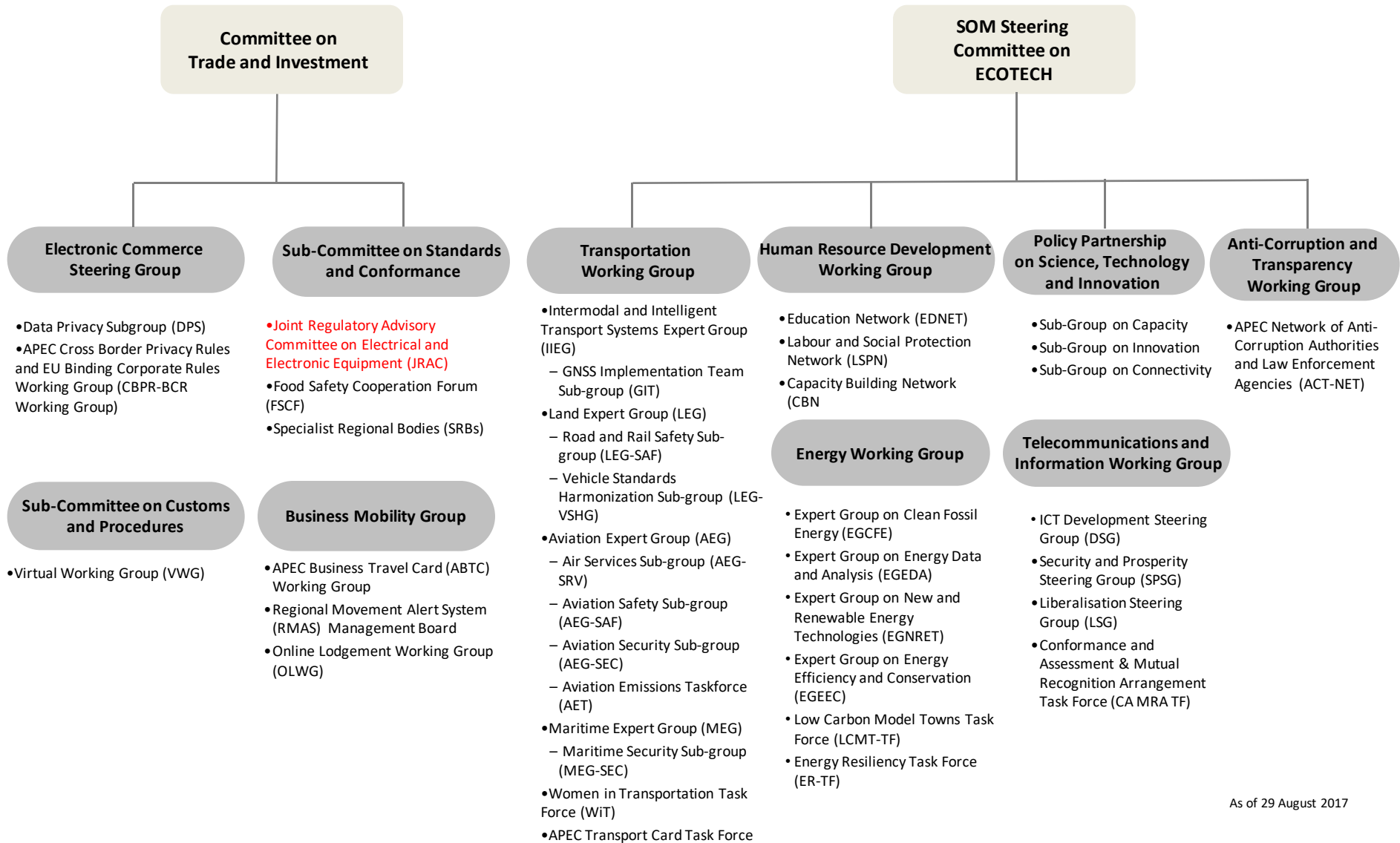


# ASIA-PACIFIC ECONOMIC COOPERATION



\* In addition to the above, a number of sub fora exist as part of the APEC Structure that are not reflected in the chart.

