

RULES OF PROCEDURE OF THE GROUP OF EXPERTS ON RAIL MARKET ACCESS

THE GROUP OF EXPERTS ON RAIL MARKET ACCESS, hereafter called 'the group',
Having regard to the creation of the group by DG Mobility and Transport,
Having regard to the standard rules of procedure of expert groups¹,
HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the group

The group shall act at the request of DG Mobility and Transport and be chaired by it.

Point 2

Convening a meeting

1. Meetings of the group are convened by the Chair, with the agreement of DG Mobility and Transport either on its own initiative or at the request of a simple majority of members after the Chair has given its agreement.
2. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the group shall be held on Commission premises.
4. Members of this group are exclusively representatives of Member States and other public entities.

Point 3

Agenda

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

Point 4

Documentation to be sent to group members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the group members no later than twenty-five calendar days before the date of the meeting.
2. The secretariat shall send documents for discussion to the group members no later than ten calendar days before the date of the meeting.

¹ C(2016) 3301 (Annex 3).

3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Point 5

Sub-groups

1. DG Mobility and Transport may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG Mobility and Transport. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules') and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance the horizontal rules.

Point 6

Invited experts

DG Mobility and Transport may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group on an ad hoc basis.

Point 7

Observers

1. Individuals, organisations and/or public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation .
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise.

Point 8

Secretariat

DG Mobility and Transport shall provide secretarial support for the group and any sub-groups.

Point 9

Minutes of the meetings

Minutes on the discussion on each point on the agenda shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

Point 10

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the Member States' authorities, organisations or other public entities to which the participants belong.

Point 11

Correspondence

1. Correspondence relating to the group shall be addressed to DG Mobility and Transport, for the attention of the Chair, using the following email address: MOVE-GERM@ec.europa.eu.
2. Correspondence for group members shall be sent to the e-mail address which they provide for that purpose.

Point 12

Transparency²

1. The group shall be registered on the Register of expert groups.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
 - (a) the name of Member States' authorities;
 - (b) the name of other public entities;
 - (c) the name of third countries' authorities;
 - (d) the name of observers.
3. DG Mobility and Transport shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG Mobility and Transport shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001³.

² In compliance with Commission Decision C(2016) 3301, individuals who do not wish to have their names disclosed may submit a request to DG Mobility and Transport for a derogation from this rule. A derogation shall be granted where justified on compelling legitimate grounds in relation to the specific situation of the individual, in particular where disclosure of the experts' name could endanger their security or integrity

³ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Point 13

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001⁴.

Point 14

Deliberations

In agreement with DG Mobility and Transport, the group may, by simple majority of its members, decide that deliberations shall be public.

⁴ 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).