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⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/152**of 3 February 2021****conferring protection under Article 99 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council on the name ‘Ponikve’ (PDO)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 99 thereof,

Whereas:

- (1) In accordance with Article 97(2) and (3) of Regulation (EU) No 1308/2013, the Commission has examined the application to register the name ‘Ponikve’ forwarded by Croatia and has published it in the *Official Journal of the European Union* ⁽²⁾.
- (2) No statement of objection has been received by the Commission under Article 98 of Regulation (EU) No 1308/2013.
- (3) In accordance with Article 99 of Regulation (EU) No 1308/2013, the name ‘Ponikve’ should be protected and entered in the register referred to in Article 104 of that Regulation.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Ponikve’ (PDO) is hereby protected.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ C 323, 1.10.2020, p. 12.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 February 2021.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2021/153**of 3 February 2021****entering a name in the register of protected designations of origin and protected geographical indications ‘Λούντζα Πιτσιλιάς’ (Lountza Pitsilias) (PGI)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Cyprus's application to register the name ‘Λούντζα Πιτσιλιάς’ (Lountza Pitsilias) was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name ‘Λούντζα Πιτσιλιάς’ (Lountza Pitsilias) should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Λούντζα Πιτσιλιάς’ (Lountza Pitsilias) (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.2. – Meat products (cooked, salted, smoked, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 February 2021.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 322, 30.9.2020, p. 49.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION IMPLEMENTING REGULATION (EU) 2021/154**of 3 February 2021****entering a name in the register of protected designations of origin and protected geographical indications ‘Λουκάνικο Πιτσιλιάς’ (Loukaniko Pitsilias) (PGI)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Cyprus's application to register the name ‘Λουκάνικο Πιτσιλιάς’ (Loukaniko Pitsilias) was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name ‘Λουκάνικο Πιτσιλιάς’ (Loukaniko Pitsilias) should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name ‘Λουκάνικο Πιτσιλιάς’ (Loukaniko Pitsilias) (PGI) is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.2. – Meat products (cooked, salted, smoked, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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Done at Brussels, 3 February 2021.

For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 322, 30.9.2020, p. 45.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

COMMISSION REGULATION (EU) 2021/155

of 9 February 2021

amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for carbon tetrachloride, chlorothalonil, chlorpropham, dimethoate, ethoprophos, fenamidone, methiocarb, omethoate, propiconazole and pymetrozine in or on certain products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1)(a) and Article 18(1)(b) thereof,

Whereas:

- (1) For chlorothalonil, chlorpropham, dimethoate, fenamidone, omethoate, propiconazole and pymetrozine maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005. For carbon tetrachloride, MRLs were set in Annex II and Part B of Annex III to that Regulation. For ethoprophos and methiocarb, MRLs were set in Part A of Annex III to that Regulation.
- (2) The approval of the active substance chlorothalonil was not renewed by Commission Implementing Regulation (EU) 2019/677 ⁽²⁾. The approval of the active substance chlorpropham was not renewed by Commission Implementing Regulation (EU) 2019/989 ⁽³⁾. The approval of the active substance dimethoate was not renewed by Commission Implementing Regulation (EU) 2019/1090 ⁽⁴⁾. The approval of the active substance ethoprophos was not renewed by Commission Implementing Regulation (EU) 2019/344 ⁽⁵⁾. The approval of the active substance fenamidone was not renewed by Commission Implementing Regulation (EU) 2018/1043 ⁽⁶⁾. The approval of the active substance methiocarb was not renewed by Commission Implementing Regulation (EU) 2019/1606 ⁽⁷⁾. The approval of the active substance propiconazole was not renewed by Commission Implementing Regulation (EU) 2018/1865 ⁽⁸⁾. The approval of the active substance pymetrozine was not renewed by Commission Implementing Regulation (EU) 2018/1501 ⁽⁹⁾.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2019/677 of 29 April 2019 concerning the non-renewal of the approval of the active substance chlorothalonil, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 114, 30.4.2019, p. 15).

⁽³⁾ Commission Implementing Regulation (EU) 2019/989 of 17 June 2019 concerning the non-renewal of approval of the active substance chlorpropham, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 160, 18.6.2019, p. 11).

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/1090 of 26 June 2019 concerning the non-renewal of approval of the active substance dimethoate, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 173, 27.6.2019, p. 39).

⁽⁵⁾ Commission Implementing Regulation (EU) 2019/344 of 28 February 2019 concerning the non-renewal of approval of the active substance ethoprophos, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 62, 1.3.2019, p. 7).

⁽⁶⁾ Commission Implementing Regulation (EU) 2018/1043 of 24 July 2018 concerning the non-renewal of approval of the active substance fenamidone, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 188, 25.7.2018, p. 9).

⁽⁷⁾ Commission Implementing Regulation (EU) 2019/1606 of 27 September 2019 concerning the non-renewal of the approval of the active substance methiocarb, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 250, 30.9.2019, p. 53).

⁽⁸⁾ Commission Implementing Regulation (EU) 2018/1865 of 28 November 2018 concerning the non-renewal of approval of the active substance propiconazole, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 304, 29.11.2018, p. 6).

⁽⁹⁾ Commission Implementing Regulation (EU) 2018/1501 of 9 October 2018 concerning the non-renewal of approval of the active substance pymetrozine, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 254, 10.10.2018, p. 4).

