



## **European Statistical Advisory Committee**

# **Rules of Procedure**

# RULES OF PROCEDURE

The European Statistical Advisory Committee (ESAC)

having regard to [Decision No 234/2008/EC](#)<sup>1</sup> of the European Parliament and of the Council setting up the Committee,

having regard to the standard rules of procedure of experts groups<sup>2</sup>,

having regard to the Rules of Procedure (RoP) adopted in the first ESAC meeting on 30 June 2009

had adopted the following revised Rules of Procedure on 26 November 2014:

## Article 1: Scope

The ESAC decision determines the role (Art. 1), tasks (Art. 2) and composition (Art. 4) of the Committee. On the basis of the decision, the Rules of Procedure specifies the *modus operandi* as agreed amongst ESAC members.

## Article 2: Membership

### 2.1. Members

The ESAC has 24 members representing users, respondents and other stakeholders of European Statistics. Members appointed directly by the institutions they represent are called "institutional members". Members appointed in their private capacity by the European Commission are called "private members". All members are expected to fulfil the same roles, with two exceptions: substitutes can attend ESAC meetings to replace "institutional members" and the Chair must be selected amongst the "private members".

The chairperson of the Committee may authorise observers to attend Committee meetings.

EFTA countries share an observer status

The Secretariat shall keep the list of members up-to-date.

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<sup>1</sup> OJ L 73, 15.3.2008, p. 13.

<sup>2</sup> SEC(2010) 1360 final

## **2.2. Duties**

Members are expected to:

- prepare for and attend the ESAC meetings. The Chair and secretariat should be informed in advance in the case of unavailability;
- contribute actively to discussions in the Committee, examine and provide comments to the working documents;
- participate in the organisation of seminars and other ESAC activities and events;
- volunteer for other roles such as representing ESAC in ESS Directors Groups meetings or other representative tasks;
- network with key user groups and with professional societies which represent statistical users
- have a special work package or portfolio, or act, as appropriate, as a "rapporteur" on specific dossiers.

## **2.3. Resignations**

If due to exceptional circumstances members are not able to fulfil their duties, they should contact the Chair to discuss their position. Similarly the Chair will contact any members who do not actively participate in ESAC in order to ascertain whether they wish to continue with their membership.

# **Article 3: Chair and Executive Board**

## **3.1. Chair**

In addition to the members' duties, the Chair is expected to:

- lead and stimulate ESAC's work;
- determine the draft agenda
- approve , minutes and other meeting documents:
- convene the Committee at least once a year, either on his/her own initiative or at the request of at least one third of its members;
- take overall responsibility for all ESAC reports and comments;
- work with ESAC members to ensure that their contributions are helpful and are valued;
- liaise with the Secretariat with respect to ESAC issues;
- represent ESAC externally, e.g. in ESSC and DGINS meetings and other relevant meetings by invitation in order to consult statistics users and to share information about ESAC;
- in case of unavailability, the Chair is replaced by the Deputy Chair. In absence of both, the Director-General of Eurostat or his/her delegate chairs the meeting.

### 3.2. ESAC Executive Board

3.2.1 An ESAC Executive Board shall be established by the Committee from among the members. It shall comprise:

- Chair
- Deputy Chair
- Director General of Eurostat (ex officio) or his/her representative,
- two other ESAC members:
  - a) Statistics User Network Coordinator to organise and unite the community of Users of Statistics across Europe.
  - b) Seminar and Research Activities Coordinator to supervise the organisation of seminars and to monitor research activities.

3.2.2. The role of the ESAC Executive Board is to facilitate the work of ESAC as follows:

- preparing the discussion of specific strategic issues at the ESAC upon its own initiative or at the request of the ESAC;
- discussing the substance of upcoming ESAC agenda items and, if appropriate, issue draft opinions/advice for consideration by the ESAC;
- monitoring the functioning of the ESAC and its subsidiary bodies in particular temporary working parties created by ESAC;
- reporting regularly about its activities to ESAC;

Executive Board meetings are to be organised back-to-back with ESAC plenary meetings whenever possible.

