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### Legislation

#### Contents

I *Acts whose publication is obligatory*

.....

II *Acts whose publication is not obligatory*

#### **Committee of the Regions**

★ **Rules of Procedure** ..... 1

## II

*(Acts whose publication is not obligatory)*

### COMMITTEE OF THE REGIONS

#### Rules of Procedure

##### CONTENTS

##### INTRODUCTION

##### PRELIMINARY COMMENT

##### TITLE I

#### MEMBERS AND CONSTITUENT BODIES OF THE COMMITTEE

##### CHAPTER 1

#### *Constituent bodies*

Rule 1 — Constituent bodies of the Committee

##### CHAPTER 2

#### *Members of the Committee*

Rule 2 — Status of members and alternates

Rule 3 — Term of office

Rule 4 — Privileges and immunities

Rule 5 — Attendance of alternates

Rule 6 — Delegation of vote

Rule 7 — National delegations and political groups

Rule 8 — National delegations

Rule 9 — Political groups and non-attached members

Rule 10 — Interregional groups

##### TITLE II

#### ORGANISATION AND PROCEDURE OF THE COMMITTEE

##### CHAPTER 1

#### *Initial convening and installation in office of the Committee*

Rule 11 — Convening the first meeting

Rule 12 — Installation in office of the Committee and verification of credentials

## CHAPTER 2

***Plenary assembly***

- Rule 13 — Tasks of the plenary assembly
- Rule 14 — Convening the plenary assembly
- Rule 15 — Agenda for the plenary session
- Rule 16 — Opening of the plenary session
- Rule 17 — Admission of the public, guests and guest speakers, topical debate slot
- Rule 18 — Speaking time
- Rule 19 — List of speakers
- Rule 20 — Points of order
- Rule 21 — Quorum
- Rule 22 — Voting
- Rule 23 — Tabling of amendments
- Rule 24 — Procedure for dealing with amendments
- Rule 25 — Urgent opinions and reports
- Rule 26 — Simplified procedures
- Rule 27 — Closing of the plenary session

## CHAPTER 3

***The Bureau and the President***

- Rule 28 — Composition of the Bureau
- Rule 29 — Replacements at Bureau meetings
- Rule 30 — Election rules
- Rule 31 — Election of the President and the first Vice-President
- Rule 32 — Election of the Vice-Presidents, the other Bureau members and the chairmen of the political groups as members of the Bureau
- Rule 33 — Election of replacements
- Rule 34 — By-elections for vacant Bureau seats
- Rule 35 — Tasks of the Bureau
- Rule 36 — Convening of the Bureau/quorum
- Rule 37 — The President

***Opinions, reports and resolutions — procedure in Bureau***

- Rule 38 — Opinions — legal bases
- Rule 39 — Opinions and reports — designation of commission
- Rule 40 — Appointment of a rapporteur-general
- Rule 41 — Own-initiative opinions and reports
- Rule 42 — Tabling of resolutions
- Rule 43 — Promotion of opinions, reports and resolutions

***CHAPTER 4******Commissions***

- Rule 44 — Composition and powers
- Rule 45 — Chairman and vice-chairmen
- Rule 46 — Tasks of commissions
- Rule 47 — Convening of commissions and their agendas
- Rule 48 — Admission of the public
- Rule 49 — Public hearings
- Rule 50 — Time limits for drawing up opinions and reports
- Rule 51 — Layout of opinions
- Rule 52 — Layout of reports
- Rule 53 — Rapporteurs
- Rule 54 — Working parties
- Rule 55 — Experts
- Rule 56 — Quorum
- Rule 57 — Voting
- Rule 58 — Amendments
- Rule 59 — Decision not to draw up an opinion or a report

***CHAPTER 5******Administration of the Committee***

- Rule 60 — Secretariat-General
- Rule 61 — Secretary-General
- Rule 62 — Engagement of the Secretary-General
- Rule 63 — Staff Regulations of officials and Conditions of employment of other servants
- Rule 64 — Commission for Financial and Administrative Affairs
- Rule 65 — Budget

## TITLE III

## GENERAL PROVISIONS

## CHAPTER 1

***Cooperation with other EU bodies***

Rule 66 — Cooperation agreements with other EU bodies

Rule 67 — Forwarding and publication of opinions, reports and resolutions

## CHAPTER 2

***Openness to the public and transparency***

Rule 68 — Public access to documents

## CHAPTER 3

***Rules of Procedure***

Rule 69 — Revision of Rules of Procedure

Rule 70 — Bureau instructions

Rule 71 — Entry into force of Rules of Procedure

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## INTRODUCTION

The Committee of the Regions has adopted the following Rules of Procedure on the basis of the second paragraph of Article 264 of the Treaty establishing the European Community (EC Treaty) (Decision of 18 November 1999, version of 11 February 2004).

## PRELIMINARY COMMENT

The terms used in these Rules of Procedure for the various offices are not gender-specific.

### TITLE I

### Rule 4

## MEMBERS AND CONSTITUENT BODIES OF THE COMMITTEE

## Privileges and immunities

### CHAPTER 1

#### *Constituent bodies*

Members and their duly mandated alternates shall enjoy privileges and immunities in accordance with the Protocol on the Privileges and Immunities of the European Communities, annexed to the Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities.

#### Rule 1

#### **Constituent bodies of the Committee**

The constituent bodies of the Committee shall be the plenary assembly, the President, the Bureau and the commissions.

#### Rule 5

#### **Attendance of alternates**

### CHAPTER 2

#### *Members of the Committee*

1. Any member prevented from attending a plenary session may be represented by an alternate from his national delegation.