- (3) The active substances carbon tetrachloride and omethoate were never approved in the Union for the use in plant protection products. Temporary MRLs were set for carbon tetrachloride in cereals by Commission Regulation (EC) No 149/2008 ⁽¹⁰⁾ and omethoate in several products by Commission Regulation (EU) 2017/1135 ⁽¹¹⁾.
- (4) All existing authorisations for plant protection products containing those active substances have been revoked. It is therefore appropriate to delete the MRLs set out for those substances in Annexes II and III of Regulation (EC) No 396/2005 in accordance with Article 17 of that Regulation in conjunction with Article 14(1)(a) thereof.
- (5) The Commission consulted the European Union reference laboratories as regards the need to adapt certain limits of determination (LODs). Those laboratories concluded that for certain products technical development permits the setting of lower LODs. For the active substances for which all MRLs should be reduced to the relevant LODs, default values should be listed in Annex V in accordance with Article 18(1)(b) of Regulation (EC) No 396/2005.
- (6) In accordance with Article 6(2) of Regulation (EC) No 396/2005, an application was submitted for modification of the existing MRL for potatoes together with residue trials and monitoring data. The request was made to account for potential contamination of potatoes above the default MRL of 0,01 mg/kg when stored in facilities with a history of chlorpropham use. The applicant claims that, due to the specific properties of chlorpropham, with the current cleaning operations of these storage facilities remaining residues cannot be fully avoided. The submitted monitoring data confirm the presence of residues of chlorpropham in untreated potatoes.
- (7) The Netherlands evaluated that application in accordance with Article 8 of Regulation (EC) No 396/2005 and forwarded the evaluation report to the Commission.
- (8) The European Food Safety Authority ('the Authority') assessed the application and the evaluation report, examining in particular risks to consumers and, where relevant, to animals and gave a scientific opinion on the proposed MRL ⁽¹²⁾. It forwarded that opinion to the applicant, the Commission and the Member States and made it available to the public.
- (9) The Authority concluded in its scientific opinion that the MRLs recommended by the Netherlands either at 0,3 mg/kg or at 0,4 mg/kg were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. The Authority took into account the most recent information on the toxicological properties of the substance and considered the presence of 3-chloroaniline, which is formed at conditions reflecting oven-baking of potatoes. Neither the lifetime exposure to chlorpropham via consumption of all food products that may contain it, nor the short-term exposure to chlorpropham and its major metabolite 3-chloroaniline, due to high consumption of potatoes, showed that there is a risk that the acceptable daily intake or the acute reference dose is exceeded.
- (10) In light of the Authority's conclusions on risk to consumers, and taking into account that the levels should be set as low as reasonably achievable, the MRL for potatoes should be set at a level of 0,4 mg/kg resulting from the Good Laboratory Practice (GLP) trials and corresponding to the 97,5th percentile of all the sample results. Moreover, as the Authority concluded that the current cleaning practices are inadequate, it is appropriate to provide food business operators with sufficient time to develop and introduce a new cleaning methodology.
- (11) This temporary MRL will be reviewed based on monitoring data submitted to the Commission by 31 December 2021 and thereafter by 31 December of each subsequent year. It will allow the Commission to regularly re-assess the situation and gradually reduce the MRL, where appropriate, as implementation of better cleaning methodology progresses. A report on the development and implementation of cleaning practices should be submitted to the Commission together with the monitoring data by 31 December 2021, and updates to it in the subsequent years.
- (12) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.

⁽¹⁰⁾ Commission Regulation (EC) No 149/2008 of 29 January 2008 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council by establishing Annexes II, III and IV setting maximum residue levels for products covered by Annex I thereto (OJ L 58, 1.3.2008, p. 1).

⁽¹¹⁾ Commission Regulation (EU) 2017/1135 of 23 June 2017 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for dimethoate and omethoate in or on certain products (OJ L 164, 27.6.2017, p. 28).

⁽¹²⁾ EFSA scientific reports available online: <http://www.efsa.europa.eu>: Reasoned Opinion on the setting of temporary maximum residue levels for chlorpropham in potatoes. EFSA Journal 2020;18(6):6061.

- (13) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (14) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II, III and V to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 2 September 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II, III and V to Regulation (EC) No 396/2005 are amended as follows:

- (1) in Annex II, the columns for carbon tetrachloride, chlorothalonil, chlorpropham, dimethoate, fenamidone, omethoate, propiconazole and pymetrozine are deleted;
- (2) Annex III is amended as follows:
 - (a) Part A is amended as follows:
 - (i) the columns for ethoprophos and methiocarb are deleted;
 - (ii) the following column for chlorpropham is added:

ANNEX IIIA

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ⁽¹⁾	Chlorpropham (F) (R)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0.01 (*)
0110000	Citrus fruits	
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	Tree nuts	
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others (2)	
0130000	Pome fruits	
0130010	Apples	

0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others (2)	
0140000	Stone fruits	
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others (2)	
0150000	Berries and small fruits	
0151000	(a) grapes	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) strawberries	
0153000	(c) cane fruits	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	Miscellaneous fruitswith	
0161000	(a) edible peel	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	

