

## **RULES OF PROCEDURE OF THE MEMBER STATES EXPERT GROUP ON SUSTAINABLE FINANCE**

The Member States expert group on sustainable finance (hereafter referred to as “the Group”),

Having regard to the European Commission's Action Plan on Financing Sustainable Growth C(2018) 97 of 08.03.2018 stipulating the creation of a dedicated Member States expert group on sustainable finance,

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 act at the request of the European Commission. DG FISMA, in cooperation with DG CLIMA and DG ENV, will act, on behalf of the European Commission, as Chair.
2. The Group shall be composed of two experts from each Member State, in the area of finance and sustainability respectively, as nominated by each Member State.

### *Point 2*

#### **Convening a meeting**

1. Meetings of the Group are convened by the Chair.
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.

### *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.

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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 **ten calendar days** before the date of the meeting. In exceptional cases, notably when finalising the drafting of reports, shorter deadlines may apply, respecting a minimum time-frame of **five calendar days**.

#### *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. 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. The Chair may set up sub-groups for the purpose of examining specific questions related to the Group's mandate, on the basis of terms of reference defined by the Chair.  
  
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. Only members of the Group can be members of sub-groups. Observers can participate in the sub-group in accordance with Point 8.

#### *Point 7*

##### **Invited experts**

The Chair may invite experts with specific expertise related 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**

Representatives of organisations/ institutions may be granted observer status (Observers) by the Chair. Observers may be permitted 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. The members of the Group shall provide their input no later than **twenty calendar days**.
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 as soon as possible.

*Point 10*

**Secretariat**

DG FISMA shall provide secretarial support for the Group and any sub-groups.

*Point 11*

**Minutes of the meetings**

1. 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.
2. The draft Minutes shall be sent to the Group for approval.

*Point 12*

**Attendance list**

At each meeting, the Secretariat shall draw up, under the responsibility of the Chair, an attendance list specifying the Member States' authorities and organisations to which the participants belong.

*Point 13*

**Correspondence**

1. Correspondence relating to the Group shall be addressed to DG FISMA, 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*

**Confidentiality**

1. All non-public data, contributions to work in progress, draft documents and information shared by Members, Observers and the Secretariat should be treated with due confidentiality.
2. Discussions in the Group and subgroups are on a confidential basis. It is the duty of the Member and Observer to protect the confidentiality of discussions and the views of individual members.
3. Members and observers of the Group can communicate on the Group's work only based on publicly available information (such as the published mandate for the Group, agendas or minutes of meetings) or on the basis of specific agreed terms of reference.

*Point 15*

**Transparency**

1. The Group shall be registered on the Register of Commission expert groups.<sup>2</sup>
2. As concerns the Group's composition, the following data shall be published on the Register of Commission Expert Groups:
  - (a) the name of individuals appointed to represent the members (Member States);
  - (b) the name of Observers;
3. DG FISMA shall make available relevant final documents, as well as the agendas and minutes, either on the Register of Commission 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 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 foreseen where it is deemed that

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<sup>2</sup> Register of Commission Expert Groups, E03603 published on 27 April 2018

disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001.<sup>3</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>4</sup>

*Point 17*

**Deliberations**

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

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<sup>3</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>4</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).