#### Rule 2

#### **Status of members and alternates**

Pursuant to Article 263 of the EC Treaty, the members and alternates shall be representatives of regional and local bodies. They shall hold a regional or local authority electoral mandate or shall be politically accountable to an elected assembly. They may not be bound by any mandatory instructions and shall be completely independent in the performance of their duties, in the general interest of the Community.

2. Any member prevented from attending a commission meeting, a working party meeting or any other meeting which has been approved by the Bureau may be represented by another member or an alternate from his national delegation.

3. An alternate or a member acting as an alternate can stand in for one member only. They shall exercise the same powers as a member at the relevant meeting. The Secretary-General must be notified in writing of the delegation of vote before the relevant meeting.

#### Rule 3

#### **Term of office**

1. The term of office of a member or alternate shall commence on the date on which his appointment by the Council takes effect.

4. The appointment of alternates for a plenary session shall be limited to individual days. At a plenary session the expenses of only the member or the alternate shall be reimbursed. The detailed provisions shall be laid down by the Bureau in the implementing arrangements regarding travel and subsistence expenses.

2. The term of office of a member or alternate shall be terminated by resignation, the end of the electoral mandate on the basis of which he was appointed, or death.

5. An alternate who has been appointed rapporteur may present the draft opinion or report for which he is responsible at the plenary session at which the draft opinion or report is on the agenda. This shall apply even if the member whom he has been designated to replace is also at the meeting. The member may delegate his vote to his alternate while the draft opinion or report in question is being discussed. The Secretary-General must be notified in writing of the delegation of vote before the relevant meeting.

3. A resigning member or alternate must notify the President of the Committee of his intention in writing, specifying the date on which his resignation is to take effect, which must

*Rule 6***Delegation of vote**

Except as provided for in Rules 5 and 29, the right to vote may not be delegated.

*Rule 7***National delegations and political groups**

National delegations and political groups shall help in a balanced way with the organisation of the Committee's work.

*Rule 8***National delegations**

1. The members and alternates from each Member State shall form a national delegation. Each national delegation shall adopt its own internal rules and shall elect a chairman. The Committee President shall be officially informed of the name of the person elected.

2. The Secretary-General shall make arrangements, within the Committee's administration, for national delegations to receive assistance. These arrangements shall also permit each individual member to receive information and assistance in his official language. The arrangements shall form part of a specific service consisting of Committee of the Regions officials or other servants and shall ensure that national delegations can make appropriate use of the Committee's facilities. Specifically, the Secretary-General shall provide the national delegations with suitable means for holding meetings immediately before or during plenary sessions.

*Rule 9***Political groups and non-attached members**

1. Members and alternates may form groups which reflect their political affinities. The criteria for membership shall be laid down in the internal rules of each political group.

2. At least 20 members/alternates from no fewer than three Member States, 18 members/alternates from no fewer than four Member States or 16 members/alternates from no fewer than five Member States, half of whom at least, in all cases, must be members, shall be needed to form a political group. A member/alternate may belong to only one political group. A political group shall be dissolved if its membership falls below the required number.

3. The Committee President shall be notified in a statement when a political group is set up, dissolved or otherwise changed. The statement notifying the formation of a political group shall specify the name of the political group, its

members and its bureau. Notification of the formation (including name, bureau and number of members) and dissolution of a political group shall be published by the President in the *Official Journal of the European Union*.

4. Each political group shall be assisted by a secretariat staffed by Secretariat-General personnel. The political groups may submit proposals to the appointing authority for the selection, appointment and promotion of such staff and for extending their contracts. The appointing authority shall make its decision after consulting the chairmen of the political groups.

5. The Secretary-General shall provide the political groups and their constituent bodies with adequate resources for meetings, activities and publications and for the work of their secretariats. The resources for each political group shall be earmarked in the budget. The political groups and their secretariats may make appropriate use of the Committee's facilities.

6. The political groups and their bureaux may meet immediately before or during plenary sessions. They may hold extraordinary meetings twice a year. An alternate attending these meetings is only entitled to travel and subsistence expenses if he is representing a member from his political group.

7. Non-attached members shall be provided with administrative support. The detailed arrangements shall be laid down by the Bureau on a proposal from the Secretary-General.

*Rule 10***Interregional groups**

Members and alternates may form interregional groups. They shall inform the Committee President thereof.

## TITLE II

**ORGANISATION AND PROCEDURE OF THE COMMITTEE**

## CHAPTER 1

***Initial convening and installation in office of the Committee****Rule 11***Convening the first meeting**

The Committee shall be convened, after each four-yearly renewal, by the oldest member and shall meet not later than one month after the appointment of its members by the Council. The first meeting shall be chaired by the oldest member present (interim president) assisted by the four youngest members present and the Secretary-General of the Committee, who together shall constitute the interim bureau.

*Rule 12***Installation in office of the Committee and verification of credentials**

1. At the first meeting, the interim president shall inform the Committee of the communication from the Council concerning the appointment of its members. If requested, the interim president may decide to verify the appointment and credentials of members, after which he shall declare the Committee installed in office for the new term.

2. The interim bureau shall remain in office until the results of the elections of the President, the first Vice-President and the remaining members of the Bureau have been declared.

*CHAPTER 2***Plenary assembly***Rule 13***Tasks of the plenary assembly**

The Committee shall meet as a plenary assembly. Its main tasks shall be:

- (a) to adopt opinions, reports and resolutions;
- (b) to adopt the draft estimates of expenditure and revenue of the Committee;
- (c) to adopt the political programme of the Committee at the beginning of every term;
- (d) to elect the President, the first Vice-President and the remaining members of the Bureau;
- (e) to set up commissions; and
- (f) to adopt and revise the Rules of Procedure of the Committee.

