

RULES OF PROCEDURE OF THE MARINE EQUIPMENT EXPERT GROUP

THE MARINE EQUIPMENT EXPERT GROUP,

Having regard to the creation of the group by DG MOVE,

Having regard to Directive 2014/90/EU,

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 MOVE, in compliance with the Commission's horizontal rules on expert groups² ('the horizontal rules').

Point 2

Convening a meeting

1. Meetings of the group are convened by DG MOVE either on its own initiative, or at the request of a simple majority of members after DG MOVE 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. In principle, meetings of the group shall be held on Commission premises or virtually, depending on the circumstances.

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 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.

¹ C(2016) 3301, Annex 3.

² C(2016) 3301.

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

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 Member States. The Member States 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

DG MOVE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG MOVE. Sub-groups shall operate in compliance with the the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.

Point 7

Member State authorities

Member States may appoint one representative of the authority competent for marine equipment as well as one representative of the national authority responsible for the notification of conformity assessment bodies as members of the group. In the event of a vote, the outcome of the vote shall be decided by simple majority of the Member States present. Each Member State shall have one vote.

Point 8

Invited experts

DG MOVE 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 9

Observers

1. Individuals/organisations/public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. Organisations/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 10

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 shall send 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 11

Secretariat

DG MOVE shall provide secretarial support for the group.

Point 12

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 with the help of EMSA under the responsibility of the Chair.

Point 13

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, Member States' authorities or other public entities to which the participants belong.

Point 14

Correspondence

1. Correspondence relating to the group shall be addressed to DG MOVE, 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 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:
 - (a) the name of Member States' authorities;
 - (b) the name of observers.
3. DG MOVE shall make available all relevant documents, including the agendas, the minutes and the participants' submissions on the Register of expert groups. In particular, DG MOVE 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 possible 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.

Point 16

Access to documents

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

Point 17

Deliberations

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

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.

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).