

PEB Examination Committee Terms of Reference (ToR)

These ToR must be read in conjunction with the Constitution of the Patent Examination Board.

The PEB comprises a Governance Board (GB) and an Examination Committee (EC) which can meet as sub-groups if required. The EC reports to the GB.

1. Proceedings

- a. The ToR determine the manner in which the EC will conduct its business and regulate its proceedings.

2. Purpose/role

The remit of the EC includes:

- a. advising on topics requiring examiner expertise and input. For example, syllabi and test specification
- b. standard setting, developing setting guidelines and review of procedures
- c. responding to feedback, particularly from students
- d. making recommendations for on-going examination improvement and the development of new qualifications.

3. Scope

- a. The EC's work is separate from, and additional to, that carried out in standardisation, setting or awarding meetings, although issues identified in those meetings may be brought to the EC.

4. Membership

- a. Chief and Principal Examiners for the following PEB qualifications
 - i. Foundation Certificate
 - ii. Final Diploma
 - iii. Litigation Skills.
- b. Ex-officio patent attorney and lay members of the GB as appropriate.
- c. In addition, Marking Examiners, or others with appropriate expertise, may be invited to attend an EC meeting.
- d. The meetings will be chaired by the Chief Examiner. If there is more than one Chief Examiner present, then the EC will nominate a chair for that meeting.

5. Terms of engagement

- a. The GB on behalf of the PEB will appoint as many Chief and Principal Examiners to satisfactorily administer the requisite patent examinations from year to year.
- b. Principal Examiners and Marking Examiners will be appointed and reappointed on an annual basis in accordance with policies and procedures approved by the GB.
- c. Chief Examiners and Principal Examiners will be members of the EC for as long as they are in post.
 - d. Members of the EC shall be remunerated at a rate to be determined annually by the GB.

6. Meetings

- a. The EC will meet a minimum of once a year.
- b. The PEB Operations Manager shall provide all members of the EC not less than seven days' notice of the date, time and place of any meeting of the EC. Wherever practicable this notice should be accompanied by a copy of the agenda and all available papers delivered via electronic means.
- c. Items for the agenda will be invited from both the GB and the EC.
- d. The meetings may be held collectively, or by qualification, level or topic area.

7. Accountability

- a. The EC will report formally to the GB.
- b. Minutes will be approved by the Chief Examiner and circulated to members of the EC and the GB.
- c. Recommendations or findings from the EC will be submitted to the GB. Proposed changes to syllabi, procedures etc. will be subject to scrutiny by the GB who may consult with other stakeholders as appropriate.

8. Quality Assurance and Enhancement

- a. The GB will monitor the performance of the EC. The effectiveness of the EC including the ToR will be reviewed after its first full year of operation and annually thereafter.
- b. The PEB GB Self-Assessment Report will provide a summary review.

9. Confidentiality and Conflict of Interest

- a. All members of the EC and GB and the Operations Manager and all administrative staff shall be bound by rules to safeguard the confidentiality of the proceedings of the EC and all examinations, and shall be required to make declarations as to all and any actual or perceived conflicts of interest.