#### 3.2.3 Rotation of members

The Chair is elected for a term of 5 years, renewable once, amongst the members appointed by the Commission (Art. 6 of ESAC decision, RoP 2.1 above).

The Committee shall elect a Deputy Chair for a 5-year term. In the event of resignation or absence of an elected Chair, the Deputy Chair shall take over until a new Chair is elected.

The Committee shall elect every 2.5 years the two Coordinators in the Executive Board. Their term can be renewed once.

## **Article 4: Secretariat**

Eurostat shall provide secretarial services for ESAC, the Executive Board and any temporary working parties. The Secretariat's main responsibilities are to:

- assist the Chair in the performance of his/her duties;
- support the chair in preparing the agendas for the meetings;
- draw up draft minutes of the meetings;
- provide operational support for meetings, including temporary working parties' meetings, and for seminars;
- organise the technical liaison between the Committee and other bodies;
- keep the ESAC website updated
- keep the Committees' archives.

Correspondence concerning the Committee should be addressed to the attention of the Chair to the Secretariat at the Statistical Office of the European Union, Eurostat, Jean Monnet, L-2920 Luxembourg or [ESTAT-ESAC@ec.europa.eu](mailto:ESTAT-ESAC@ec.europa.eu). Correspondence for committee's members shall be sent to the [e-mail] address which they provide for that purpose.

## **Article 5: Opinions of the Committee**

### **5.1 Vote**

As far as possible, the Committee shall adopt its opinions or reports by consensus. If necessary, voting in the Committee shall be carried out for

- a) the adoption of Rules of Procedure and any amendment to them,
- b) the election of the Chair, Deputy Chair and Executive Board,
- c) formal opinions.

The outcome of the vote shall be decided by a simple majority of the members, provided that at least half of the members take part in the vote.

### **5.2 Written procedure**

If necessary and in substantiated cases, the opinion of the Committee may be obtained by written procedure (carried out electronically). To this end, the Secretariat shall send the members of the Committee the draft documents on which the opinion of the Committee is sought.

In absence of observations in writing received by the Secretariat in the following 14 calendar days, the drafts are deemed to have been approved.

In urgent or exceptional cases which must be justified in writing to the satisfaction of the Chair of ESAC, the time limit may be reduced to five calendar days.

## **Article 6: Organisation of meetings**

### **6.1. Convening a meeting**

Apart from the mandatory annual meeting, additional meetings and meetings of temporary working parties could also be organised electronically e.g. video or phone conference.

The Secretariat shall support the chair in drafting an agenda for each meeting, and taking account of the requests made by the members in writing. In response to a request from a member, or on his/her own initiative, the Chair may introduce an item on the agenda at the beginning of a meeting, on condition that the Committee agrees.

The agenda shall make a distinction between items submitted to the Committee for adoption, opinion, for discussion and for information.

The invitation and the agenda shall be sent by the Secretariat no later than 14 calendar days before the date of the meeting

### **6.2 Documents**

The documents, in particular those on which the Committee is required to give its opinion, must reach the members no later than 14 calendar days before the date of the meeting. In urgent or exceptional cases, the time limit to send the documents may be reduced to five calendar days. The documents will be available in English.

### **6.3 Attendance list**

At each meeting, the Secretariat shall draw up an attendance list.

### **6.4 Minutes**

The draft minutes of the meetings shall be drawn up by the Secretariat. After approval by the Chair, the draft minutes shall be transmitted to the Committee members within 14 calendar days of the meeting.

In the absence of observations in writing received by the Secretariat in the following 14 calendar days, the minutes are deemed to have been approved.

In the case of any disagreement, the proposed amendment shall be discussed by the Committee. If the disagreement persists, that amendment shall be annexed to the minutes. The minutes are published online.