*Rule 14***Convening the plenary assembly**

1. The President of the Committee shall convene the plenary assembly at least once every three months. The dates of the plenary sessions are to be fixed by the Bureau during the third quarter of the previous year. A plenary session can meet on one or more days.

2. At the written request of at least one quarter of the members, the President shall be obliged to convene an extraordinary plenary session, which shall take place not sooner than one week and not later than one month after the date of the request. The written request shall state the subject matter which is to be discussed at the extraordinary plenary session. No other matter may be dealt with.

*Rule 15***Agenda for the plenary session**

1. The preliminary draft agenda containing a provisional list of the draft opinions, reports and resolutions to be discussed at the next but one plenary session together with all the other documents requiring a decision shall be prepared by the Bureau.

2. The draft agenda accompanied by all the documents requiring a decision listed therein shall be sent by the President to the members and alternates in their official language at least four weeks before the opening of the plenary session. The documents shall simultaneously be electronically retrievable.

3. The draft opinions, reports and resolutions shall in principle be put on the agenda in the order in which they were adopted by the commissions or submitted in accordance with the Rules of Procedure. Account shall also be taken of agenda items which deal with related subject matter.

4. In exceptional and duly motivated cases where the deadline referred to in paragraph 2 cannot be met, the President may decide to include a document requiring a decision on the draft agenda provided that the relevant document has been received by the members and alternates in their official language not later than one week before the opening of the plenary session. The reason for the application of this procedure shall be indicated by the President on the cover page of the document requiring a decision.

5. Written amendments to the draft agenda must be submitted to the Secretary-General not later than three working days before the opening of the plenary session.

6. The Bureau shall finalise the draft agenda at its meeting immediately prior to the opening of the plenary session. At this meeting the Bureau may decide, by a two-thirds majority of the votes cast, to include on the agenda matters of an urgent or topical nature whose discussion cannot be deferred until the next plenary session.

*Rule 16***Opening of the plenary session**

The President shall open the plenary session and call for the adoption of the final draft agenda.

*Rule 17***Admission of the public, guests and guest speakers, topical debate slot**

1. Plenary sessions shall be open to the public, unless the plenary assembly decides otherwise in respect of the whole meeting or a specific item on the agenda.

2. Representatives of the European Parliament, of the Council and of the Commission may attend plenary sessions. They may be asked to take the floor.

3. The President, acting on his own initiative or at the request of the Bureau, may also invite other distinguished guests to address the plenary assembly. A general debate may follow, during which the general rules on speaking time shall apply.

4. The Bureau may, in accordance with Rule 15(1) and (6), propose to the plenary assembly that a general debate be held on topical political issues of regional and local relevance (topical debate slot). The general rules on speaking time shall apply.

#### Rule 18

##### Speaking time

1. The plenary assembly shall, at the beginning of its meeting and acting on a proposal from the Bureau, allocate speaking time for every item on the agenda. During a plenary session the President, acting on his own initiative or at the request of a member, shall arrange for a decision to be taken to limit speaking time.

2. The President, acting on a proposal from the Bureau, may propose to the plenary assembly that when debates are held on general or specific issues, speaking time should be divided among the political groups and national delegations.

3. As a general rule, speaking time shall be limited to two minutes for comments on minutes, for points of order and for comments on amendments to the final draft agenda or the agenda.

4. If a speaker exceeds his allotted speaking time, the President may, after an initial call to order, forbid him to speak.

5. Any request by a member that the debate be brought to a close shall be put to the vote by the President.

#### Rule 19

##### List of speakers

1. The names of members who ask to speak shall be entered on a list in the order in which their requests are received. The President shall call upon members to speak on the basis of this list, ensuring as far as possible that speakers of different political views and from different national delegations are heard in turn.

2. Priority, may be given, however, to the rapporteur of the commission concerned, to the chairmen of political groups and national delegations wishing to speak on behalf of their group or delegation, or to speakers deputising for them.

3. No one may take the floor more than twice on the same subject, except by leave of the President. The chairman and the rapporteur of the commission concerned shall, however, be allowed to speak at their request for a period to be decided by the President.

#### Rule 20

##### Points of order

1. A member shall be allowed to speak to raise a point of order or to draw the attention of the President to any failure to respect the Rules of Procedure. The point of order must concern the agenda or the subject under discussion.

2. A request to raise a point of order shall take precedence over all other requests to speak.

3. The President shall take an immediate decision on points of order in accordance with the Rules of Procedure and shall announce his ruling immediately after the point of order has been raised. No vote shall be taken on the President's ruling.

#### Rule 21

##### Quorum

1. A quorum shall exist at a plenary session if a majority of the members is present. The quorum shall be verified only during the meeting and only if at least 15 members so request. If the verification of a quorum is not requested, all votes shall be valid regardless of the number of voters. The President may interrupt the plenary session for up to 10 minutes before proceeding with a verification of the quorum. Members who have requested verification of the quorum but are no longer present in the plenary session chamber shall be considered to be present for the purposes of the count. If fewer than 15 members are present, the President may rule that there is no quorum.

2. If it is established that there is no quorum, all items on the agenda which require voting shall be postponed until the following meeting day, when the plenary assembly may hold a valid vote on these items whatever the number of members present.

3. All members and alternates taking part in the meeting and other persons present shall sign an attendance list.

#### Rule 22

##### Voting

1. The plenary assembly shall decide by a majority of the votes cast, save where otherwise provided in these rules.

2. The valid forms of vote shall be 'for', 'against' and 'abstention'. In calculating the majority, only the votes cast for and against shall be taken into account. In the event of a tied vote, the text or proposal shall be deemed rejected.

3. A fresh vote may be called for by the President or requested by at least 15 members if the result of the count is queried.

4. At the proposal of the President the plenary assembly may decide to hold a roll-call vote. Members shall vote in alphabetical order, with the President voting last.