## SUBSIDIARY BODIES OF APEC WORKING GROUPS



## 1-1 Monitoring and enforcing quorum across all sub-fora (Working Groups/Sub-Committees):



- a quorum constitute attendees from **14 economies**, unless an **alternative quorum size** is specified in the sub-forum's Terms of Reference, and **approved by SOM**
- any sub-forum which fails to achieve a quorum at **two consecutive meetings** will be referred to Senior Officials for a decision on whether it should continue to exist
- quorum rule not apply to groups in the first one or two years of operation (to allow new groups some flexibility in establishing their agenda and building support.)
- the Secretariat will monitor quorum compliance and report annually to SOM on any sub-forum which does not achieve a quorum at two consecutive meetings.

## 1-2 Monitoring and enforcing quorum across all sub-fora (Working Groups/Sub-Committees):



(APEC Secretariat is seeking Senior Officials' approval (by 18 August) that:)

- Quorum applies to meetings of:

- ✓ Committees;
- ✓ **Sub-Committees (including SCSC)/ Working Groups/Expert Groups** that report to Senior Officials and Committees
- ✓ Finance Ministers Process
- ✓ Quorum does **not** apply to Friends of the Chair (FotC) groups, which are rather informal.

- SOM task BMC to work with the APEC Secretariat to develop recommendations, together with an accompanying taxonomy, for SOM's consideration regarding when quorum requirement should apply to **APEC groups other than APEC committees and sub-committees/expert groups/working groups that report to Senior Officials and Committees (= sub-groups including JRAC).**

- remote participation is accepted when counting the number of participating economies at meetings.

## 2. Adopting and enforcing a consistent approach to the operation of sunset clauses across **all sub-fora (=SCSC)**:



- Where sunset clauses are absent in TOR, Senior Officials instruct the sub-fora (including sub-groups) in question to **immediately incorporate a sunset clause**, which will ordinarily be **four years** in duration (two years for Task Forces)
- Progressively standardise all existing sunset clause durations where they differ from four years (two years for Task Forces)
- Sub-fora will cease to exist upon reaching the 'sunset date' unless renewal is explicitly approved by Senior Officials



# JRAC Background



**JRAC has started its activities since 1997 as a working group under SCSC.**

**1. Mutual Recognition Arrangement on Conformity Assessment of Electrical and Electronic Equipment (the MRA) (2000/SOM3/CTI/SCSC/JAC/007: annex)** is the living document and core document for JRAC.

**2. The MRA remains as a TILF Pathfinder** and contain following three parts:

- Part One– Information Exchange (18 economies) - deals with the exchange of information between participating member economies.
- Part Two - Mutual Recognition of Test Reports (5 economies) - sets out the general principles relating to the acceptance of test reports and the mechanism for participating in this Part
- Part Three of this Arrangement - Mutual Recognition of Certification (4 economies) - sets out the general principles for the mutual recognition of certificates of conformity and the mechanism for participating in this Part.

# JRAC Terms of Reference (TOR)



**Terms of Reference (2009/SOM2/SCSC/029) of JRAC has been revised in 2009.**

## 1.MANDATE

1.1. The Joint Regulatory Advisory Committee (JRAC) is a body established by the APEC member economies for the purpose of:

- **promoting and facilitating regulator to regulator dialogue and cooperation;**  
and
- administering and facilitating the effective functioning of the APEC Mutual Recognition Arrangement on Conformity Assessment of Electrical and Electronic Equipment (the MRA).

(\*JRAC work is *not* limited to the area of TILF Pathfinders)

# Proposal on Revising the 2007 Guidelines for Pathfinder Initiatives (to be discussed CTI3)



## **Potential Key Changes:**

1. Sunset clause of four (4) years may be applied.
2. More rigid reporting may be applied (by Chair for CTI annual report).
3. Termination of a pathfinder may be applied: After four (4) years unless the CTI (or relevant CTI sub-fora through CTI) recommends to continue the activities of that Pathfinder for a maximum of another four (4) years.
4. More rigid participation conditions may be applied.

➤ *JRAC to consider on the pathfinders and future activities.*