

**RULES OF PROCEDURE OF
THE INFORMAL COMMISSION EXPERT GROUP
EU FINANCIAL INTELLIGENCE UNITS' PLATFORM (EU FIUs' Platform)**

THE EU FINANCIAL INTELLIGENCE UNITS' PLATFORM,

Having regard to the creation of the group by the Commission's Financial Stability, Financial Services and Capital Markets Union Directorate General (hereinafter "DG FISMA"),

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 the Chair, in compliance with the Commission's horizontal rules on expert groups² ('the horizontal rules') and the EU FIUs' Platform's Terms of Reference.

Point 2

Convening a meeting

1. Meetings of the group are convened by the Chair 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. In principle, meetings of the group shall be held on Commission premises or virtually, depending on the circumstances, up to five times per year.
4. Each year, a meeting of the EU FIUs' Platform shall be dedicated to the governance of FIU.net to discuss the state-of-play and decide the strategy, the priorities and plans for FIU.net within the limits of the available budget and to make the relevant decisions accordingly.

¹ C(2016) 3301, Annex 3.

² C(2016) 3301.

Point 3

Agenda

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

Point 4

Documentation to be sent to the group

1. The secretariat shall send the invitation to the meeting and the draft agenda to the EU FIUs' Platform no later than fifteen calendar days before the date of the meeting.
2. The secretariat shall send documents on which the EU FIUs' Platform is consulted no later than seven 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 three calendar days or less before the date of the meeting. In such cases, the Chair shall provide the EU FIUs' Platform with the opportunity to provide comments within a reasonable period of time after the conclusion of the meeting.

Point 5

Opinions of the group

1. As far as possible, the EU FIUs' Platform 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

The Chair may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined, where necessary, in agreement with the members of the EU FIUs' Platform. Sub-groups shall operate in compliance with the horizontal rules and shall report to the EU FIUs' Platform. They shall be dissolved as soon as their mandate is fulfilled.

Point 7

Invited experts

DG FISMA may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the EU FIUs' Platform or its sub-groups on an *ad hoc* basis.

Point 8

Observers

1. 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 EU FIUs' Platform and its 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 its sub-groups.

Point 9

Written procedure

1. If necessary, the EU FIUs' Platform's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat shall send to the EU FIUs' Platform members the document(s) on which the Platform is being consulted.
2. In the cases where the EU FIUs' Platform's opinion or recommendation are sought in the context of the EU FIUs' Platform's role with regard to the governance of the FIU.net system, the document(s) referred to in the previous sub-paragraph shall be sent to the EU FIUs' Platform members and those observers authorised to have access to FIU.net.
3. However, if a simple majority of EU FIUs' Platform 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 FISMA shall provide administrative and logistical support for the EU FIUs' Platform and any of its 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.

Point 12

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list of the organisations, Member States' authorities or other public entities attending the meeting³.

Point 13

Correspondence

1. Correspondence relating to the group shall be addressed to DG FISMA, to the email address "FISMA-FIU-PLATFORM@ec.europa.eu" 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 14

Transparency

1. The EU FIUs' Platform and its 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:
 - (a) the name of Member States;
 - (b) the name of the EEA countries;
 - (c) the name of observers.
3. DG FISMA shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, on the Register of expert groups. In particular, DG FISMA 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° 1049/2001⁴.

³ The names of the representatives of organisations, Member States' authorities or other public entities 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.

⁴ 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 15

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001⁵.

Point 16

Deliberations

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

⁵ 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).