5. Votes relating to persons shall be by secret ballot.

6. The President may at any time decide that a vote shall be conducted by electronic means.

#### *Rule 23*

##### **Tabling of amendments**

1. Only members and duly mandated alternates may table amendments to documents requiring a decision. These amendments must be in writing.

2. Except as provided for in the first sentence of Rule 26(1), amendments to documents requiring a decision must be submitted by at least six members and must bear their names. National delegations with fewer than six members may submit amendments adopted unanimously by the delegation.

3. They must reach the Secretary-General not later than the seventh working day before the opening of the plenary session and shall be electronically retrievable as soon as they have been translated, but not later than two working days prior to the plenary session. The deadline for the submission of amendments can be reduced to three working days by the President in cases where Rule 15(4) is applied. The deadline shall also not apply in the case of amendments to urgent matters pursuant to the second sentence of Rule 15(6).

4. All amendments shall be distributed to members before the beginning of the plenary session.

#### *Rule 24*

##### **Procedure for dealing with amendments**

1. If more than 20 amendments are submitted to a document requiring a decision, the Bureau or the plenary assembly may refer the document back to the commission for further consideration. This shall not apply in the case of documents requiring a decision whose adoption cannot be deferred.

2. An amendment tabled in due and proper form, which is not supported at the meeting by its authors or by another member, shall not be considered.

3. If one or more amendments have been tabled to a part of a text, the President, the rapporteur or the authors of these amendments may propose compromise amendments during the debate. A compromise amendment can only be proposed with the consent of the movers of the original amendment. A compromise amendment shall be given priority when voting takes place and, if adopted, shall invalidate any amendment on which the compromise is based.

4. Voting on amendments shall follow the order of the points in the text. The President may order a joint vote on amendments with a similar content and objective.

5. A rapporteur may draw up a list of amendments tabled to his draft opinion or report which he recommends be adopted (voting recommendation). The list should be circulated to members together with the amendments, in accordance with Rule 23(4).

If the rapporteur has made a voting recommendation, the President may decide that all the amendments covered by the recommendation are to be voted on together. Any member may, however, object to the voting recommendation, specifying amendments which should be voted on separately.

6. Amendments shall have priority over the text to which they relate and shall be put to the vote before that text.

7. If two or more mutually exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first.

8. The final vote shall be on the text as a whole, whether amended or not.

#### *Rule 25*

##### **Urgent opinions and reports**

In urgent cases where a deadline set by the Council, by the Commission or by the European Parliament cannot be met under the normal procedure, and the relevant commission has adopted its draft opinion or report unanimously, the President shall transmit this draft opinion or report to the Council, to the Commission and to the European Parliament for information. The draft opinion or report shall be submitted to the following plenary session for adoption without amendment. All documents relating to the said opinion or report must testify to the urgent nature of the opinion or report.

## Rule 26

**Simplified procedures**

1. Draft opinions or reports adopted unanimously by a (lead) commission shall, after being presented by the rapporteur, be submitted to the plenary assembly for adoption without change unless at least 32 members table an amendment in accordance with the first sentence of Rule 23(3). In this case, the amendment shall be dealt with by the plenary assembly. The commission's draft opinion or report shall be forwarded to members, with a reference to this procedure, together with the draft agenda.

2. If the (lead) commission is of the view that the Committee has no reason to comment on or propose changes to a document referred to it by the Bureau, it may propose that no objections be raised to the document. The proposal shall be submitted to the plenary assembly for adoption without debate.

## Rule 27

**Closing of the plenary session**

Before the closing of the plenary session, the President shall announce the time and place of the following plenary session together with any items already on the agenda.

## CHAPTER 3

**The Bureau and the President**

## Rule 28

**Composition of the Bureau**

The Bureau shall consist of:

- (a) the President;
- (b) the first Vice-President;
- (c) one Vice-President per Member State;
- (d) 25 other members; and
- (e) the chairmen of the political groups.

Seats on the Bureau (excluding the seats of the President, the first Vice-President and the chairmen of the political groups) shall be divided among the national delegations as follows:

- three seats: Germany, United Kingdom, France, Italy, Spain, Poland,
- two seats: the Netherlands, Greece, Czech Republic, Belgium, Hungary, Portugal, Sweden, Austria, Slovakia, Denmark, Finland, Ireland, Lithuania,
- one seat: Latvia, Slovenia, Estonia, Cyprus, Luxembourg, Malta.

## Rule 29

**Replacements at Bureau meetings**

1. For each member of the Bureau, apart from the President and the first Vice-President, a member or alternate from the same national delegation shall be named at the same time as an *ad personam* replacement. This replacement shall not be entitled to participate, speak and vote unless he is replacing the Bureau member in question. The delegation of vote must be notified in writing to the Secretary-General prior to the relevant meeting.

2. For each political group chairman, the political group in question shall name an *ad personam* replacement from among its members to whom the second and third sentences of paragraph 1 shall apply *mutatis mutandis*.

## Rule 30

**Election rules**

1. The Bureau shall be elected by the plenary assembly for two years.

2. The elections of the President, the first Vice-President, the Vice-Presidents, the other members of the Bureau and the chairmen of the political groups as members of the Bureau shall be held under the chairmanship of the interim president in accordance with Rules 11 and 12. All candidatures must be submitted in writing to the Secretary-General at least one hour before the beginning of the plenary session. The elections shall take place only if at least two thirds of the members are present.

## Rule 31

**Election of the President and the first Vice-President**

1. Before the elections, candidates for the posts of President and first Vice-President may make a short statement before the plenary assembly. The speaking time for candidates shall be of equal length and shall be laid down by the interim president.

