



ANSWER EC GREEN PAPER ON EUROPEAN TRANSPARENCY INITIATIVE

CHAPTER 1

22/06/2006

FEE (Fédération des Experts Comptables Européens) is the representative organisation for the accountancy profession in Europe. FEE's membership consists of 44 professional Institutes of accountants from 32 countries. FEE Member Bodies represent more than 500.000 accountants in Europe. Roughly, 45% of these accountants work in public practice, providing a wide range of services to clients. The other 55% work in various capacities in industry, commerce, government and education. No individual can become a member of the Federation. FEE is incorporated as an AISBL under Belgian law.

FEE is registered in CONECCS

FEE responsibilities are described as follows in its Statutes:

- a. To promote and advance the interests of the European accountancy profession in the broadest sense recognising the public interest in the work of the profession;
- b. To work towards the enhancement, harmonisation and liberalisation of the practice and regulation of accountancy, statutory audit and financial reporting in Europe in both the public and private sector, taking account of developments at a worldwide level and, where necessary, promoting and defending specific European interests;
- c. To promote co-operation among the professional accountancy bodies in Europe in relation to issues of common interest in both the public and private sector;
- d. To identify developments that may have an impact on the practice of accountancy, statutory audit and financial reporting at an early stage, to advise member bodies of such developments and, in conjunction with member bodies, to seek to influence the outcome;
- e. To be the sole representative and consultative organisation of the European accountancy profession in relation to the EU institutions;
- f. To represent the European accountancy profession at the international level."

FEE is pleased to comment on the chapter of the European Commission Green Paper on the "European Transparency Initiative" related to "Transparency and Interest Representation".

1. In Section II, paragraph 1, the European Commission defines the word "lobbyist". Since this category is very broad, we assume that FEE must be considered as a lobbyist for the purpose of the European Transparency Initiative. However we would like to emphasise that the main part of FEE's activity cannot be classified as a lobbyist's activity so that FEE would not feel part of a

so-called “lobbying profession” mentioned on paragraph 3.2. of the Green Paper and would not accept being committed by decisions of any organised lobbying profession.

We would like to refer to the Opinion of the European Economic and Social Committee of 14 February 2006 on “the Representativeness of European Civil Society Organisations in Civil Dialogue” which defines criteria that European organisation must meet to be representative (3.1.2.):

- “– exist permanently at Community level;
- provide direct access to expertise;
- represent general concerns that tally with the interests of European society;
- comprise bodies that are recognised at Member State level as representative interests;
- have member organisations in most of the EU Member States;
- provide for accountability of its members;
- have authority to represent and act at European level;
- be independent, not bound by instructions from outside bodies;
- be transparent, especially financially and in its decision-making structures.”

FEE clearly meets these criteria and raises the question whether a specific regime should not apply to similar bodies meeting these nine criteria.

2. FEE agrees that organisations which are seeking to contribute to EU policy must disclose which interests they represent and how inclusive that representation is. We believe that the CONECCS database is the appropriate tool for registration.

The Green Paper argues that the Commission should ensure that interest groups are systematically asked to provide information about these objectives, sources of funding and the interest represented. The European Commission should have the possibility to consider the representativeness of respondents. We agree with the proposal to gather more information on participants in web-based open-public consultation. This information should be available to the general public.

However, a ready-made tool to be used in all consultations would be unnecessarily burdensome for organisations which are registered in CONECCS. These organisations at least should be exempted from providing information which is already accessible by the Commission’s services.

3. The Green Paper proposes that registered lobbyists would be automatically alerted by the Commission to consultations in areas where they have a declared interest. FEE supports this proposal.

The system to put in place should be flexible enough to allow easy changes to the areas where an organisation might have an interest.

One could also ask whether the Commission intends to monitor in some way the consistency between the activity of the lobbyist and its declared areas of interest.

4. The Green Paper raises the question “who should manage the register?”. FEE believes that such register should be managed by the Commission.

However, organising a single system for registering interest groups which could be equally applicable to several or all EU Institutions and Advisory Bodies would be more effective and save costs.

5. The Green Paper raises questions about code of conducts and common minimum requirements. If such common minimum requirements are an acceptable proposal, the Commission should be ready to endorse them and require those who want to be registered to subscribe to these principles.

As explained above (paragraph 1), FEE disagrees with the suggestion that a federation representing a profession at EU and global level would be a member of a so-called “lobbying profession”. FEE and similar organisations should not be required to become a member of such profession or to subscribe to a code of conduct developed by a professional organisation for lobbyists.

6. FEE agrees that if common minimum requirements are imposed, some enforcement mechanisms should be developed for those subscribing to the code.