



Brussels, 15 March 2011
D(2011)

**RULES OF PROCEDURE
FOR THE EXPERT GROUP ON MARITIME ADMINISTRATIVE
SIMPLIFICATION AND ELECTRONIC INFORMATION SERVICES,
THE 'eMS' GROUP**

Article 1

Subject matter and scope

1. The group should help to develop specifications and services for the electronic data exchange and single windows for the EU Maritime transport; to liaise with national stakeholders, paying also attention to multimodal and multidisciplinary aspects.
2. To encourage the electronic data sharing and services within administrations and businesses.
3. The group will coordinate the implementation of Reporting formalities directive (201/65/EU) as specified under Article 3 of the directive.
4. The Commission will ensure coordination of this group with the SafeSeaNet High Level Steering Group on all matters falling on competence of the latter.

Article 2

Tasks

1. Monitors the development of national policies and the enforcement of EU legislation by national authorities.
2. Provides expertise to the Commission when drafting of implementing measures, i.e. before the Commission submits these draft measures to a committee.
3. Coordinates with Member States.

Article 3

Selection procedure

1. The group shall be composed of members and observers.
2. In order to ensure the functionality of the group, the Commission will maintain the right to control the size of group based on topics under work.
3. Each Member State can send one representative as a member of the group and one as an observer.
4. The organisations which are either obliged by the EU legislation to use the services under discussion or are providing these services will be invited by the Commission to participate as an observer. The maximum number of organisations is limited to 15. The Commission will ensure the balanced representation among these stakeholder groups.
5. The observers are appointed for a period of one year. Their term of office may be automatically renewed.
6. The Commission maintains rights to invite on ac hoc basis experts with specific competence in a subject on the agenda to participate in the work of the group or sub-groups.
7. The observers who are no longer capable of contributing effectively to the group's work may be replaced for the remainder of their term.

Article 4

Reimbursement of expenses

1. The members of the group are reimbursed for their travel expenses.
2. The appointed observers mentioned in Article 3(4) will not be reimbursed.
3. The experts mentioned in Article 3(6) can be reimbursed, if the Commission considers this necessary.

Article 5

Convening a meeting

1. Meetings of the group are convened by the Chair.
2. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.

Article 6

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the group members and observers.
2. The agenda shall be adopted by the group at the start of the meeting.

Article 7

Documentation to be sent to group members

1. The secretariat shall send the invitation to the meeting, the draft agenda and any consulted document to the group members and observers no later than 10 calendar days before the date of the meeting.
2. In urgent or exceptional cases, the time limits for sending the documentation mentioned in 1 may be reduced to five calendar days before the date of the meeting.

Article 8

Opinions of the group

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by a simple majority of the members taking part of the vote.

Article 9

Sub-groups

1. In agreement with the services of the Commission, the group may set up sub-groups or workgroups to examine specific questions on the basis of terms of reference defined by the group; such sub-groups or workgroup shall be disbanded as soon as their mandate is fulfilled.
2. The sub-groups or workgroups shall report to the group.

Article 10

Written procedure

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the group members and observers the document(s) on which the group is being consulted.
2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group as soon as possible.

Article 11

Secretariat

The Commission shall provide secretarial support for the group. Secretarial support for sub-groups created under Article 9(1) above will be decided on ad hoc basis.

Article 12

Summary minutes of the meetings

Summary minutes on the discussion on each point on the agenda and the opinions delivered by the group shall be drafted by the secretariat under the responsibility of the Chair. The minutes shall not mention the individual position of the members or observers during the group's deliberations, unless requested by the member or observer to do so.

Article 13

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list specifying, where appropriate, the authorities, organisations or bodies to which the participants belong.

Article 14

Correspondence

1. Correspondence relating to the group shall be addressed to the Commission. This correspondence can be done by e-mail send to a functional mailbox.
2. Correspondence for group members and observers shall be sent to the e-mail address which they provide for that purpose.

Article 15

Access to documents

Applications for access to documents held by the expert group will be handled in accordance with Regulation (EC) No 1049/2001¹ and detailed rules for its application².

Article 16

Protection of personal data

All processing of personal data for the purposes of these rules of procedure shall be in accordance with Regulation (EC) No 45/2001³.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

² Commission Decision 2001/937 of 5.12.2001. OJ L 345 of 29.12.2001, p. 94.

³ Regulation (EC) 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 data. (OJ L 8, 12.1.2001, p. 1).