## **Article 7: Resources**

In addition to the secretariat provided by the Commission, ESAC's expenses cover the meetings, seminars and studies if provided for in Commission's budgetary estimates. ESAC will prepare a proposal requiring resources for year t at the latest by June in year t-1.

The reimbursement of travel expenses by the Commission shall be paid in accordance with the applicable rules for the agreed meetings, subject to budgetary funds provided for this purpose.

## **Article 8: Sub-groups and activities**

### **8.1 Temporary working parties**

The Committee may, in agreement with the Commission, set up temporary working parties to examine specific questions on the basis of terms of reference defined by the Committee. The temporary working parties will be chaired by a Committee member, they will report to ESAC and they will be disbanded as soon as their mandate is fulfilled.

### **8.2 Seminars and studies**

The Committee may hold seminars for the performance of its tasks upon prior agreement by and within the limits of appropriations agreed with the Commission (Eurostat). Seminars should bring together users, producers and providers of statistics with a view of sharing best practices and proposing ways of improving the community statistical system.

Studies can be commissioned pursuant to Article 6 (4) of the ESAC Decision 234/2008/EC, which will be subject to procurement procedures organised by the Commission in accordance with Title V of the Financial Regulation (Public procurement), depending on the available budget and agreement from Eurostat. ESAC studies cannot be commissioned or subcontracted to ESAC members.

The results of seminars and studies will be published online, and will – where relevant – be brought to the attention of the Council, the European Parliament, the Commission, the ESSC, the CMFB as well as the National Statistical Institutes and the wider public.

### **8.3 Reports on ESAC activities**

ESAC will provide a regular report to the ESS and relevant European institutions. This report will be published online.

## **Article 9: Confidentiality, protection of personal data and transparency**

Without prejudice to Article 339<sup>3</sup> of the Treaty, Committee members shall be required not to disclose information to which they have gained access through Committee or working party proceedings or studies if the Commission informs them that such information is justifiably of a confidential nature or that responding to a request for an opinion or a question raised would lead to the disclosure of such confidential information.

All processing of personal data for the purposes of these Rules of Procedure shall be in accordance with Regulation (EC) No 45/2001<sup>4</sup> and national laws implementing Directive 95/46/EC.

The principles and conditions concerning public access to the Committee's documents shall be the same as those defined in Regulation (EC) n° 1049/2001<sup>5</sup>. It is for the Commission to take a decision on requests for access to those documents.

ESAC documents with final results are published online<sup>6</sup>.

## **Article 10: Conflicts of interest**

Should a conflict of interest in relation to a member arise, the Commission services may exclude this member from the Committee or a particular meeting thereof or they may decide that the member in question shall abstain from discussing the items on the agenda concerned and from any vote on these items.

At the start of each meeting, any member whose participation in the Committee's work would raise a conflict of interest shall inform the Chair.

Conflicts of interest shall be reported in writing, e.g. in the summary minutes of the committee's meeting.

The above shall also apply to deliberations taken by the Committee in written procedure.

## **Article 11: Review arrangements**

ESAC shall review its functioning and Rules of Procedure after each five year period or at the request of the ESAC Chair.

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<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0047:0200:en:PDF>

<sup>4</sup> 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).

<sup>5</sup> OJ L 145, 31.5.2001, p. 43–48, 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 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:145:0043:0048:EN:PDF>

<sup>6</sup> <http://epp.eurostat.ec.europa.eu/portal/page/portal/esac/introduction>