2. The election of the President and the first Vice-President shall take place separately. They shall be elected by a majority of more than 50 % of the votes cast.

3. The valid forms of vote shall be a vote for and an abstention. In calculating the majority required, only the votes cast for shall be taken into account.

4. If no candidate obtains the required majority in the first ballot, a second ballot shall be held in which the candidate receiving the highest number of votes shall be deemed to be elected. In the event of a tied vote, a decision shall be taken by drawing lots.

## Rule 32

**Election of the Vice-Presidents, the other Bureau members and the chairmen of the political groups as members of the Bureau**

1. For the election of the Vice-Presidents and the other Bureau members, a joint list may be drawn up for the candidates from those national delegations which nominate only one candidate for each of the seats allocated to them on the Bureau. This list may be adopted in a single ballot if it obtains a majority of more than 50 % of the votes cast.

2. In cases where a joint list of candidates is not adopted, or where the number of candidates exceeds the number of seats allocated to a national delegation on the Bureau, each of these seats shall be decided in separate ballots; in this case the provisions on the election of the President and the first Vice-President shall be applicable in accordance with Rules 30 and 31(2) to (4).

3. For the election of the chairmen of the political groups as members of the Bureau, the interim president shall present the plenary assembly with a list of their names for adoption, which is to be voted on as a whole.

## Rule 33

**Election of replacements**

When a candidate for a seat on the Bureau is elected, his replacement shall also be elected automatically.

## Rule 34

**By-elections for vacant Bureau seats**

In the event of termination of Committee membership or of resignation from the Bureau, a member of the Bureau and/or his replacement shall be replaced for the remainder of his term of office in accordance with the procedures laid down in Rules 28 to 33. The by-election for a vacant Bureau seat shall take place at a plenary session chaired by the President or by his representative, in accordance with Rule 37(3).

## Rule 35

**Tasks of the Bureau**

The Bureau shall have the following tasks:

(a) establishment of the draft policy programme at the beginning of each term and monitoring of its implementation. An impact assessment shall, on referral by the Bureau, be presented to the plenary assembly by the President annually and at the end of each term;

(b) preparation, organisation and coordination of the work of the plenary assembly and the commissions.

(c) overall responsibility for financial, organisational and administrative matters concerning members and alternates; internal organisation of the Committee, its Secretariat-General, including the establishment plan, and its constituent bodies;

(d) the Bureau may:

— set up working groups of Bureau members or of Committee members to advise it in specific areas; such working groups may have up to eight members,

— invite other members of the Committee, by virtue of their expertise or mandate, and persons not belonging to the Committee, to attend its meetings;

(e) engagement of the Secretary-General and the officials and other servants listed in Rule 63(1) and (2);

(f) submission of the draft estimates of expenditure and revenue to the plenary assembly in accordance with Rule 65;

(g) authorisation of meetings away from the usual place of work;

(h) drawing-up of provisions for the membership and working methods of working groups and of joint committees with applicant countries.

## Rule 36

**Convening of the Bureau/quorum**

1. The Bureau shall be convened by the President, who shall set the date of the meeting and the agenda in agreement with the first Vice-President. The Bureau shall meet at least once every three months, or within 14 days following receipt of a written request by at least one quarter of its members.

2. A quorum shall exist at a Bureau meeting if at least one half of its members are present. The Bureau shall decide by a majority of the votes cast, save where otherwise provided for in these Rules. Rule 22(2) shall also apply *mutatis mutandis*.

3. In preparation for the Bureau decisions, the President shall ask the Secretary-General to draw up discussion documents and recommendations for a decision on each item to be discussed; these documents and recommendations shall be enclosed with the draft agenda.

4. Members must receive the documents at least 10 days before the opening of the meeting. Amendments to recommendations for decisions must be submitted in writing to the Secretary-General not later than the third working day before the opening of the Bureau meeting and shall be electronically retrievable as soon as they have been translated.

5. After an exploratory debate the Bureau shall, where necessary, issue the Secretary-General or a working group with further instructions, clearly specifying the subject to be covered and the timeframe. The working group or Secretary-General shall subsequently, in accordance with the first sentence of Rule 36(4), submit documents for discussion together with a recommendation for a decision. Amendments to recommendations for decisions must be submitted in writing to the Secretary-General not later than the third working day before the opening of the Bureau meeting and shall be electronically retrievable as soon as they have been translated.

#### Rule 37

### The President

1. The President shall direct the work of the Committee.
2. The President shall be the Committee's representative. He may delegate these powers.
3. If the President is absent or unable to attend, he shall be represented by the first Vice-President; if the first Vice-President is absent or unable to attend, the President shall be represented by one of the other Vice-Presidents.

### Opinions, reports and resolutions — procedure in Bureau

#### Rule 38

### Opinions — legal bases

The Committee shall adopt its opinions pursuant to Article 265 of the EC Treaty:

- (a) on the basis of a referral from the Commission or the Council in the cases provided for in the EC Treaty or on the basis of a referral from these institutions or the European Parliament in all other cases;
- (b) on its own initiative;
- (c) when, in the event of the Economic and Social Committee being consulted under Article 262 of the EC Treaty, it considers that specific regional interests are involved.

#### Rule 39

### Opinions and reports — designation of commission

1. The Bureau shall establish the annual work programme of the commissions after consulting them.

2. The President shall assign documents received from the Council, from the Commission or from the European Parliament to the responsible commission and set a deadline for the submission of the commission's draft opinion or report; the Bureau shall be informed of this at its next meeting.

