ADVISORY COMMITTEE
FOR THE COORDINATION OF SOCIAL SECURITY SYSTEMS

Subject: Proposal for amending the rules of procedure

Note from the Secretariat of 23 September 2016

1. INTRODUCTION

Taking into account suggestions put forward by the European Parliament, the European Ombudsman and civil society organisations, the Commission recently adopted revised horizontal rules on the creation and operation of expert groups which render the system more transparent.

The Advisory Committee for the Coordination of Social Security Systems (hereafter referred to as "the Committee") is considered a "similar entity" to expert groups and, as such, falls within the scope of these rules. The new rules are without prejudice to the provisions included in the legislative acts setting up those entities.

This note includes a proposal for amending the Committee's rules of procedure in order to align them with the new horizontal rules and to streamline a number of points. These changes are explained in section 3 below.

The Committee is invited to adopt the revised rules of procedure (in Annex). As provided in Article 11 of the Committee's current rules of procedure, the rules of procedure can be revised by the decision of the Committee adopted by an absolute majority of its members.

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1 "Similar entities" are advisory bodies set up by the European Union legislator, which have a similar or identical role to that of Commission expert groups. The Commission departments ensure administrative and/or financial management.

With [Decision C(2016) 3301](#) of 30 May 2016, the Commission has established revised horizontal rules on the creation and operation of Commission expert groups, drawing on its experience in the implementation of the previous framework.²

The revised horizontal rules introduce a number of changes, in particular as regards transparency. They require that in principle all relevant documents of an expert group, including their agendas, minutes and the participants’ submissions, are published on the Register of expert groups³. Minutes shall be meaningful and complete⁴.

The work carried out by expert groups is a collective one, which very often leads to conclusions being reached by consensus, in a spirit of mutual trust. Experts should be able to contribute freely to the work of expert groups in closed discussions. However, as was done under the previous framework, expert groups may, in agreement with the Commission departments concerned, decide that deliberations shall be public⁵.

3. **Proposed Changes to the Committee’s Rules of Procedure**

In line with the new horizontal rules, it is proposed to amend the Committee's current rules of procedure, adopted on 22 October 2010 (2010/C 330/03), as follows:

- In the preamble, introducing a reference to the new horizontal rules;
- In Article 5 on "Proceedings", adding the possibility for the Committee to decide that deliberations shall be public; and deleting the reference to confidentiality of proceedings and documents;
- Revising Article 8 on minutes of the meetings;
- Adding a new Article 11 on transparency, including a) the registration in the Register of expert groups and the Transparency Register; and b) publication of all relevant documents.

In addition, further changes are proposed to streamline or clarify existing provisions:

- In Articles 1 and 3, the possibility of members to request the inclusion of an item on the agenda is simplified;
- In Articles 4 and 6, it is added for the sake of clarity that alternate members are able to vote only where they replace a member of the Advisory Committee;
- In Article 6, it is clarified that a written procedure is possible to adopt other decisions than "opinions and proposals";
- In Article 10, it is inserted that the Directorate-General for Employment, Social Affairs and Inclusion acts as Secretariat for the Advisory Committee.

The Committee's proposed revised rules of procedure are annexed to this note. Proposed amendments are highlighted with track changes.

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² [C(2010) 7649 final of 10.11.2010.](#)
³ [Commission Decision C(2016) 3301, Article 26.1.](#)
⁴ [Idem, Article 13.7.](#)
⁵ [Idem, Article 13.6.](#)
4. **REGISTRATION IN THE TRANSPARENCY REGISTER**

Registration in the [Transparency Register](#) has become mandatory for trade unions and employers' organisations. The Secretariat has therefore asked the relevant Members of the Committee to enlist their organisation in the Transparency Register or update its information (Ref. Ares(2016)5225404 of 13/09/2016).

A new version of the [Register of expert groups](#) will be put in place, reflecting the revised horizontal rules and ensuring for the first time synergies between the Register of expert groups and the Transparency Register. The Secretariat will update the relevant entries in the Register of expert groups as required by the new horizontal rules.

Annex: Committee's proposed revised rules of procedure.

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6 The Transparency Register consists of a public website where organisations representing particular interests at EU level register and update information about those interests.

7 The Register of expert groups is maintained by the Commission services and provides valuable information to the citizens, including the Commission department running the groups, its members, its mission and tasks, as well as relevant documents produced and discussed by the groups.