0161070	Jambuls/jambolans	
0161990	Others (2)	
0162000	(b) inedible peel, small	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others (2)	
0163000	(c) inedible peel, large	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others (2)	
0200000	VEGETABLES, FRESH or FROZEN	
0210000	Root and tuber vegetables	
0211000	(a) potatoes	0.4 (+)
0212000	(b) tropical root and tuber vegetables	0.01 (*)
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others (2)	
0213000	(c) other root and tuber vegetables except sugar beets	0.01 (*)
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	

0213060	Parsnips	
0213070	Parsley roots/Hamburg roots parsley	
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others (2)	
0220000	Bulb vegetables	0.01 (*)
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	Fruiting vegetables	0.01 (*)
0231000	(a) Solanaceae and Malvaceae	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others (2)	
0232000	(b) cucurbits with edible peel	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others (2)	
0233000	(c) cucurbits with inedible peel	
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others (2)	
0234000	(d) sweet corn	
0239000	(e) other fruiting vegetables	
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0.01 (*)
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	

0242000	(b) head brassica	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others (2)	
0243000	(c) leafy brassica	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others (2)	
0244000	(d) kohlrabies	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) lettuces and salad plants	0.01 (*)
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others (2)	
0252000	(b) spinaches and similar leaves	0.01 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) grape leaves and similar species	0.01 (*)
0254000	(d) watercresses	0.01 (*)
0255000	(e) witloofs/Belgian endives	0.01 (*)
0256000	(f) herbs and edible flowers	0.02 (*)
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	
0256090	Laurel/bay leaves	

0256100	Tarragon	
0256990	Others (2)	
0260000	Legume vegetables	0.01 (*)
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	
0270000	Stem vegetables	0.01 (*)
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others (2)	
0280000	Fungi, mosses and lichens	0.01 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	0.01 (*)
0300000	PULSES	0.01 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	OILSEEDS AND OIL FRUITS	0.01 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	
0401040	Sesame seeds	
0401050	Sunflower seeds	

0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	
0401150	Castor beans	
0401990	Others (2)	
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others (2)	
0500000	CEREALS	0.01 (*)
0500010	Barley	
0500020	Buckwheat and other pseudocereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others (2)	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0.05 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	

0631050	Lime/linden	
0631990	Others (2)	
0632000	(b) leaves and herbs	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0.05 (*)
0800000	SPICES	
0810000	Seed spices	0.05 (*)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others (2)	
0820000	Fruit spices	0.05 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	
0820080	Tamarind	
0820990	Others (2)	

0830000	Bark spices	0.05 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	Root and rhizome spices	
0840010	Liquorice	0.05 (*)
0840020	Ginger (10)	
0840030	Turmeric/curcuma	0.05 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0.05 (*)
0850000	Bud spices	0.05 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	0.05 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	0.05 (*)
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	0.01 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS	0.05 (*)
1010000	Commodities from	
1011000	(a) swine	
1011010	Muscle	
1011020	Fat	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others (2)	
1012000	(b) bovine	
1012010	Muscle	
1012020	Fat	
1012030	Liver	
1012040	Kidney	

1012050	Edible offals (other than liver and kidney)	
1012990	Others (2)	
1013000	(c) sheep	
1013010	Muscle	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others (2)	
1014000	d) goat	
1014010	Muscle	
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others (2)	
1015000	(e) equine	
1015010	Muscle	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others (2)	
1016000	(f) poultry	
1016010	Muscle	
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others (2)	
1017000	(g) other farmed terrestrial animals	
1017010	Muscle	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others (2)	

1020000	Milk	
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	
1040000	Honey and other apiculture products (7)	
1050000	Amphibians and Reptiles	
1060000	Terrestrial invertebrate animals	
1070000	Wild terrestrial vertebrate animals	
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)	
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)	
1300000	PROCESSED FOOD PRODUCTS (9)	

(*) Limit of analytical determination

(^e) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(F) = Fat soluble

Chlorpropham (F) (R)

(R) = The residue definition differs for the following combinations pesticide-code number:

Chlorpropham - codes 1016000 and 1030000: chlorpropham and 3-chloro-4-hydroxyaniline conjugates, expressed as chlorpropham; Chlorpropham - code 1000000 except 1016000, 1030000 and 1040000 : Chlorpropham and 4'-hydroxychlorpropham-O-sulphonic acid (4-HSA), expressed as chlorpropham

(+) Monitoring data show that there may be a contamination of potatoes above the default MRL of 0.01 mg/kg when stored in facilities with a history of chlorpropham use. Food business operators should develop a new cleaning methodology to limit the contamination of untreated potatoes. This temporary MRL will be reviewed based on monitoring data submitted to the Commission by 31 December 2021 and thereafter by 31 December of each subsequent year. A report on the development and implementation of cleaning practices should be submitted to the Commission together with the monitoring data by 31 December 2021, and updates to it in the subsequent years.

