



Working methods

The President of the Commission has established a Task-Force to provide advice and recommendations regarding the current application of the Treaty-based principles of subsidiarity and proportionality¹. These working methods describe the envisaged process by which the Task Force will deliver its advice to the President of the Commission.

Mandate

Article 3 of the President's Decision sets out the three tasks (a) to (c) which the Task Force should address in its work:

- (a) *How to better apply the principles of subsidiarity and proportionality in the work of the Union's Institutions, notably regarding the preparation and implementation of Union legislation and policies.*
- (b) *The identification of any policy areas where, over time, decision making and/or implementation could be redelegated in whole or in part or definitively returned to the Member States.*
- (c) *The identification of ways to better involve regional and local authorities in the preparation and the follow up of Union policies.*

This mandate defines the nature of the Task Force and sets a clear thematic and temporal framework for its work. The Task Force will present its findings in the form of a written report ***by 15 July 2018***. The mandate of the Task Force ends once its findings have been presented to the President of the Commission. The Task Force will not issue interim statements or reports.

The Commission will assess the advice it receives from the Task Force and has indicated that it will present a policy Communication in September 2018.

Thematic input to the work of the Task Force

It is inherent in the nature of this Task Force that its Members possess the necessary expertise and experience of the Union's policies and legislation to accomplish its analytical task.

Following a proposal from the Chair, the Task Force may appoint up to three experts to assist it in its work. The experts should have relevant legal, social, economic or environmental expertise. Experts may be invited to the meetings of the Task Force but will not be permitted to participate in its decision-making.

¹ C(2017) 7810 of 14 November 2017

The Secretariat will prepare papers to inform the discussions of the Task Force. The Task Force or its Chair may request the Secretariat to produce technical notes or fiches connected to the tasks (a) to (c) above as deemed necessary.

The Task Force may also decide that additional evidence gathering activities are appropriate. In such cases, the Secretariat will undertake such activities as far as is practically possible.

Meetings

1. Meetings of the Task Force will be convened by the Chair. The invitation and a draft agenda will be sent to the Members no later than 10 calendar days before the meeting, except where duly justified.
2. The agenda will be adopted by the Task Force at the start of the meeting.
3. At its first meeting, the Task Force agrees an indicative schedule of its further meetings (attached in annex).
4. Summary minutes on each meeting will be drafted by the Secretariat under the responsibility of the Chair. They will reflect the essence of the Task Force's discussion without mentioning individual positions taken by named Members during the Task Force's deliberations. The minutes will be approved by the Task Force.
5. All meetings of the Task Force will be held in Brussels, on the Commission's premises.

Attendance

1. The meetings of the Task Force are non-public.
2. Attendance is strictly limited to the Members, Member's assistants and to Secretariat staff. One assistant per Member shall be permitted to attend meetings of the Task Force.
3. At each meeting, the Secretariat will draw up an attendance list to be signed by each attending Member.

Correspondence

1. Correspondence from third parties relating to the Task Force is to be addressed to the Secretariat. Under the authority of the Chair, the Secretariat will forward any pertinent correspondence to the Members' attention.
2. Transmission of documents or correspondence between the Chair or the Secretariat and Members will be conducted through e-mail (the dedicated functional mailbox established by the Secretariat and the e-mail addresses indicated by the Members) and a secure internet-based working space platform.

