

## **RULES OF PROCEDURE OF THE CONSUMER POLICY ADVISORY GROUP**

THE CONSUMER POLICY ADVISORY GROUP,

Having regard to the creation of the group by the Commission's Directorate-General Justice and Consumers ('DG JUST'),

Having regard to the standard rules of procedure of expert groups<sup>1</sup>,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

### *Point 1*

#### **Operation of the group**

1. The group shall be chaired by a representative of DG JUST.
2. The group shall act at the request of DG JUST.

### *Point 2*

#### **Convening a meeting**

1. Meetings of the group shall be convened by the Chair, either on its own initiative, or at the request of a simple majority of members after DG JUST 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 can be held on Commission premises or virtually depending on the agenda and/or relevant travel restrictions that would prevent physical meetings.

### *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 members of the Group may propose items for discussion for the agenda of the next meeting, in agreement with the secretariat.
3. The agenda shall be adopted by the group at the start of the meeting.

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<sup>1</sup> C(2016) 3301 (Annex 3).

#### *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 thirty calendar days before the date of the meeting.
2. The secretariat shall send 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 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.
4. The group will carry out its work electronically, to the extent possible. This will be facilitated by a digital tool put at its disposal and maintained by the secretariat.

#### *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 to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

#### *Point 6*

##### **Sub-groups**

1. DG JUST may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG JUST. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups<sup>2</sup> ('the horizontal rules') and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled. The group can have access to the evidence and preparatory work of the sub-groups.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with the horizontal rules<sup>3</sup>.

#### *Point 7*

##### **Invited experts**

DG JUST 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.

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<sup>2</sup> C(2016) 3301.

<sup>3</sup> C(2016) 3301, Articles 10 and 14.2.

#### *Point 8*

##### **Observers**

1. One consumer organisation from Norway and one consumer organisation from Iceland may be granted an observer status, in compliance with the horizontal rules, as a result of a call for applications.
2. Organisations appointed as observers shall nominate their representatives.
3. Observer may be permitted by the Chair to take part in the discussions of the group and sub-groups and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group and sub-groups.

#### *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.

#### *Point 10*

##### **Secretariat**

DG JUST 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 within 15 days, sent to the members of the group for their comments, and then they are finalised by the secretariat.

#### *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 organisations to which the participants belong<sup>4</sup>.

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<sup>4</sup> The names of the representatives of organisations may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

### *Point 13*

#### **Conflicts of interest**

1. The chair of the group and its sub-groups shall, at the first meeting of each calendar year, remind all members appointed in a personal capacity of their obligation to promptly inform DG JUST 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 DG JUST 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, DG JUST shall take all appropriate measures, in compliance with the horizontal rules<sup>5</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.

### *Point 14*

#### **Correspondence**

1. Correspondence relating to the group shall be addressed to DG JUST, 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<sup>6</sup>**

1. The group and sub-groups shall be registered in the Register of expert groups.
2. As concerns the group and sub-groups composition, the following data shall be published on the Register of expert groups:
  - (a) the name of individuals appointed in a personal capacity;
  - (b) the name of member organisations; the interest represented shall be disclosed;
  - (c) the name of observers.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available on the Register of expert groups. In particular, DG JUST 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

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<sup>5</sup> C(2016) 3301, Article 11.

<sup>6</sup> To be adapted as required, in compliance with Commission Decision C(2016) 3301. Individuals who do not wish to have their names disclosed may submit a request to the responsible DG 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.

protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>7</sup>.

*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>8</sup>.

*Point 17*

**Deliberations**

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

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<sup>7</sup> 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.

<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).