

PROPOSED ATRC GUIDELINES FOR AN EFFECTIVE PUBLIC CONSULTATION PROCESS

1. The different components of a public consultation are considered chronologically, highlighting the three important stages of the process.

(A) **Planning**

2. **Goals.** The purpose of the consultation must be clearly identified. Hence the consultation document should clearly define the subject, objective and the key issues that need to be resolved.
3. **Clarity.** The consultation document should be easily understood and only use technical terms where absolutely necessary. In this manner, complicated concepts can be explained as clearly as possible to avoid confusion. A glossary of terms could be included if there are many technical terms used in the consultation. Relevant background information should be included in the consultation document.
4. **Initial Positions:** Whenever possible, the regulator should have some initial position on the affected issue in the public consultation paper and provide relevant justification for taking the said position. In doing so, the regulator can ensure that the comments received would be more to the point instead of being too general. At the same time, the regulator would also have a preliminary idea on whether the position taken would be welcomed by the industry or not.
5. **Focused Questions.** The consultation should ask focused and specific questions about the areas of consultation.
6. **Milestones.** The entire consultation process should be clearly planned, for example when the exercise will begin, the period of consultation and when respondents can expect a response.

(B) **Execution**

7. **Engage key stakeholders.** Identifying the key audience (or stakeholders) is important, so that relevant and interested parties that are likely to be affected could be contacted and engaged in discussion during the consultation process.
8. Informal consultation with these stakeholders could even be conducted prior to the written exercise, as it ensures that stakeholders are informed and engaged at the planning stages and hence, have a better understanding of the issues.

9. **Consult widely, and ensure accessibility and response options.** Public consultations are meant to collect as many views from as wide an audience as possible. Apart from key stakeholders, the general public should also be kept informed of the exercise and the consultation document given publicity and as accessible as possible for example, in written form online and offline. Where necessary, the consultation document should be available in multiple languages.

In soliciting comments from all different stakeholders/ segments of society, the medium of publication is crucial i.e. Regulators should use as many mediums as possible. Possible mediums to be considered are:

- (a) Official announcements in the press;
 - (b) Publication in the regulators' website;
 - (c) Information sheets mailed or faxed to target groups; and
 - (d) Public service announcements on TV and Radio etc
10. Some stakeholders however, especially consumers from minority communities may be particularly difficult to reach for e.g. illiterate citizens, or small enterprises with limited resources. It is therefore important to consult early and engage their representatives, for example, trade associations or consumer societies. Where appropriate, efforts should be made to bring the consultation to the interested parties, for example, "open house" meetings. Information to stakeholders can also be communicated in the form of workshops, where regulators and subject experts can explain the issues in question to a wide-range of invited audiences and interested parties.
11. The consultation document should clearly state the way in which responses can be made, for example, the standard format for written responses, electronic responses, and whether graphs and charts are allowed etc. In addition, the names, addresses, telephone numbers and email addresses of the person(s) whom responses should be directed to should be clearly stated. Respondents should be encouraged to provide evidence, wherever possible, to support their responses.
12. **Time Frame.** Deadlines for responses to public consultations and other alternative ways of contributing to the exercise should be clearly stated in the consultation document. The written consultation period should always be of a reasonable timeframe. This is to allow stakeholders enough time to research, consider and respond to the issues discussed carefully and thoughtfully.
13. Time frame allocated should have some degree of flexibility. The regulator could allocate a minimum time period for consultation i.e. 30 to 45 days, depending on the complexity of the issue, which could be extended if and when necessary. The regulator should inform the interested parties of the extension and the reasons for doing so.
14. **Monitoring.** Each consultation exercise should have a single contact point to respond to queries and ensure that submissions to the consultation are acknowledged.

(C) **Evaluation and Closing**

15. **Responses to submissions.** Upon closure of the exercise, submissions should be carefully considered and analyzed, especially from key stakeholders who are most severely affected. All responses to the consultation document should be publicly available. The regulator's analysis and evaluation of submissions, as well as the final decisions, should also be publicly available.
16. Where appropriate, the summary of responses should also include an outline of the next steps for the issue discussed, including reasons and possible timeframe.
17. A definite time frame should be set, for the publication of the regulator's decision. This is to ensure transparency on the part of the regulator in delivering a decision within a stipulated time especially when the decision has significant impact on the industry.

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