0211000 (a) potatoes

(3) in Annex V, the following columns for carbon tetrachloride, chlorothalonil, dimethoate, ethoprophos, fenamidone, methiocarb, omethoate, propiconazole and pymetrozine are added:

Pesticide residues and maximum residue levels (mg/kg)

[illegible]

0400000	OILSEEDS AND OIL FRUITS		0.01 (*)	0.01 (*)	0.01 (*)	0.01 (*)	0.03 (*)	0.01 (*)	0.01 (*)	0.02 (*)
0401000	Oilseeds									
0401010	Linseeds									
0401020	Peanuts/groundnuts									
0401030	Poppy seeds									
0401040	Sesame seeds									
0401050	Sunflower seeds									
0401060	Rapeseeds/canola seeds									
0401070	Soyabeans									
0401080	Mustard seeds									
0401090	Cotton seeds									
0401100	Pumpkin seeds									
0401110	Safflower seeds									
0401120	Borage seeds									
0401130	Gold of pleasure seeds									
0401140	Hemp seeds									
0401150	Castor beans									
0401990	Others (2)									
0402000	Oil fruits									
0402010	Olives for oil production									
0402020	Oil palms kernels									
0402030	Oil palms fruits									
0402040	Kapok									
0402990	Others (2)									
0500000	CEREALS	0.01 (*)	0.01 (*)	0.01 (*)	0.01 (*)	0.01 (*)	0.03 (*)	0.01 (*)	0.01 (*)	0.05 (*)
0500010	Barley									
0500020	Buckwheat and other pseudocereals									
0500030	Maize/corn									
0500040	Common millet/proso millet									

0830000	Bark spices		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0830010	Cinnamon									
0830990	Others (2)									
0840000	Root and rhizome spices									
0840010	Liquorice		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0840020	Ginger (10)									
0840030	Turmeric/curcuma		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0840040	Horseradish (11)									
0840990	Others (2)		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0850000	Bud spices		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0850010	Cloves									
0850020	Capers									
0850990	Others (2)									
0860000	Flower pistil spices		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0860010	Saffron									
0860990	Others (2)									
0870000	Aril spices		0.05 (*)	0.05 (*)	0.02 (*)	0.05 (*)	0.1 (*)	0.05 (*)	0.05 (*)	0.1 (*)
0870010	Mace									
0870990	Others (2)									
0900000	SUGAR PLANTS		0.01 (*)	0.01 (*)	0.01 (*)	0.01 (*)	0.03 (*)	0.01 (*)	0.01 (*)	0.02 (*)
0900010	Sugar beet roots									
0900020	Sugar canes									
0900030	Chicory roots									
0900990	Others (2)									
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS			0.01 (*)				0.01 (*)		
1010000	Commodities from		0.01 (*)		0.01 (*)	0.01 (*)	0.03 (*)		0.01 (*)	0.01 (*)

1020030	Goat									
1020040	Horse									
1020990	Others (2)									
1030000	Birds eggs		0.01 (*)		0.01 (*)	0.01 (*)	0.03 (*)		0.01 (*)	0.01 (*)
1030010	Chicken									
1030020	Duck									
1030030	Geese									
1030040	Quail									
1030990	Others (2)									
1040000	Honey and other apiculture products (7)		0.05 (*)		0.05 (*)	0.05 (*)	0.05 (*)		0.05 (*)	0.05 (*)
1050000	Amphibians and Reptiles		0.01 (*)		0.01 (*)	0.01 (*)	0.03 (*)		0.01 (*)	0.01 (*)
1060000	Terrestrial invertebrate animals		0.01 (*)		0.01 (*)	0.01 (*)	0.03 (*)		0.01 (*)	0.01 (*)
1070000	Wild terrestrial vertebrate animals		0.01 (*)		0.01 (*)	0.01 (*)	0.03 (*)		0.01 (*)	0.01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)									
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)									
1300000	PROCESSED FOOD PRODUCTS (9)									

(*) Limit of analytical determination

(^a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

Chlorothalonil (R)

(R) = The residue definition differs for the following combinations pesticide-code number:

Chlorothalonil - codes 1000000 to 1070000, except 1040000: 2,5,6-trichloro-4-hydroxyphthalonitrile (SDS-3701)

Pymetrozine (R)

(R) = The residue definition differs for the following combinations pesticide-code number: Pymetrozine - code 1020000: pymetrozine, 6-hydroxymethylpymetrozine and its phosphate conjugate, expressed as pymetrozine

DECISIONS

COMMISSION DECISION (EU) 2021/156

of 9 February 2021

renewing the mandate of the European Group on Ethics in Science and New Technologies

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union and the Treaty on the Functioning of the European Union,

Whereas:

- (1) Article 2 of the Treaty on European Union enshrines the values on which the Union is founded. Article 6 of the Treaty on European Union accords the Charter of Fundamental Rights of the European Union the same legal value as the Treaties and provides that fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States, constitute general principles of Union law.
- (2) On 20 November 1991, the Commission decided to incorporate ethics into the decision-making process for Community research and technological development policies by setting up the Group of Advisers on the Ethical Implications of Biotechnology ('GAEIB').
- (3) On 16 December 1997, the Commission decided to replace the GAEIB by the European Group on Ethics in Science and New Technologies ('EGE') extending the group's mandate to cover all areas of the application of science and technology. The EGE's mandate was subsequently renewed, most recently by Commission Decision (EU) 2016/835⁽¹⁾ for a period of 5 years, which ends on 28 May 2021.
- (4) It is appropriate to renew the mandate of the EGE beyond that date, for an indefinite period, and to appoint the new members, in compliance with Commission Decision C(2016) 3301 final of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups ('the horizontal rules').
- (5) The EGE should continue to provide independent advice at horizontal level to the Commission on all Union policies and legislation where ethical, societal and fundamental rights dimensions intersect with the development of science and new technologies, either at the request of the Commission or on its own initiative and in agreement with the Commission. The Commission may draw the EGE's attention to issues considered by the European Parliament and the Council to be of major ethical importance.
- (6) The EGE's tasks are essential for the integration of fundamental rights and values into Union policies in all areas of scientific and technological innovation. To this end, the EGE should develop in-depth analyses and specific recommendations addressing major ethical challenges in opinions and statements.
- (7) The EGE should be composed of highly qualified and independent experts, appointed in their personal capacity, acting independently and in the public interest. For their selection the Commission should be assisted by an independent Identification Committee. Selection should take place on the basis of objective criteria, following an open call for applications.