3. If the subject of an opinion or report concerns more than one commission, the President shall designate a lead commission and, where necessary, one or more supplementary commissions. In such a case, the President may either:

- (a) propose that the Bureau set up a working party comprising representatives of the commissions concerned; or
  - (b) in exceptional cases, designate one or more commissions, other than the lead commission, to issue a draft supplementary opinion or report. The lead commission shall vote on the recommendations made in the draft opinions or reports of the other commissions and integrate the adopted recommendations into its own draft opinion or report. However, only the lead commission shall report to the plenary assembly.
4. If a commission does not agree with a decision of the President taken under Rule 39(2) and (3), it may, via its chairman, submit an application for a Bureau decision.

#### Rule 40

### Appointment of a rapporteur-general

1. If the commission concerned cannot draw up a draft opinion or report by the deadline set by the Council, by the Commission or by the European Parliament, the Bureau may propose that the plenary assembly appoint a rapporteur-general, who shall submit his draft opinion or report straight to the plenary assembly.

2. When a deadline set by the Council, by the Commission or by the European Parliament does not give the plenary assembly time to appoint a rapporteur-general, the rapporteur-general may be appointed by the President; when this is the case, the plenary assembly shall be informed at its next meeting.

3. In both cases, the commission concerned shall meet, where possible, to hold a general exploratory debate on the subject.

## Rule 41

**Own-initiative opinions and reports**

1. Applications for own-initiative opinions or reports may be submitted to the Bureau by three of its members, by a commission via its chairman or by 32 members of the Committee. These applications must be submitted, with reasons, and together with all the other discussion documents in accordance with Rule 36(4), wherever possible, before the annual work programme is adopted.

2. The Bureau shall decide on applications for own-initiative opinions or reports by a majority of three quarters of members present. Before a vote is taken the presence of a quorum shall be verified. The opinions or reports shall be referred to the relevant commissions in accordance with Rule 39. The President shall inform the plenary assembly of all Bureau decisions approving and allocating own-initiative opinions or reports.

3. This rule shall apply *mutatis mutandis* in the case of opinions which come under Rule 38(c).

## Rule 42

**Tabling of resolutions**

1. Resolutions are to be put on the agenda only if they refer to the activities of the European Union, deal with important concerns of regional and local authorities and are of topical interest.

2. Draft resolutions or applications for the drafting of a resolution may be submitted to the Committee by at least 32 members or a political group. All drafts or applications, indicating the names of the members or political group supporting them, shall be submitted to the Bureau in writing. They must reach the Secretary-General not later than three working days before the opening of the Bureau meeting.

3. If the Bureau decides that the Committee is to discuss a draft resolution or an application for the drafting of a resolution, it may:

- (a) put the draft resolution on the plenary session preliminary draft agenda in accordance with Rule 15(1);
- (b) appoint a commission to draw up a draft resolution by a specific deadline under the procedure used for drawing up draft opinions or reports. Rules 51 and 52 shall not apply in such cases;
- (c) in urgent cases, in accordance with the second sentence of Rule 15(6), place a draft resolution on the agenda for the next plenary session. Such draft resolutions shall be dealt with on the second day of the session.

4. Draft resolutions referring to an unforeseeable event occurring after the expiry of the deadline stipulated in Rule 42(2) (extremely urgent resolutions) and complying with the provisions of Rule 42(1) may be submitted up to three hours before the beginning of the Bureau meeting. If the Bureau decides that the proposal concerns the key tasks of the Committee, the proposal shall be dealt with pursuant to Rule 42(3)(c).

Amendments to extremely urgent resolutions may be tabled by any member during the plenary session.

## Rule 43

**Promotion of opinions, reports and resolutions**

The Bureau shall be responsible for promoting the Committee's opinions, reports and resolutions.

## CHAPTER 4

**Commissions**

## Rule 44

**Composition and powers**

1. At the beginning of each term, the plenary assembly shall set up commissions to prepare its work. It shall decide on their composition and powers on a proposal from the Bureau.

2. The composition of the commissions shall reflect the national composition of the Committee.

3. Members of the Committee must belong to at least one commission but may not belong to more than two. Exceptions may be made by the Bureau for members belonging to national delegations which have fewer members than the number of commissions.

## Rule 45

**Chairman and vice-chairmen**

1. At its first meeting each commission shall appoint from among its members a chairman, a first vice-chairman and no more than two vice-chairmen, who together shall form the commission bureau.

2. Where the number of candidates corresponds to the number of seats to be filled, the election may take place by acclamation. Where this is not the case, or one sixth of the members of the commission so request, the election shall be in accordance with the provisions laid down in Rule 31(2) to (4) for the election of the Committee President and first Vice-President.

3. If a commission bureau member terminates his Committee membership or resigns as a commission bureau member, the vacancy shall be filled in accordance with the provisions of this rule.

#### *Rule 46*

### **Tasks of commissions**

The commissions shall in particular draw up the draft versions of opinions, reports and resolutions. These drafts shall be submitted to the plenary assembly for adoption.

#### *Rule 47*

### **Convening of commissions and their agendas**

1. The dates of meetings and their agendas shall be set by the chairman of each commission acting in agreement with the first vice-chairman.

2. A commission shall be convened by its chairman. The convening notice for an ordinary meeting together with the agenda must reach members not later than four weeks before the date of the meeting.

3. At the written request of at least one quarter of its members, the chairman shall be obliged to convene an extraordinary commission meeting, which must be held not later than four weeks after the submission of the request. The agenda for an extraordinary meeting shall be set by the members submitting the request for such a meeting. It shall be forwarded to members together with the convening notice.

4. All draft opinions and other discussion documents to be translated and distributed before a meeting shall be sent to the secretariat of the commission in question not later than five weeks before the date set for the meeting. They shall then be forwarded to members not later than two weeks before the date of the meeting. In exceptional cases the above time limits may be amended by the chairman.

