

# **RULES OF PROCEDURE OF THE COMMISSION EXPERT GROUP ON GROSS NATIONAL INCOME**

THE COMMISSION EXPERT GROUP ON GROSS NATIONAL INCOME ("the GNI Expert Group"),

Having regard to Regulation (EU) No 2019/516 of the European Parliament and the Council<sup>1</sup>

Having regard to Commission Decision setting up the Commission expert group on gross national income<sup>2</sup>,

Having regard to the standard rules of procedure of expert groups<sup>3</sup>,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

## *Point 1*

### **Operation of the GNI Expert Group**

The GNI Expert Group (hereafter "the group") shall act at the request of the Commission (Eurostat).

European Commission's Directorate-General for Budget (DG BUDG) is the associated directorate<sup>4</sup> to this expert group for the purposes of GNI data used for the GNI-based own resource.

## *Point 2*

### **Convening a meeting**

1. Meetings of the group are convened by the Chair, either on its own initiative, or at the request of a simple majority of members after Commission (Eurostat) 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, in principle, be held on Commission premises.

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<sup>1</sup> Regulation (EU) 2019/516 of the European Parliament and of the Council of 19 March 2019 on the harmonisation of gross national income at market prices and repealing Council Directive 89/130/EEC, Euratom and Council Regulation (EC, Euratom) No 1287/2003 (GNI Regulation) (OJ L 91, 29.3.2019, p. 19).

<sup>2</sup> C(2019)3651 Commission Decision of 17 May 2019 on setting up the Commission expert group on gross national income.

<sup>3</sup> C(2016) 3301 (Annex 3).

<sup>4</sup> In accordance with established formal working arrangements between DG BUDG and Eurostat.

### *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.
3. If, in urgent cases, the adding of a new point to the agenda is requested during the course of a meeting, the agreement of Commission (Eurostat) and the approval of a simple majority of expert group members is required.

### *Point 4*

#### **Documentation to be sent to group members**

1. The secretariat shall aim at sending the invitation to the meeting and the draft agenda to the group members no later than thirty calendar days before the date of the meeting.
2. The secretariat shall aim at sending documents on which the group is consulted to the group members no later than fourteen calendar days before the date of the meeting.
3. In 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*

#### **Opinions of the group**

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have voted against or abstained shall have the right, upon their explicit request, to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

### *Point 6*

#### **Sub-groups**

1. The Commission (Eurostat) may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission.

Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups<sup>5</sup> ('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<sup>6</sup>.

#### *Point 7*

#### **Invited experts**

The Commission (Eurostat) may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

#### *Point 8*

#### **Observers**

1. Organisations or public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation by the Commission's representative in the group.
2. Organisations or 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. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

#### *Point 9*

#### **Written procedure**

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the group members the document(s) on which the group is being consulted.
2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group as soon as possible.

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<sup>5</sup> Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

<sup>6</sup> See Articles 10 and 14.2 of C(2016)3301.

*Point 10*

**Secretariat**

The Commission (Eurostat) shall provide secretarial support for the group and any sub-groups.

*Point 11*

**Minutes of the meetings**

Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair. Short minutes shall be drafted by the secretariat and circulated to the group members within one week of the meeting.

*Point 12*

**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 13*

**Conflicts of interest**

1. The chair of each expert group or sub-group shall, at the first meeting of each calendar year, remind all members appointed in a personal capacity of their obligation to promptly inform the Commission (Eurostat) of any relevant change in the information previously provided, including as regards upcoming activities, in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable the Commission (Eurostat) to assess it in due course, in compliance with the horizontal rules.
2. Should a conflict of interest in relation to an expert appointed in a personal capacity arise, Commission (Eurostat) shall take all appropriate measures, in compliance with the horizontal rules<sup>7</sup>.
3. Conflicts of interest shall be reported in writing, e.g. in the minutes of the group's meeting. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

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<sup>7</sup> See article 11 of C(2016)3301.

#### *Point 14*

### **Correspondence**

1. Correspondence relating to the group shall be addressed to the Commission (Eurostat), for the attention of the Chair.
2. Correspondence for group members shall be sent to the e-mail address which they provide for that purpose.

#### *Point 15*

### **Transparency**

1. The group and sub-groups shall be registered on the Register of Commission expert groups and other similar entities ("the Register of expert groups").
2. As concerns the group composition, the following data shall be published on the Register of expert groups, specifying the membership status (member or observer):
  - (a) the name of Member States' authorities;
  - (b) the name of third countries' authorities;
  - (c) the name of other public entities.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available after the meetings *via* a link from the Register of expert groups to a dedicated website. Access to dedicated websites shall not be subject to user registration or any other restriction. The agenda shall be published 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) No 1049/2001 of the European Parliament and of the Council<sup>8</sup>.
4. The representatives of members of the group may share the documents and deliberations, on the basis of the need-to-know principle, with the professionals of the respective national statistical authorities.

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<sup>8</sup> 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). Exceptions 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 16*

**Access to documents**

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001<sup>9</sup>.

*Point 17*

**Deliberations**

In agreement with Commission (Eurostat), the group may, by simple majority of its members, decide that deliberations shall be public.

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<sup>9</sup> 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).