

## ANNEX 2

# Draft Rules of procedure for the Ecodesign Consultation Forum

Having regard to Directive 2005/32/EC of the European Parliament and of the Council of 6 July 2005, establishing a framework for the setting of eco -design requirements for energy-using products (EuP) and amending Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council <sup>1</sup> and in particular Article 18 thereof,

Having regard to the standard rules of procedure adopted by the Commission<sup>2</sup>,

THE FOLLOWING RULES OF PROCEDURE ARE ESTABLISHED BY THE COMMISSION :

### *Article 1*

#### **Convening a meeting**

A meeting of the forum shall be convened by the Chairman.

### *Article 2*

#### **Agenda**

1. The Chairman shall draw up the agenda and submit it to the forum.
2. The agenda shall make a distinction between:
  - (a) consultation of the interested parties in the forum on:
    - the elaboration and the amendment of the working plan, in accordance with Article 16(1) of Directive 2005/32/EC;
    - the definition and review of implementing measures, in accordance with Articles 16(2) and 18 of Directive 2005/32/EC;

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<sup>1</sup> (OJEU L 191, 22.7.2005, p. 29 -58)

<sup>2</sup> Annex III of document SEC(2005) 1004.

- the examination of the effectiveness of the established market surveillance mechanisms, in accordance with Article 18 of Directive 2005/32/EC;
  - the assessment of voluntary agreements and other self-regulation measures, in accordance with Article 18 of Directive 2005/32/EC;
- (b) other issues put to the forum for information or a simple exchange of views, either on the Chairman's initiative, or at the written request of a member of the forum, subject to the Chairman's acceptance .

#### *Article 3*

### **Documentation to be sent to members of the forum**

1. The Chairman shall send the invitation to the meeting, the agenda and the working documents on which the interested parties in the forum are to be consulted and any other working documents to the members of the forum in accordance with Article 12(2) no later than one month before the date of the meeting.
2. Members of the forum may submit complementary working documents to the Chairman no later than two weeks before the date of the meeting. Such documents shall be made available to the members of the forum upon reception.
3. In urgent cases, the Chairman may, at the request of a member of the forum or on his own initiative, shorten the time limit for transmission referred to in paragraph 1 and 2 to five calendar days before the date of the meeting.
4. The Chairman may decide to make documents originating from non -member interested parties available as working documents of the forum.

#### *Article 4*

### **Opinions in the forum**

1. The Chairman shall record the opinions expressed by the different interested parties in the forum.
2. Interested parties' opinions may also take the form of written statements submitted in accordance with Article 3.
3. If necessary, the written procedure provided for in Article 8 may be applied.

*Article 5*

**Representation**

1. The indicative list of member organisations is given in Annex I. In order to ensure a balanced participation of relevant stakeholders in respect to each discussed product group, the Chairman may invite non-member interested parties to discuss specific agenda items at certain meetings .
2. Each member of the forum shall designate one person representing him at the forum meetings and so inform the Chairman. With the Chairman's permission, the designated representatives may be accompanied by experts. The members shall give prior notice to the Chairman, at the latest two weeks before the meeting date, of the experts they wish to participate. If the Chairman does not object to the participation of an expert at the latest one week before the meeting date, the permission is considered to be granted.
3. A member may represent other member(s). The representing member shall provide evidence of the represented member(s)' consent to the Chairman in writing before the meeting .
4. Members shall ensure that stakeholders they represent are duly informed of the discussions in the forum.
5. Members shall ensure adequate consultation of the stakeholders they represent and adopt representative opinions .

*Article 6*

**Sub groups**

1. The Chairman may create sub groups to examine particular issues. The sub groups shall be chaired by a representative of the Commission.
2. The groups shall report back to the forum. To this end, they may appoint a *rapporteur*.

*Article 7*

**Admission of third parties**

The Chairman may decide to invite experts to talk on particular matters.

*Article 8*

**Written procedure**

1. If necessary and in substantiated cases, the opinions of the interested parties of the forum may be obtained by written procedure. To this end, the Chairman shall send the members of the forum the working document(s) on which the opinions of the interested parties of the forum are sought, in accordance with Article 12 (2). The time-limit for submitting comments may not be less than 14 calendar days and may not exceed 1 month.
2. In cases of urgency, the time limit provided for in Article 3 (3) shall apply.

*Article 9*

**Secretarial support**

The Commission shall provide secretarial support for the forum.

*Article 10*

**Minutes and summary report of meetings**

1. The minutes of each meeting shall be drawn up under the auspices of the Chairman containing, in particular, the opinions expressed at the meeting on working documents(s) prepared by the Commission services referred to in Article 2 (2)(a) and (b) and, if necessary, the opinions expressed on the issues referred to in Article 2 (2)(b). A reference list of the relevant written statements, submitted according to Article 4 (2) shall be given in a separate annex. The minutes shall be sent to the members of the forum, and to non-members that participated in the meeting, within one month.
2. The members of the forum shall send any comments they may have on the minutes to the Chairman in writing within two weeks. The forum shall be informed of those comments. If there is any disagreement, the proposed amendment shall be discussed by the forum. If the disagreement persists, that amendment shall be annexed to the minutes.

*Article 11*

**Attendance list**

At each meeting, the Chairman shall draw up an attendance list specifying the name of each participant, the organisation to which he belongs, the member he represents or, where appropriate, the member that has invited him.

*Article 12*

**Correspondence**

1. Correspondence relating to the forum shall be addressed to the Commission by electronic means, for the attention of the Chairman of the forum.
2. Correspondence for members of the forum shall be addressed to the members by electronic means. Members shall designate the contact person(s) to which correspondence shall be sent and inform the Chairman in writing.

*Article 13*

**Transparency**

The working document(s) prepared by the Commission services and the minutes of the forum meetings shall be published on EUROPA, the public Internet website of the Commission.