Documentation, transparency and stakeholder inputs

1. Documents of the Task Force comprise, in particular:
 - (1) invitations to meetings;
 - (2) agendas and minutes of meetings;
 - (3) the Working Methods;

- (4) Working Documents produced by Members for the attention of the Task Force and possible written comments from Members on them;
 - (5) the Final Report of the Task Force;
 - (6) drafts of the categories of documents in points 2, 3 and 5 as well as comments from Members on such drafts,
 - (7) technical notes or fiches that the Secretariat may produce upon request by the Task Force or the Chair.
2. The Secretariat will send any of the above documents to the Members no later than five calendar days before the meeting at which they are to be discussed, save in exceptional cases of urgency. For invitations to meetings and draft agendas the time limit is ten calendar days (see supra "Meetings", point 1).
 3. Under the authority of the Chair, the Secretariat may also put to the disposal of the Members any publicly available documentation deemed useful for the work of the Task Force.
 4. All documents in categories (1), (2), (3), (4), (5) and (7) presented and discussed by the Task Force will be publicly available in the Commission's general register of its expert groups and on-line at a website dedicated to the work of the Task Force.
 5. The website dedicated to the Task Force will permit feedback from stakeholders throughout the period the Task Force is in operation on the basis of the documents described above.

Access to documents

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

Language regime

1. The deliberations of the Task Force will be interpreted into English, French and German.
2. All documents will be drawn up in English.
3. The Final Report will be adopted in English. It will be translated by the Commission for its publication in all official languages of the Union.

Advice from the Task Force

1. The Task Force will strive to adopt its Final Report by consensus or by majority where, in the view of the Chair, this is not possible. The Chair will ensure that the positions and arguments of each Member are adequately reflected in the Final Report.
2. In principle, the last meeting of the Task Force will serve to finalise the advice the Task Force provides.

Relations with institutions and bodies

1. The Chair will be in charge of the relations with the Commission and with other EU institutions and bodies. This includes in particular responding to requests, from the Commission or from other EU institutions if endorsed by the Commission, for reporting on the progress of Task Force's work.
2. Where other Members wish to accept a request for an informal meeting with a member of an EU institution (such as a Commissioner or a Member of the European Parliament) or with another personality of high political standing on topics related to the Task Force's work, they may do so in agreement with the Chair. Members will inform the Task Force of the substance of any such contacts at the next meeting in order to mutualise the insights gained therefrom.

Secretariat

The Secretariat is provided by Commission staff. It works under the authority of the Chair.

Protection of personal data

All processing of personal data for the purposes of the work of the Task Force will be in accordance with Regulation (EC) No 45/2001².

² 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).

Annex
Schedule of meetings in 2018
of the Task Force on Subsidiarity, Proportionality and Doing Less More Efficiently

<i>Indicative date</i>	<i>Provisional agenda items</i>
25 January	<ul style="list-style-type: none"> • Discuss and agree working methods; • Appointment of experts • Discussion about members' expectations and views on issues to be addressed by the Task Force. • Scoping out the work of the Task Force including advice to be sought from the Secretariat and other sources; • A bibliography of key documents will be made available to the Task Force
23 February	<p><u>Task (c)</u></p> <ul style="list-style-type: none"> • Take stock of how local and regional authorities are currently involved in the preparation and follow-up of Union policies and legislation; • Identify possible improvements to strengthen the involvement of local and regional authorities.
15 March	<p><u>Task (a)</u></p> <ul style="list-style-type: none"> • Take stock of how the principle of subsidiarity is currently applied in the work of the European Commission, the European Parliament and the Council; • Take stock of how the principle of proportionality is currently applied in the work of the European Commission, the European Parliament and the Council; • Identify potential improvements to procedures or analyses which strengthen the role of subsidiarity and proportionality in the work of the institutions.
27 April	<p><u>Task (b)</u></p> <ul style="list-style-type: none"> • How to identify policies and legislation where responsibility could be transferred from the EU level to the Member States; • How to identify policies and legislation which are not proportionate to the objectives they aim to achieve.
28 May	<p><u>Task (b)</u></p> <ul style="list-style-type: none"> • Identify specific policies and legislation where responsibility could be transferred from the EU level to the Member States; • Identify specific Union actions that where more proportionate approaches may be desirable.
21 June	<ul style="list-style-type: none"> • Finalise Final Report of the Task Force
28 June	<ul style="list-style-type: none"> • Finalise Final Report of the Task Force