#### *Rule 48*

### **Admission of the public**

1. The proceedings of the commissions shall be open to the public, unless a commission decides otherwise in respect of the whole meeting or of a specific item on the agenda.

2. Representatives of the European Parliament, Council and Commission may attend the deliberations of the commissions and reply to questions from members.

#### *Rule 49*

### **Public hearings**

In specific cases and with the agreement of the Bureau, a commission may hold a public hearing or invite outside speakers by virtue of their expertise with regard to one or more items on the agenda.

#### *Rule 50*

### **Time limits for drawing up opinions and reports**

1. The commissions shall present their draft opinions or reports within the time limit set by the President. The production of a draft opinion or report shall require no more than two meetings, not including the first meeting at which the work shall be organised.

2. In exceptional cases the Bureau may authorise further meetings to discuss a draft opinion or report, or may extend the time limit for the presentation of the draft.

#### *Rule 51*

### **Layout of opinions**

1. A Committee opinion shall consist of:

- a preamble setting out the legal basis of the opinion and the procedure followed in its preparation, and, if necessary, containing introductory comments, and
- a main part setting out the Committee's views and recommendations on the question under consideration, if appropriate together with specific proposals for changes to the document under consideration.

2. In assessing the document under consideration, the main part of the Committee's text shall, wherever possible, address compliance with the subsidiarity principle and the expected impact on administration and regional and local finances.

3. A separate explanatory statement shall be drawn up for each opinion explaining the views of the Committee as a whole and individual points. The explanatory statement shall be the responsibility of the rapporteur and shall not be put to the vote. It must, however, accord with the text of the opinion that was put to the vote. If it fails to do so, the chairman of the commission may delete the explanatory statement.

#### *Rule 52*

### **Layout of reports**

A Committee report shall consist of:

- a preamble setting out the procedure followed in the elaboration of the report and a list of contents,
- an introduction, explaining the general context of the issues in question,

- a main part, providing specific observations and analysis of the issues in question,
- a conclusion setting out the Committee's views and recommendations on the matter.

Where necessary, appendices may include relevant documentation, reference documents and additional information.

#### Rule 53

### Rapporteurs

1. Each commission, acting on a proposal from its chairman, shall appoint a rapporteur or, in duly motivated cases, two rapporteurs to draw up a draft opinion or report. The chairman's proposal shall be circulated to members with the agenda. In the case of late referrals, the chairman's proposal shall be forwarded to members at the latest one week before the beginning of the meeting.

2. In appointing rapporteurs each commission ensures a fair and balanced allocation of opinions and reports.

3. In urgent cases the chairman may, after informing the Secretary-General, apply a written procedure to appoint a rapporteur. Under this procedure the chairman shall write to the members of the commission, asking them to submit any objections to the appointment of the proposed rapporteur in writing within three working days. In such cases the chairman and first vice-chairman shall decide by mutual agreement

4. If the chairman or one of the vice-chairmen of a commission is appointed rapporteur, he shall, during the discussion of his draft opinion or report, hand over the chairmanship of the meeting to another commission bureau member or to the oldest member present.

#### Rule 54

### Working parties

1. In duly motivated cases the commissions may set up working parties, with the approval of the Bureau. Working party members may also come from other commissions.

2. Each working party can appoint a chairman and a vice-chairman from among its members.

#### Rule 55

### Experts

1. The members of the commissions may call on the services of an expert.

2. A commission may appoint experts to assist it in its work and to assist any working parties which it has set up. At the invitation of the chairman, these experts may take part in meetings of the commission or of one of its working parties. The floor may also be given to these experts and to the experts working for and accompanying rapporteurs.

3. Only rapporteurs' experts and experts invited by the commission shall be entitled to travel and subsistence expenses.

#### Rule 56

### Quorum

1. A quorum shall exist at a commission meeting if more than one half of its members are present.

2. The quorum shall be verified only during the meeting and only if at least ten members so request. If the verification of a quorum is not requested, all votes shall be valid regardless of the number of voters. If it is established that there is no quorum, the commission may continue its discussions but voting shall take place at the next meeting.

3. All members and alternates taking part in the meeting and other persons present shall sign an attendance list.

#### Rule 57

### Voting

Decisions shall be taken by a majority of the votes cast. Rule 22(2) shall also apply *mutatis mutandis*.

#### Rule 58

### Amendments

1. Amendments must be sent to commission secretariats not later than the fifth working day before the date of the meeting. In exceptional cases the above time limit may be amended by the chairman.

2. Voting on amendments shall follow the order of the points in the draft opinion or report under discussion. Thereafter the whole text shall be voted on. If two or more mutually exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first.

3. Once a draft opinion or report has been adopted by a commission, it shall be forwarded by the commission chairman to the President of the Committee.

#### *Rule 59*

#### **Decision not to draw up an opinion or report**

Where the (lead) commission considers that a document referred to it by the Bureau has no regional or local interest, or is not of political importance, it may decide not to draw up an opinion or report.

### *CHAPTER 5*

#### **Administration of the Committee**

#### *Rule 60*

#### **Secretariat-General**

1. The Committee shall be assisted by a Secretariat-General.
2. The Secretariat-General shall be headed by a Secretary-General.
3. The Bureau, acting on a proposal from the Secretary-General, shall organise the Secretariat-General in such a way that it can ensure the efficient functioning of the Committee and its constituent bodies and help the members of the Committee in the performance of their duties. The services to be provided by the Secretariat-General for members, national delegations, political groups and non-attached members shall be determined in the process.
4. The Secretariat-General shall draw up the minutes of the meetings of the Committee's constituent bodies.

