

COMMISSION DECISION

of 8 November 2006

setting up the Enterprise Policy Group

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Article 157 of the Treaty assigned to the Community and the Member States the task of ensuring that the conditions required for the competitiveness of the Community's industry exist.
- (2) For those purposes, an “Enterprise Policy Group” was set up by Commission Decision 2000/690/EC¹ in order to provide the Commission with specialist expertise on enterprise and industrial policy issues. It consists of two chambers, the first comprising representatives from the Member States, the second comprising eminent persons from business. The lifetime of the group expires on 31 December 2006.
- (3) During the first half of 2006, the EPG has been subject to an internal evaluation. This evaluation concluded that the group has proved a viable consultation framework, fostering reflection and debate, and providing valuable advice to the Commission. Moreover, since the group comprises not only representatives of the Member States but also high-level experts from the enterprise community, it constitutes a consultation framework that is wholly in line with the partnership approach defined by the revised Lisbon strategy², as well as with the Commission’s Better Regulation agenda³ and its intention to listen more closely to the needs of enterprises, particularly SMEs⁴.
- (4) Given the positive experience with this group and the Commission’s continuous need for such a body, a similar group should be established. Based on the outcome of the evaluation, the two-chamber structure should remain. However, the membership and tasks of the new group should be re-defined to further enhance its effectiveness.
- (5) The analysis has shown that the composition of the first chamber should not be changed and it should remain possible for Member States to appoint up to two representatives. This allows adequate representation of the Directors-General of industry and of the national authorities responsible for small and medium-sized enterprises (SMEs). To facilitate more focused and in-depth discussions, the second

¹ OJ L 285, 10.11.2000, p. 24

² COM (2005) 24, 2.2.2005

³ COM (2005) 97, 16.3.2005

⁴ COM (2005) 551, 10.11.2005

chamber representing business expertise should be reduced to a maximum of 30 members. This chamber should also be the forum to discuss particularly SME and innovation policy issues.

- (6) It is therefore necessary to set up a group of experts in the field of enterprise policy and to define its tasks and its structure.
- (7) Rules on disclosure of information by members of the new group should be provided for, without prejudice to the rules on security annexed to the Commission's Rules of Procedure by Decision 2001/844/EC, ECSC, Euratom⁵.
- (8) Personal data relating to members of the group should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁶.
- (9) It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension,

HAS DECIDED AS FOLLOWS:

Article 1

“Enterprise Policy Group”

The Enterprise Policy Group, hereinafter “the EPG”, is set up with effect from 1 January 2007.

Article 2

Task

The EPG's task shall be to advise the Commission on enterprise and industrial policy issues.

Article 3

Consultation

1. The Commission may consult the EPG on any matter relating to enterprise and industrial policy.
2. EPG members may advise the Commission that it is desirable to consult the group on a specific question.

Article 4

⁵ OJ L 317, 3.12.2001, p.1.

⁶ OJ L 8, 12.1.2001, p.1.

Structure of the EPG

The EPG shall consist of two chambers.

Article 5

Directors-General Chamber

The first chamber of the EPG, referred to as the Directors-General Chamber, shall comprise up to two representatives from each Member State, appointed by the national authorities concerned.

Article 6

Business Chamber

1. The second chamber of the EPG, referred to as the Business Chamber, shall comprise up to 30 members, representing business expertise, particularly on SME and innovation policy issues, hereinafter "members".
2. Members shall be appointed by the Commission from specialists with competence in enterprise and industrial policy issues who have responded to a call for applications.

Applicants deemed suitable for membership but not appointed may be placed on a reserve list, which the Commission may use for the appointment of replacements.
3. Members shall be appointed in a personal capacity and shall advise the Commission independently of any outside influence.
4. Members appointed in their personal capacity shall each year sign an undertaking to act in the public interest. They shall inform the Commission in good time of any conflict of interests which might undermine their objectivity.
5. Members shall be appointed for a three-year renewable term of office and shall remain in office until such time as they are replaced in accordance with paragraph 6 or their term of office ends.
6. Members may be replaced for the remainder of their term of office in any of the following cases:
 - (a) where the member resigns;
 - (b) where the member is no longer capable of contributing effectively to the group's deliberations;
 - (c) where the member does not comply with Article 287 of the Treaty;
 - (d) where, contrary to paragraph 3, the member is not independent of all outside influence;

- (e) where, contrary to paragraph 4, the member has failed to inform the Commission in good time of a conflict of interests.
7. A call for applications for the Business Chamber and the names of its members shall be published on the Internet site of the Directorate-General for Enterprise and Industry.

The names of members shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

Article 7

Operation

1. The EPG shall be chaired by the Commission.
2. The EPG may, with the agreement of the Commission, set up sub-groups to examine specific questions under terms of reference established by the EPG. Such sub-groups shall be dissolved as soon as their mandates are fulfilled.
3. The Commission's representative may ask experts or observers with specific competence on a subject on the agenda to participate in the work of the Group, or in the deliberations or work of a sub-group, if, in the opinion of the Commission, this is necessary or useful.
4. Information obtained by participating in the deliberations or work of the Group, or of a sub-group, shall not be divulged if, in the opinion of the Commission, that information relates to confidential matters.
5. The EPG and its sub-groups shall normally meet on Commission premises in accordance with the procedures and schedule established by it. The Commission shall provide secretarial services.

Commission officials with an interest in the proceedings may attend meetings of the EPG and its sub-groups.

6. The EPG shall adopt its rules of procedure on the basis of a draft presented by the Commission.
7. The Commission may publish, or place on the Internet, in the original language of the document concerned, any summary, conclusion, or partial conclusion or working document of the EPG.

Article 8

Reimbursement of expenses

The Commission shall reimburse travel expenses and, where appropriate, subsistence expenses for EPG members, experts and observers in connection with the EPG's activities in accordance with the Commission's rules on the compensation of external experts.

EPG members, experts and observers shall not be remunerated for the services they render.

Meeting expenses shall be reimbursed within the limits of the annual budget allocated to the EPG by the competent Commission department.

Article 9

Expiry

This Decision shall expire on 31 December 2012.

Done at Brussels, 8 November 2006

For the Commission
G. Verheugen
Member of the Commission