Scientific Advice Mechanism

Rules of Procedure
Of the High Level Group of Scientific Advisors

29 January, 2016
(Revised v2)
Rules of Procedure of the High Level Group of Scientific Advisors

The High Level Group of Scientific Advisors (hereafter referred to as ‘the Group’),

Having regard to the Commission Decision setting up the Group (hereafter referred to as ‘the Commission Decision’)

Having regard to the expert contract signed between each Member of the Group and the Commission (hereafter referred to as ‘the Contract’)

Having regard to the framework for Commission Expert Groups: horizontal rules and public register

Has adopted the following rules of procedure:

Article 1

Membership

1. The Group has seven Members.

2. A Member cannot be represented by another Member.

3. The duration of Membership is two and a half years, renewable once.

4. Members will endeavour to attend meetings in person when possible or by other means when necessary.

Article 2

Chair

1. The Group designates a Chair and a deputy-Chair from among its Members for a period of one year from the moment of designation.

2. The deputy-Chair assists the Chair and may substitute the Chair.

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2 C(2010)7649 final of 10.11.2010
Article 3

Secretariat

1. The Commission shall provide the secretariat for the Group and any subgroup created under Article 8(1).

2. The Secretariat is established within the Directorate General for Research and Innovation of the European Commission.

Article 4

Meetings

1. The Group shall schedule at least four and at most six ordinary meetings per year. Extra-ordinary meetings can be convened in particular when urgent advice is required.

2. The Chair will convene meetings of the Group in agreement with the other Members.

3. The Group can meet with other groups and persons as appropriate.

4. The Commissioner for Research, Science and Innovation or other Commissioners, or their representatives, may attend the meetings of the Group and hold exchanges with the Group, as appropriate.

5. The Group usually meets at the premises of the Commission in Brussels, but may decide to meet elsewhere, for example at events of relevance to the work of the Group.

Article 5

Agenda

1. The Chair shall draw up the draft-agenda with the Secretariat. Any member may request that a specific item is included in the draft agenda.

2. The Group shall adopt an agenda at the beginning of each meeting.

Article 6

Distribution of documents

1. The Secretariat shall send the invitation, draft-agenda and documents on which the Group deliberates to the Members at least fourteen calendar days before the date of a meeting.
2. Exceptionally, shorter notice may be given, but never fewer than five calendar days before the date of a meeting.

Article 7

Decision-making

1. The Group decides by consensus, in particular on the adoption and on the publication of Opinions, Recommendations or Reports, which may include dissenting opinions.

2. Dissenting opinions will be voiced in a timely manner.

3. Decision-making can be oral or in writing, including by email.

Article 8

Rapporteurs and Sub-groups

1. The Group may appoint rapporteurs or establish sub-groups from among its Members to examine any specific question and prepare the position of the Group in the remit of the tasks set out in the Commission Decision.

2. A sub-group shall cease to exist when its mandate is fulfilled.

3. Rapporteurs and sub-groups report to the Group.

Article 9

Experts

1. The Group can call on experts to
   a. participate in the work of the Group or subgroups;
   b. hear their views on any relevant issue.

2. The Secretariat shall invite the experts in accordance with the applicable rules.

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Article 10

Minutes of meetings

1. The Secretariat, under the responsibility of the Chair, shall draft minutes of the discussions under each agenda item without reference to the position of individual Members.

2. The Secretariat shall distribute the minutes by email to the Members without delay.

3. The Members shall approve or correct the minutes within ten working days after receipt. In the absence of a response within that deadline, consent is assumed.

4. The approved Minutes will be published by the Secretariat in accordance with Article 14.

Article 11

Attendance list

The Secretariat, under the responsibility of the Chair, shall draw up the list of all participants specifying their names and affiliations as appropriate.

Article 12

Declaration of Interest

1. Members shall declare any conflict of interest prior to any deliberation in accordance with the terms of the Contract.

2. Any expert, as mentioned in Article 9, shall sign a declaration of interest (‘DoI’). The Chair shall assess whether declared interests constitute a conflict of interests (‘CoI’) in the light of the role that the expert plays in the context of a given agenda point, as well as the task of the Group. Should a CoI arise the Chair shall exclude this expert from the work of the Group or subgroup, from a particular meeting, or decide that the expert shall abstain from discussing an item on the agenda, depending on the nature of the CoI.

3. Experts shall inform the Chair of any interest prior to their participation in the work of the Group.

4. Any conflict of interest shall be recorded in writing, including in the minutes mentioned in Article 10.

5. Paragraphs 1, 2, 3, and 4 shall also apply to deliberations taken by the Group in written procedure.
Article 13

Correspondence

Correspondence relating to the Group shall be addressed to the Secretariat (EC-SAM@ec.europa.eu) for the attention of the Chair.

Article 14

Access to documentation

Documentation shall be published in the Register\(^4\) or via a link from the Register to the website of the Scientific Advice Mechanism\(^5\). Access to documentation shall not be subject to user registration or any other form of restriction.

Exceptions to publication are possible where disclosure of a document would infringe the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001.