#### *Rule 61*

#### **Secretary-General**

1. The Secretary-General shall be responsible for giving effect to the decisions taken by the Bureau or the President pursuant to these Rules of Procedure and the applicable legal provisions. The Secretary-General shall attend the meetings of the Bureau in an advisory capacity and shall keep the minutes of those meetings.
2. The Secretary-General shall discharge his duties under the direction of the President, representing the Bureau.

#### *Rule 62*

#### **Engagement of Secretary-General**

1. The Bureau shall engage the Secretary-General on the basis of a decision adopted by a two-thirds majority of its members, pursuant to the provisions of Articles 2 and 8 of the Conditions of employment of other servants of the European Communities.

2. The Secretary-General shall be engaged for five years. The detailed provisions of his contract of employment shall be laid down by the Bureau.

3. The powers which the Conditions of employment of other servants of the European Communities confer on the authority responsible for concluding contracts shall be exercised, in the case of the Secretary-General, by the Bureau.

#### *Rule 63*

#### **Staff Regulations of officials and Conditions of employment of other servants**

1. The powers which the Staff Regulations of officials of the European Communities confer on the appointing authority shall be exercised as follows:
  - for officials in Grades 5 to 10 of Category A\* and for officials in Categories B\*, C\* and D\*, by the Secretary-General,
  - for other officials, by the Bureau, acting on a proposal from the Secretary-General.
2. The powers which the Conditions of employment of other servants of the European Communities confer on the authority competent to conclude contracts of employment shall be exercised as follows:
  - for temporary staff in grades 5 to 10 of category A\* and for temporary staff in categories B\*, C\* and D\*, by the Secretary-General,
  - for other temporary staff, by the Bureau, acting on a proposal from the Secretary-General,
  - for temporary staff in the private office of the President or the first Vice-President:
    - for temporary staff in grades 5 to 10 of category A\* and for temporary staff in grades B\*, C\* and D\*, by the Secretary-General, acting on a proposal from the President,
    - for other temporary staff, by the Bureau, acting on a proposal from the President.

Temporary staff employed in the private office of the President or the first Vice-President shall be engaged until the end of the President's or the first Vice-President's term of office;

- for auxiliary, contract and local staff, by the Secretary-General,

- for special advisers, by the Secretary-General in accordance with the conditions set out in Article 119 of the Conditions of employment of other servants of the European Communities.

#### Rule 64

### Commission for Financial and Administrative Affairs

1. The Bureau shall, in accordance with Rule 35, set up an advisory Commission for Financial and Administrative Affairs, chaired by a member of the Bureau.
2. The Commission for Financial and Administrative Affairs shall have the following responsibilities:
  - (a) advising on and adopting, in accordance with Rule 65, the preliminary draft estimates of the Committee's expenditure and revenue submitted by the Secretary-General;
  - (b) drawing up draft Bureau implementing provisions and decisions in the financial, organisational and administrative areas, including those relating to members and alternates.
3. The chairman of the Commission for Financial and Administrative Affairs shall represent the Committee vis-à-vis the budgetary authorities of the Union.

#### Rule 65

### Budget

1. The Commission for Financial and Administrative Affairs shall submit the preliminary draft estimates of the Committee's expenditure and revenue for the following financial year to the Bureau. The Bureau shall submit the draft to the plenary assembly for adoption.
2. The plenary assembly shall adopt the draft estimates of the Committee's expenditure and revenue and forward them to the Commission, to the Council and to the European Parliament in good time to ensure that the deadlines laid down in the financial provisions are met.
3. The Committee President, after consulting the Commission for Financial and Administrative Affairs, shall execute, or cause to be executed, the statement of revenue and expenditure, in accordance with the internal financial rules adopted by the Bureau. He shall perform these functions in accordance with the provisions of the Financial Regulation applicable to the general budget of the European Communities.

## TITLE III

### GENERAL PROVISIONS

#### CHAPTER 1

### Cooperation with other EU bodies

#### Rule 66

### Cooperation agreements with other EU bodies

The Bureau, acting on a proposal from the Secretary-General, may conclude cooperation agreements with institutions and other bodies of the European Union within the framework of inter-institutional cooperation.

#### Rule 67

### Forwarding and publication of opinions, reports and resolutions

1. The Committee's opinions and reports, as well as any communication relating to the use of a simplified procedure under Rule 26 or a decision not to draw up an opinion or report under Rule 59, shall be addressed to the Council, to the Commission and to the European Parliament. As in the case of resolutions, they shall be forwarded by the President.
2. The opinions, reports and resolutions of the Committee shall be published in the *Official Journal of the European Union*.

#### CHAPTER 2

### Openness to the public and transparency

#### Rule 68

### Public access to documents

1. Any citizen of the Union and any natural or legal person residing or established in a Member State has a right of access to the documents of the Committee of the Regions in accordance with the provisions of the EC Treaty, subject to the principles, conditions and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council and to the arrangements laid down by the Committee Bureau. Access to Committee documents shall, as far as possible, be granted in the same way to other natural or legal persons.
2. The Committee shall establish a register of Committee documents. The Bureau shall adopt the internal rules governing access and shall draw up a list of directly accessible documents.

## CHAPTER 3

**Rules of Procedure**

## Rule 69

**Revision of Rules of Procedure**

1. The plenary assembly shall decide by a majority of its members if there is a need to amend these Rules of Procedure, either in part or in full.
2. It shall appoint an *ad hoc* commission to draw up a report and a draft text as a basis for the adoption of new rules by a majority of its members. The new rules shall enter into force the day after their publication in the *Official Journal of the European Union*.

## Rule 70

**Bureau instructions**

The Bureau may give instructions determining the procedure for implementing the provisions of these Rules of Procedure, in compliance with the latter.

## Rule 71

**Entry into force of Rules of Procedure**

These Rules of Procedure shall enter into force the day after their publication in the *Official Journal of the European Union*.

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