⁽¹⁾ Commission Decision (EU) 2016/835 of 25 May 2016 on the renewal of the mandate of the European Group on Ethics in Science and New Technologies (OJ L 140, 27.5.2016, p. 21).

- (8) Rules on disclosure of information by members of the EGE should be laid down.
- (9) Personal data should be processed in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽²⁾.
- (10) In the interest of clarity and legal certainty, Decision (EU) 2016/835 should be formally repealed with effect from 28 May 2021. With regard to the need to review the provisions of the selection process and meeting expenses prior to the expiry of the mandate under Decision (EU) 2016/835, the relevant provisions should apply as from the day of adoption of this Decision,

HAS DECIDED AS FOLLOWS:

Article 1

Subject matter

The European Group on Ethics in Science and New Technologies ('EGE') is set up.

Article 2

Task

The task of the EGE shall be to provide the Commission with independent advice on questions where ethical, societal and fundamental rights dimensions intersect with the development of science and new technologies, either at the request of the Commission or on its own initiative, expressed through its chairperson and agreed with the responsible Commission department.

In particular, the EGE shall:

- (a) identify, define and examine ethical questions raised by developments in science and technologies;
- (b) provide guidance critical for the development, implementation and monitoring of Union policies or legislation in the form of analyses and recommendations, presented in opinions and statements, that shall be oriented towards the promotion of ethical Union policymaking, in accordance with the Charter of Fundamental Rights of the European Union.

Article 3

Consultation

The Commission may consult the EGE on any matter related to the tasks set out in Article 2. In that context, the Commission may draw the EGE's attention to issues considered by the European Parliament and the Council to be of major ethical importance. The EGE shall be consulted as required by other expert bodies established by the Commission on matters related to the tasks set out in Article 2.

Article 4

Membership

- 1. The EGE shall be composed of up to 15 members.
- 2. Members shall have competence in the tasks set out in Article 2.
- 3. Members shall be individuals appointed in a personal capacity.

⁽²⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

4. Members shall act independently and in the public interest. Members shall inform in a timely manner the responsible Commission department, in the Directorate-General for Research and Innovation, of any conflict of interest which might undermine their independence.

5. Members who are no longer capable of contributing effectively to the EGE's deliberations, who, in the opinion of the responsible Commission department, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office by a person appointed by the President of the Commission from the reserve list referred to in Article 5(7).

Article 5

Selection process

1. The selection of the EGE's members shall be carried out following a public call for applications to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups'). In addition, the call for applications may be published through other means, including on dedicated websites. The call for applications shall clearly outline the selection criteria, including the required expertise in relation to the work to be performed. The minimum deadline for applications shall be four weeks.

2. Individuals applying for membership shall disclose any circumstances that could give rise to a conflict of interest. In particular, the responsible Commission department shall require those individuals to submit a declaration of interests ('DOI') form on the basis of the standard DOI form for expert groups, together with an updated *curriculum vitae* (CV), as part of their application. Submission of a duly completed DOI form shall be necessary in order to be eligible to be appointed as a member in a personal capacity. The conflict of interest assessment shall be performed in compliance with the horizontal rules.

3. The Members of the EGE shall be appointed by the President of the Commission, on the basis of a proposal from the member of the Commission responsible for the Commission department providing the secretariat of the EGE, from amongst specialists with competence in the areas referred to in Article 2 and who have responded to the call for applications.

4. The selection process shall be overseen by an Identification Committee. In particular, the Identification Committee shall assist the Commission in identifying and selecting potential members of the EGE and in assessing their availability and willingness to serve as such. The Identification Committee shall consist of three members, appointed by the member of the Commission responsible for the Commission department providing the secretariat of the EGE and supported by a secretariat provided by the responsible Commission department. The Identification Committee shall make an assessment of the eligible candidates from the list submitted by the responsible Commission department on the basis of an initial assessment of all applications against the selection criteria. The Identification Committee shall submit its recommendation to the member of the Commission responsible for the Commission department providing the secretariat of the EGE.

5. Where selecting members of the EGE, the responsible Commission department shall aim at ensuring, as far as possible, a high level of expertise and pluralism, a geographical and gender balance, as well as a balanced representation of relevant know-how and areas of interest, taking into account the tasks of the EGE set out in Article 2, the type of expertise required and the response of the candidates to the call for applications.