## ESAC Fact Sheet May 2014

<b>Title:</b>	<b>ESAC – European Statistical Advisory Committee</b>												
<b>Register of experts groups (SG Code)</b>	<b><u><a href="#">X02140</a></u></b>												
<b>Date of creation:</b>	<b>15.6.2008</b>												
<b>Up-date</b>	<b>07.05.2014</b>												
<b>Origin:</b>	The European Advisory Committee on Statistical Information in the Economic and Social Spheres (CEIES) set up by Council Decision 91/116/EEC and Art. 285 of the Treaty												
<b>Legal basis:</b>	Decision No <a href="#">234/2008/EC</a> of the European Parliament and of the Council of 11 March 2008 (OJ L 73 of 15 March 2008)												
<b>Mandate:</b>	The Committee is created assist the European Parliament, the Council and the Commission in ensuring that user requirements and the costs borne by information providers and producers are taken into account in coordinating the strategic objectives and priorities of the Community's statistical information policy												
<b>Frequency of meetings:</b>	ca. 4 times per year, usually in Brussels												
<b>Participants on 5-year-terms</b>	<b>Number of participants: 24</b>												
<p><b>12 members</b> are appointed by the Commission (terms ending 2015-2019)</p> <p>These 12 members shall be considered as <b>private experts</b>, i.e. currently:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Mr Axel BOERSCH-SUPAN</td> <td style="width: 50%;">Ms Maria João CASANOVA DE ARAÚJO E SÁ VALENTE ROSA</td> </tr> <tr> <td>Mr Tasos C. CHRISTOFIDES</td> <td>Mr. Denis DURAND</td> </tr> <tr> <td>Mr. Kris DEGROOTE</td> <td>Ms. Anuska FERLIGOJ</td> </tr> <tr> <td>Ms. Irena KOTOWSKA</td> <td>Ms Frances RUANE</td> </tr> <tr> <td>Ms Lena SOMMESTAD</td> <td>Ms. Ineke STOOP</td> </tr> <tr> <td>Ms. Emilia TITAN,</td> <td>Mr. Ildefonso VILLÁN CRIADO</td> </tr> </table>		Mr Axel BOERSCH-SUPAN	Ms Maria João CASANOVA DE ARAÚJO E SÁ VALENTE ROSA	Mr Tasos C. CHRISTOFIDES	Mr. Denis DURAND	Mr. Kris DEGROOTE	Ms. Anuska FERLIGOJ	Ms. Irena KOTOWSKA	Ms Frances RUANE	Ms Lena SOMMESTAD	Ms. Ineke STOOP	Ms. Emilia TITAN,	Mr. Ildefonso VILLÁN CRIADO
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<p><b>ESAC chair will be elected by all members but only private experts could be elected as chair.</b></p> <p><b>Ineke Stoop has been appointed as chairperson.</b></p> <p><b>11 members</b> are appointed directly by the institutions and bodies to which they belong (terms ending 31 March 2018)</p> <ul style="list-style-type: none"> <li>European Parliament: Hugues Bayet</li> <li>Council of the European Union: Maurizio VICHI</li> <li>European Economic &amp; Social Committee: Michael SMYTH</li> <li>Committee of the Regions: Thomas Wobben</li> <li>European Central Bank: Aurel SCHUBERT</li> <li>European Statistical System Committee (ESSC): Gabriella VUKOVICH and Michael PACE ROSS</li> <li>Businesseurope: Michael GOLD</li> <li>European Trade Union Confederation: Agnieszka PIASNA</li> <li>European Ass. of Craft, Small and Medium-sized Enterprises: Ulrike OSCHISCHNIG</li> <li>European Data Protection Supervisor: Alba BOSCH MOLINE</li> </ul> <p>The 24<sup>th</sup> member is the Director-General of Eurostat as an ex officio member without voting right.</p>													
<p><b>Reporting authority:</b> Art 3 "At the request of the European Parliament, the Council and the Commission, the Committee shall deliver an opinion on matters relating to user requirements and costs incurred by data suppliers in the development of the Community's statistical information policy, in the priorities of the Community statistical programme, in the evaluation of existing statistics, in data quality and in dissemination policy."</p>													
<p><b>Additional information:</b> <a href="http://epp.eurostat.ec.europa.eu/portal/page/portal/esac/introduction">http://epp.eurostat.ec.europa.eu/portal/page/portal/esac/introduction</a></p>													