# Rules of Procedures for the Maintenance and Implementation Group

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RULES OF PROCEDURE
OF THE INFORMAL COMMISSION GROUP OF EXPERTS ON THE
MAINTENANCE AND IMPLEMENTATION OF THE INSPIRE DIRECTIVE
2007/2/EC
("INSPIRE Maintenance and Implementation Group – MIG"
formerly known as the policy sub-group of the MIG)

(FINAL DRAFT following written procedure, 31/01/2017)

THE INFORMAL COMMISSION EXPERT GROUP ON THE IMPLEMENTATION OF
MAINTENANCE AND IMPLEMENTATION OF THE INSPIRE DIRECTIVE 2007/2/EC
("INSPIRE Maintenance and Implementation Group-MIG ")
Having regard to the standard rules of procedure of expert groups¹,
HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

¹ C(2016) 3301 (Annex 3)
Point 1

Operation and mandate of the group

1. The group is chaired by a member of staff of DG Environment of the European Commission. The group shall act at the request of its chairman with the agreement of Directorate-General for Environment.

2. The Maintenance and Implementation Group "MIG" (‘the group’) coordinates joint activities to support the maintenance and implementation of the INSPIRE Directive between

   a. the European Commission (in particular Directorate-General for Environment (DG ENV) and the Joint Research Centre),

   b. the European Environment Agency (EEA) and the EU Member States' experts4 (Type D members)5, as well as

   c. experts from other countries (Type E members)6 and observers (see point 8).

3. The group's tasks are, in particular,:

   a. to prepare and agree on the maintenance and implementation work programme (MIWP), based on identified issues related to INSPIRE implementation and the maintenance of the INSPIRE Directive, Implementing Rules and/or Technical Guidance documents;

   b. to monitor the work progress of the activities under the MIWP, including those of the sub-groups, to establish linkages between the different activities and sub-groups and discuss cross-cutting issues;

   c. to bring about an exchange of experience and good practice related to the implementation of the INSPIRE Directive and the Implementing Rules;
d. to co-ordinate activities under the MIWP;

e. to endorse outcomes and deliverables from the MIWP and to provide guidance on open issues and questions emerging from these activities;

f. to develop the coordination and cooperation mechanisms further, where necessary;

g. to provide advice and expertise to the European Commission and its services in relation to the preparation of delegated acts;

h. to discuss the evolution of the INSPIRE implementation and its relationship with other policies, policy initiatives or legislative proposals and identify related issues.

4. The group also assists, where necessary, in the early preparation of implementing acts, before submission to the Regulatory Committee set up by Article 22 of INSPIRE Directive in accordance with Regulation (EU) No. 182/2011.

**Point 2**

**Convening a meeting**

1. Meetings of the group are convened by the Chair, with the agreement of DG Environment, either on its own initiative, or at the request of a simple majority of members, after DG Environment 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.

**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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7 If and when such an alignment of the INSPIRE Directive to the Lisbon Treaty has been agreed (see Commission proposal (COM(2016) 799).
**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 30 (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 14 (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.

**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. The DG Environment of the Commission, after consultation with the group, may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the DG Environment. 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. 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.

Point 6a

Permanent sub-group

1. A permanent sub-group on technical issues in relation to the Maintenance and Implementation of the INSPIRE Directive (MIG-T) is set up.

2. The MIG-T has the role to:
   a. advise the group on any technical matters,
   b. monitor the activities of the temporary sub-groups addressing technical issues,
   c. review deliverables from temporary sub-groups or documents proposed for endorsement by external stakeholders for technical feasibility and highlight potential risks and opportunities to the group,
   d. establish linkages between the different activities and sub-groups and discuss cross-cutting issues from a technical perspective,
   e. provide a communication channel between the activities of the group and its sub-group and the community of implementers in the member states,
   f. bring about an exchange of experience and good practice related to the implementation of the INSPIRE Directive and the Implementing Rules; and
   g. carry out other tasks and actions assigned to it in the maintenance and implementation work programme (MIWP).

3. The MIG-T will be chaired by the Joint Research Centre of the Commission and will, unless agreed otherwise, follow the same procedures as laid down for the group.

Point 7

Invited experts

The DG Environment of the Commission 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. Expert from organisations (type C members)\(^8\) and public entities, such as experts from non-EU countries may be granted an observer status\(^9\), in compliance with the horizontal rules\(^10\), by direct invitation.

2. Organisations and 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.

4. Observer status organisations and public entities shall be granted by the Chair in line with the horizontal rules. In order to apply for observer status in the group, an application shall be sent to the Chair.

5. For type C organisations, the Chair shall ensure, as far as possible, a high level of expertise, as well as a balanced representation of relevant know how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received. To this end, the following specific criteria shall apply in addition to the horizontal rules:

   a) The applying organisation represents a global or European umbrella organisation of national or regional organisations and

   b) the applying organisation has a specific profile with regard to EU spatial data policy in the field relevant to environment policy and

   c) the applying organisation has demonstrated its policy profile and relevance in relation to the implementation of the INSPIRE Directive 2007/2/EC in the past.

5. The decision taken by the Chair, following consultation of the group, concerning granting the observer status to an applicant will be communicated a written procedure.

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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\(^8\) See Article 7.2(c) of Commission Decision C(2016) 3301 final

\(^9\) See Article 16.2 of Commission Decision C(2016) 3301 final

\(^10\) Commission Decision C(2016) 3301 final
**Point 10**

**Secretariat**
DG Environment and the Joint Research Centre 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.

**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**

**Correspondence**
1. Correspondence relating to the group shall be addressed to DG Environment, 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 group shall be registered on 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 third countries’ authorities;
   (c) the name of other public entities;
   (d) the name of member organisations; the interest represented shall be disclosed.
3. DG Environment shall make available all relevant documents, including the agendas, the minutes and the participants’ submissions, either on the Register of expert groups
or via a link from the Register to a dedicated website\textsuperscript{11}, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG Environment 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 protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001.

\textit{Point 15}

\textbf{Access to documents}

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001\textsuperscript{12}.

\textit{Point 16}

\textbf{Deliberations}

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

\textsuperscript{11} E.g. CIRCABC library for the INSPIRE Directive: CircaBC/env/inspire/Library (https://circabc.europa.eu/w/browse/34cd8877-c42b-4f30-8078-bbd59b2ff416)