6. Members shall be appointed for a term of maximum 3 years. They shall remain in office until replaced or until the end of their term of office. Their term of office may be renewed. Membership of the EGE shall be limited to a maximum of three terms.

7. The responsible Commission department shall establish a reserve list of suitable candidates that may be used to appoint members' replacements. The responsible Commission department shall ask applicants for their consent before including their names on the reserve list.

Article 6

Chair

The EGE shall elect a chairperson and one or two deputy-chairpersons from amongst its members for the duration of their term of office by simple majority.

Article 7

Operation

1. The responsible Commission department, acting in close cooperation with the EGE's chairperson, shall be responsible for coordinating and organising the work of the EGE and for providing its secretariat.
2. Commission officials from other Commission departments with an interest in the proceedings may request to attend meetings of the EGE and its sub-groups.
3. The EGE Work Programme, including ethical analyses suggested on the own initiative of the EGE, shall be agreed by the responsible Commission department. Each request for an ethical analysis shall include the parameters of the requested analysis. The Commission shall, when seeking the advice of the EGE, set a time limit for the analysis.
4. EGE opinions shall include recommendations. They shall be based on an overview of the state of the art of the sciences and technologies concerned and a thorough analysis of the ethical issues at stake. Relevant services of the Commission shall be informed of the recommendations produced by the EGE.
5. The EGE shall operate in a collegial way. The working procedures, based on the rules of procedure, shall seek to ensure that all members may take an active role in the activities of the group. In principle, the group shall adopt its opinions and statements by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members who have voted against or abstained shall have the right to have a document summarising the reasons for their position (as a 'minority opinion') annexed to the opinion or statement together with the name(s) of the dissenting member(s).
6. Each opinion shall be transmitted to the President of the Commission or to a representative designated by the President. Each opinion shall be forthwith published and made available on the EGE website and be transmitted to the European Parliament and to the Council after its adoption by the EGE.
7. The meetings of the EGE shall, in principle, be held on Commission premises, in accordance with the modalities and the calendar fixed by the responsible Commission department. The EGE shall meet at least six times during a 12-month period, representing at least 12 working days a year. Further meetings may be organised when necessary, in agreement with the responsible Commission department.
8. For the purpose of the preparation of EGE analyses and within the limits of the available resources, the responsible Commission department may initiate studies in order to collect all necessary scientific and technical information and establish close links with representatives of the various ethics bodies in the Member States and in third countries.
9. The responsible Commission department shall organise a public round table in order to promote dialogue and improve transparency for each opinion of the EGE. The EGE shall establish close links with the Commission departments concerned by issues on which the EGE is working.
10. Where operational circumstances require that advice on a particular subject be given more quickly than the adoption of an opinion would allow, short statements or other forms of analyses can be issued, to be followed if necessary by a fuller analysis in the form of an opinion, while ensuring that transparency is respected as for any other opinion. Statements shall be published and made available on the EGE website. As part of its Work Programme, in agreement with the responsible Commission department, the EGE may update an opinion, if it considers it necessary.

11. The EGE's discussions shall be confidential. In agreement with the responsible Commission department, the EGE may, by a simple majority of its members, decide to open its deliberations to the public.
12. Minutes on the discussion on each point on the agenda and on the opinions delivered by the EGE shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the chairperson.

Article 8

Sub-groups

1. The responsible Commission department may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the responsible Commission department. Sub-groups shall operate in compliance with the horizontal rules and shall report to the EGE. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the EGE shall be selected via a public call for applications, in compliance with Article 5 and the horizontal rules ⁽³⁾.

Article 9

Invited experts

1. The responsible Commission department may invite experts and representatives of relevant organisations with specific expertise or perspectives to take part in the work of the EGE or its sub-groups on an ad hoc basis for an exchange on a subject matter on the agenda.
2. The responsible Commission department may also enlist external experts to participate in the work of the EGE on an ad hoc basis should it be deemed necessary to cover the wide spectrum of ethical questions related to advances in science and new technologies.

Article 10

Rules of procedure

On a proposal by and in agreement with the responsible Commission department the EGE shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules.

Article 11

Professional secrecy and handling of classified information

The members of the EGE and members of sub-groups, as well as invited experts and members of the Identification Committee, are subject to the obligation of professional secrecy which, by virtue of the Treaties and the rules implementing them, applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443 ⁽⁴⁾ and (EU, Euratom) 2015/444 ⁽⁵⁾. Should they fail to respect these obligations, the Commission may take all appropriate measures.

⁽³⁾ See Articles 10 and 14(2) of the horizontal rules.

⁽⁴⁾ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁽⁵⁾ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

*Article 12***Transparency**

1. The EGE and its sub-groups shall be registered and the names of the members shall be published in the Register of expert groups.
2. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available either on the Register of 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, the agenda and other relevant background documents shall be published 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) No 1049/2001 of the European Parliament and of the Council ⁽⁶⁾.

*Article 13***Meeting expenses**

1. Participants in the activities of the EGE and its sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the EGE and its sub-groups and by the members of the Identification Committee shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission services under the annual procedure for the allocation of resources.

*Article 14***Repeal**

Decision (EU) 2016/835 is repealed with effect from 28 May 2021.

*Article 15***Applicability**

Except for Article 5 and Article 13, this Decision shall apply as from 28 May 2021.