Article 15

Confidentiality

1. Working sessions of the Group are private and deliberations, either oral or written, are confidential.

2. The Group may decide to open its deliberations to the public.

3. The Members and invited experts shall comply with the obligations of professional secrecy laid down by the Treaties and the rules implementing them as well as with the Commission's rules on security regarding the protection of EU classified information, laid down in Commission Decision (EU, Euratom) 2015/443 and 2015/444. Should they fail to respect these obligations, appropriate measures may be taken.

\(^4\) http://www.cc.cec/regexp/welcome.do

\(^5\) http://ec.europa.eu/research/sam/index.cfm
Article 16

External relations and relations with the media

1. Regarding relations with the media, Members shall respect the guidelines set out in Annex I of the present Rules of Procedure.

2. After having informed the Secretariat and upon approval by the Chair, Members may participate in external meetings or events on behalf of the Group, and assert their capacity as Member of the Group. They shall send all relevant documentation to the Secretariat for distribution to the Members.

Article 17

Protection of personal data

Personal data shall be processed in accordance with Regulation (EC) n° 45/2001.

Article 18

Amendment

The Group can amend these Rules of Procedure and its Annexes by unanimous decision.

Brussels, 11/02/2016
Annex I

Scientific Advice Mechanism (‘SAM’) High-Level Group

Media guidelines

1. Introduction

The effectiveness and credibility of the SAM High-Level Group (hereafter referred to as “the Group”) requires that its independence is transparently communicated. Good communication of the work of the Group, therefore, will be an important part of establishing its reputation.

This document contains the rules that will guide the Members of the Group (hereafter referred to as “the Members” or singular: “Member”) on how they will communicate about the work of the Group. It can be amended pursuant to the procedure set out in Article 18 of the Rules of Procedure.

In all cases the SAM Unit in Directorate-General Research and Innovation (hereafter referred to as “the Secretariat” in the sense of Article 3 of the Rules of Procedure) is ready to help the Members where necessary, supported by colleagues in the Communications Unit of Directorate-General Research and Innovation (‘DG RTD’), and the European Commission's Spokespersons service (‘SPP’).

2. Status of the members of the SAM High Level Group (‘the Group’)

The Group is independent of the Commission, and the Commission will rely on the independence of its advice. This means that members should not in any way give the impression that they are employees of, or represent the views of the European Commission.

Article 7, paragraph 1 of the Rules of Procedure states that “[t]he Group decides by consensus, in particular on the adoption and on the publication of Opinions, Recommendations or Reports, which may include dissenting opinions.” Members should therefore refrain from presenting views or opinions on topics before they have been agreed within the Group.

Members retain their individual liberty to express opinions in public but, when doing so, should make a clear distinction between the opinion of the Group and any opinion expressed in their personal capacity. In their capacity as Members of the Group, Members should refrain from advocating any particular political or policy action or agenda.

3. Contacts with journalists and information exchange

Members shall inform the Secretariat about a request for an interview by a journalist on issues relating to their work as Member of the Group. They shall inform the Secretariat about the outcome of such interview.
The Secretariat shall inform the Members of Commission News Alerts regarding the Group or SAM.

For general information on the operation of SAM, Members can direct journalist to the FAQ section of the SAM website\(^6\), which will be updated regularly.

Any questions about policies or opinions of the Commission should be directed to the Commission, for the Spokesperson to respond.

4. **Communications associated with meetings of the Group**

In line with the Commission Decision establishing the Group\(^7\), all agendas, meeting minutes, opinions and reports of the Group will be published on the SAM website\(^8\). This will normally be done after meetings have taken place or reports have been finalised. Drafts and preliminary versions will normally not be made public, although the HLG may decide to open its deliberations to the public in certain instances.

The Commission may issue public statements following meetings to summarise the main points discussed. Certain major events, such as the publication of an opinion of the Group, may be publicised by the Commission through press releases, news alerts or by other means.

5. **Representing the Group in other fora**

Members already have a high public profile, and may receive invitations to attend conferences and debates. When invited to speak at an event in their capacity as Member, they shall inform the Secretariat about the event. The Commission is keen to monitor the potential reach of SAM, particular among the national science academies, other science advice bodies and other stakeholders. On occasion, the Commission may request Members to take part in relevant events.

Time and expenses for representing the Group in other fora are reimbursed in accordance with the terms of the contract.

6. **Social Media**

The SAM website\(^9\) is the primary internet source for all SAM related information.

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\(6\) [http://ec.europa.eu/research/sam/index.cfm](http://ec.europa.eu/research/sam/index.cfm)

\(7\) C(2015)6946 of 16.10.2015

\(8\) [http://ec.europa.eu/research/sam/index.cfm](http://ec.europa.eu/research/sam/index.cfm)

\(9\) *Idem*
As for other communications, for example contacts with journalists, it is important to ensure that in social media messages Members differentiate between views expressed in a personal capacity or in their capacity as Member.

The Commission does not intend to establish a separate social media presence for SAM and will use the Facebook and Twitter accounts of the Commission, Commissioner Moedas and of DG RTD to publicise SAM and its developments, such as the publication of a report of the Group. The Twitter hashtag #SAMGroup_EU is proposed.

Members are encouraged to share these communications from their own personal Facebook and Twitter accounts.