COMMISSION DECISION

of 5.12.2013

amending Commission Decision 2007/320/EC of 22 March 2007 setting up the Member States’ Expert Group on Digitisation and Digital Preservation and extending the period of its application until 31 December 2015
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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

(1) The Member States’ Expert Group on Digitisation and Digital Preservation (hereinafter ‘the Group’) was set up by the Commission Decision 2007/320/EC of 22 March 20071 as a consultative entity of national experts with competence in the field of digitisation and digital preservation. The Commission was invited to create the Group in the Council Conclusions of 13 November 2006 on the digitisation and online accessibility of cultural material and digital preservation2. The main objective of the Group was to monitor the Commission Recommendation 2006/585/EC of 24 August 2006 on the digitisation and online accessibility of cultural material and digital preservation3.

(2) The European Commission adopted on 27 October 2011 a Recommendation on the digitisation and online accessibility of cultural material and digital preservation (2011/711/EU)4 (hereinafter ‘the Recommendation’), updating the set of measures for digitising and bringing cultural heritage online and for digital preservation set forth in Commission Recommendation 2006/585/EC.

(3) The mandate of the Group was extended by Commission Decision 2010/C 349/04 of 15 December 20105 and expires on 31 December 2013.

(4) The Group’s tasks are to monitor progress and assess the impact of the implementation of the Recommendation, to provide a forum for cooperation between Member States bodies and the Commission at European level and to exchange information and good practices of Member States policies and strategies on the digitisation and online accessibility of cultural material and digital preservation.

(5) The Council adopted on 10 May 2012 conclusions on the digitisation and online accessibility of cultural material and digital preservation6 (hereinafter ‘the Council Conclusions’), in which it largely endorses the provisions of the Recommendation.

(6) Both the Recommendation and the Council Conclusions highlight the fact that digitised cultural material can be an important resource for the European cultural and

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1 OJ L 119, 9.5.2007, p. 45.
2 OJ C 297, 7.12.2006 p.1
5 OJ C 349, 22.12.2010 p.5
creative industries. Such digitised cultural material can be used to power new applications and innovation.

(7) The Group plays an important role in assisting the Commission in monitoring and assessing the progress as regards the implementation of the Recommendation and the Council Conclusions; its mandate should be broadened to cover also assistance to the Commission in monitoring re-use of digital cultural content as a source of innovation and new applications.

(8) It is therefore appropriate that the work of the Group continues unhindered and the mandate of the Group be extended.

(9) In November 2010, the Commission established a new framework for Commission expert groups\(^7\). This framework should be taken into account.

(10) Decision 2007/320/EC should therefore be amended and extended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2007/320/EC is hereby amended as follows:

(1) Article 2 shall be amended as follows:

(a) point (a) shall be replaced by the following:

"(a) to assist the Commission in monitoring and assessing the progress of the implementation of the European Commission Recommendation of 27 of October 2011 on the digitisation and online accessibility of cultural material and digital preservation (2011/711/EU) and of the Council Conclusions of 10 May 2012 on the digitisation and online accessibility of cultural material and digital preservation;"

(b) the following point (c) shall be added:

"(c) to assist the Commission in monitoring developments regarding the way cultural digital resources can be innovatively re-used to offer economic opportunities to the cultural and creative industries."

(2) Article 4 shall be replaced by the following:

"1. The Group shall be composed of up to two permanent representatives appointed by each Member State.

2. Member States shall appoint their representatives from specialists who have competence in the areas referred to in Article 2.

3. Provision may be made for the same number of alternates as permanent representatives to be appointed. Alternates shall be appointed in accordance with the same conditions as permanent representatives; alternates automatically replace any representative who are absent or indisposed.

4. Representatives who are no longer capable of contributing effectively to the Group’s deliberations, who resign or who no longer comply with the conditions set out in paragraph 2 of this Article, or Article 339 of the Treaty, may be replaced for the remainder of their term of office.

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\(^7\) C(2010) 7649 final; SEC(2010) 1360 final
Article 5 shall be amended as follows:

(a) paragraph 1 shall be replaced by the following:
"1. The Group shall be chaired by a representative of the Commission."

(b) paragraph 2 shall be replaced by the following:
"2. In agreement with the Commission services, the Group may set up sub-groups to examine specific questions on the basis of terms of reference defined by the Group. Such sub-groups shall be disbanded as soon as their mandate is fulfilled."

(c) paragraph 3 shall be replaced by the following:
"3. The Commission’s representative may invite experts from outside the Group with specific competence in a subject on the agenda to participate in the work of the Group or a sub-group on an ad-hoc basis. In addition, the Commission’s representative may give observer status to individuals, organisations as defined in Rule 8(3) of the horizontal rules on expert groups\(^{10}\) and candidate countries."

(d) paragraph 4 shall be replaced by the following:
"4. Member States' representatives, as well as invited experts and observers, shall comply with the obligations of professional secrecy laid down by the Treaties and their implementing rules, as well as with the Commission's rules on security regarding the protection of EU classified information, laid down in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom, The Commission may take all appropriate measures should the Member States' representatives, as well as invited experts and observers fail to respect these obligations."

(e) paragraph 7 shall be replaced by the following:
"7. The Commission will publish all relevant documents (such as agendas, minutes, conclusions, or working documents) either in the Register or via a link from the Register to a dedicated website where information can be found."

Article 6 shall be replaced by the following:

"1. Participants in the activities of the Group shall not be remunerated for the services they render.

2. Travel and subsistence expenses incurred by participants in the activities of the Group shall be reimbursed by the Commission in accordance with the provisions in force within the Commission.

3. Those expenses shall be reimbursed within the limits of the available appropriations allocated under the annual procedure for the allocation of resources."

Article 7 shall be replaced by the following:
"This Decision shall apply until 31 December 2015."
Article 2

This Decision shall take effect as from 1 January 2014.

Done at Brussels, 5.12.2013

For the Commission
Neelie Kroes
Vice-President

CERTIFIED COPY
For the Secretary-General,

Jordi AYET PUIGARNAU
Director of the Registry
EUROPEAN COMMISSION