Done at Brussels, 9 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁶⁾ 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). 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.

COMMISSION IMPLEMENTING DECISION (EU) 2021/157**of 9 February 2021****amending Implementing Decision (EU) 2019/1616 as regards industrial valves, welding procedures, equipment for refrigerating systems and heat pumps, shell boilers, metallic industrial piping, copper and copper alloys, LPG equipment and accessories and safety devices for protection against excessive pressure**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council ⁽¹⁾, and in particular Article 10(6) thereof,

Whereas:

- (1) In accordance with Article 12 of Directive 2014/68/EU of the European Parliament and of the Council ⁽²⁾, pressure equipment or assemblies referred to in Article 4(1) and (2) of that Directive which are in conformity with harmonised standards or parts thereof the references of which have been published in the *Official Journal of the European Union*, are to be presumed to be in conformity with the essential safety requirements covered by those standards or parts thereof referred to in Annex I to that Directive.
- (2) By letter M/071 of 1 August 1994 the Commission made a request to the European Committee for Standardisation (CEN) for drawing up, in relation to the pressure equipment, the product related standards and the standards of a horizontal nature in support of Directive 97/23/EC of the European Parliament and of the Council ⁽³⁾. That Directive was replaced by Directive 2014/68/EU without changing the essential safety requirements referred to in Annex I to Directive 97/23/EC.
- (3) On the basis of the request M/071 and in order to reflect the state of the art, CEN revised and amended some of the existing harmonised standards. Specifically, CEN revised harmonised standards EN ISO 4126-3:2006, EN 12542:2010 and EN 13175:2014 which resulted in adoption of harmonised standards EN ISO 4126-3:2020 on safety devices, EN 12542:2020 and EN 13175:2019+A1:2020 on LPG equipment and accessories; harmonised standard EN 12735-1:2016 which resulted in adoption of harmonised standard EN 12735-1:2020 on copper and copper alloys; and harmonised standard EN 12953-5:2002 which resulted in adoption of harmonised standard EN 12953-5:2020 on shell boilers. CEN also revised harmonised standards EN 14276-1:2006+A1:2011 and EN 14276-2:2007+A1:2011 which resulted in adoption of harmonised standards EN 14276-1:2020 and EN 14276-2:2020 on pressure equipment for refrigerating systems and heat pumps as well as harmonised standard EN ISO 15620:2000 which resulted in adoption of harmonised standard EN ISO 15620:2019 on welding.
- (4) Additionally, CEN revised and amended a series of harmonised standards on industrial valves. Namely, CEN amended harmonised standards EN ISO 16135:2006, EN ISO 16136:2006, EN ISO 16137:2006, EN ISO 16138:2006, EN ISO 16139:2006 and EN ISO 21787:2006. CEN also revised the harmonised standard EN 16767:2016 which resulted in adoption of harmonised standard EN 16767:2020 on industrial valves.
- (5) CEN also amended harmonised standards EN 13480-2:2017 and EN 13480-3:2017 on metallic industrial piping.

⁽¹⁾ OJ L 316, 14.11.2012, p. 12.

⁽²⁾ Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (OJ L 189, 27.6.2014, p. 164).

⁽³⁾ Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment (OJ L 181, 9.7.1997, p. 1).

- (6) The Commission together with CEN has assessed whether those standards on the pressure equipment as amended or revised by CEN comply with the request M/071.
- (7) The standards on the pressure equipment as amended or revised by CEN satisfy the requirements which they aim to cover and which are referred to in Annex I to Directive 2014/68/EU. It is therefore appropriate to publish the references of those standards in the *Official Journal of the European Union*.
- (8) References of amended or revised versions of standards EN 12542:2010, EN 12735-1:2016, EN 12953-5:2002, EN 13175:2014, EN 13480-2:2017, EN 13480-3:2017, EN 14276-1:2006+A1:2011, EN 14276-2:2007+A1:2011, EN 16767:2016, EN ISO 15620:2000, EN ISO 16135:2006, EN ISO 16136:2006, EN ISO 16137:2006, EN ISO 16138:2006, EN ISO 16139:2006, EN ISO 21787:2006 and EN ISO 4126-3:2006 are to be published. It is therefore necessary to withdraw from the *Official Journal of the European Union* ⁽⁴⁾ references of the standards EN 12542:2010, EN 12735-1:2016, EN 12953-5:2002, EN 13175:2014, EN 13480-3:2017, EN 14276-1:2006+A1:2011, EN 14276-2:2007+A1:2011, EN 16767:2016, EN ISO 15620:2000, EN ISO 16135:2006, EN ISO 16136:2006, EN ISO 16137:2006, EN ISO 16138:2006, EN ISO 16139:2006, EN ISO 21787:2006 and EN ISO 4126-3:2006.
- (9) In order to give manufacturers sufficient time to adapt their products to the amended or revised versions of harmonised standards for industrial valves, welding procedures, equipment for refrigerating systems and heat pumps, shell boilers, metallic industrial piping, copper and copper alloys, LPG equipment and accessories and safety devices for protection against excessive pressure, it is necessary to defer the withdrawal of the references of those standards.
- (10) Annex I to Commission Implementing Decision (EU) 2019/1616 ⁽⁵⁾ lists the references of harmonised standards drafted in support of Directive 2014/68/EU. The references of harmonised standards EN ISO 4126-3:2020, EN 12542:2020, EN 12735-1:2020, EN 12953-5:2020, EN 13175:2019+A1:2020, EN 13480-3:2017, EN 13480-3:2017/A2:2020, EN 13480-3:2017/A3:2020, EN 14276-1:2020, EN 14276-2:2020, EN ISO 15620:2019, EN ISO 16135:2006, EN ISO 16135:2006/A1:2019, EN ISO 16136:2006, EN ISO 16136:2006/A1:2019, EN ISO 16137:2006, EN ISO 16137:2006/A1:2019, EN ISO 16138:2006, EN ISO 16138:2006/A1:2019, EN ISO 16139:2006, EN ISO 16139:2006/A1:2019, EN 16767:2020, EN ISO 21787:2006 and EN ISO 21787:2006/A1:2019 should be included in that Annex.
- (11) Annex II to Implementing Decision (EU) 2019/1616 lists the references of harmonised standards drafted in support of Directive 2014/68/EU that are withdrawn from the *Official Journal of the European Union*. The references of harmonised standards EN 12542:2010, EN 12735-1:2016, EN 12953-5:2002, EN 13175:2014, EN 13480-3:2017, EN 14276-1:2006+A1:2011, EN 14276-2:2007+A1:2011, EN 16767:2016, EN ISO 15620:2000, EN ISO 16135:2006, EN ISO 16136:2006, EN ISO 16137:2006, EN ISO 16138:2006, EN ISO 16139:2006, EN ISO 21787:2006 and EN ISO 4126-3:2006 should be included in that Annex.
- (12) The reference of harmonised standard EN 13480-2:2017 and the references of its amendments EN 13480-2:2017/A1:2018, EN 13480-2:2017/A2:2018 and EN 13480-2:2017/A3:2018 are included in Annex I to Implementing Decision (EU) 2019/1616. Further amendment has been made to standard EN 13480-2:2017. It is appropriate to replace the relevant entry in that Annex, adding the reference of amendment EN 13480-2:2017/A7:2020.
- (13) Implementing Decision (EU) 2019/1616 should therefore be amended accordingly.
- (14) Compliance with a harmonised standard confers a presumption of conformity with the corresponding essential requirements set out in Union harmonisation legislation from the date of publication of the reference of such standard in the *Official Journal of the European Union*. This Decision should therefore enter into force on the date of its publication,

⁽⁴⁾ OJ C 326, 14.9.2018, p. 94.

⁽⁵⁾ Commission Implementing Decision (EU) 2019/1616 of 27 September 2019 on the harmonised standards for pressure equipment drafted in support of Directive 2014/68/EU of the European Parliament and of the Council (OJ L 250, 30.9.2019, p. 95).

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision (EU) 2019/1616 is amended in accordance with Annex I to this Decision.

Article 2

Annex II to Implementing Decision (EU) 2019/1616 is amended in accordance with Annex II to this Decision.

Article 3

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 9 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Decision (EU) 2019/1616 is amended as follows:

(1) entry No 11 is replaced by the following:

No	Reference of the standard
'11.	EN 13480-2:2017 Metallic industrial piping - Part 2: Materials EN 13480-2:2017/A1:2018 EN 13480-2:2017/A2:2018 EN 13480-2:2017/A3:2018 EN 13480-2:2017/A7:2020'

(2) the following entries are added:

No	Reference of the standard
'24.	EN ISO 4126-3:2020 Safety devices for protection against excessive pressure - Part 3: Safety valves and bursting disc safety devices in combination (ISO 4126-3:2020)
25.	EN 12542:2020 LPG equipment and accessories - Static welded steel cylindrical pressure vessels, serially produced for the storage of Liquefied Petroleum Gas (LPG) having a volume not greater than 13 m ³ - Design and manufacture
26.	EN 12735-1:2020 Copper and copper alloys - Seamless, round tubes for air conditioning and refrigeration - Part 1: Tubes for piping systems
27.	EN 12953-5:2020 Shell boilers - Part 5: Inspection during construction, documentation and marking of pressure parts of the boiler
28.	EN 13175:2019+A1:2020 LPG Equipment and accessories - Specification and testing for Liquefied Petroleum Gas (LPG) pressure vessel valves and fittings
29.	EN 13480-3:2017 Metallic industrial piping - Part 3: Design and calculation EN 13480-3:2017/A2:2020 EN 13480-3:2017/A3:2020
30.	EN 14276-1:2020 Pressure equipment for refrigerating systems and heat pumps - Part 1: Vessels - General requirements
31.	EN 14276-2:2020 Pressure equipment for refrigerating systems and heat pumps - Part 2: Piping - General requirements
32.	EN ISO 15620:2019 Welding - Friction welding of metallic materials (ISO 15620:2019)
33.	EN ISO 16135:2006 Industrial valves - Ball valves of thermoplastics materials (ISO 16135:2006) EN ISO 16135:2006/A1:2019

34.	EN ISO 16136:2006 Industrial valves - Butterfly valves of thermoplastics materials (ISO 16136:2006) EN ISO 16136:2006/A1:2019
35.	EN ISO 16137:2006 Industrial valves - Check valves of thermoplastics materials (ISO 16137:2006) EN ISO 16137:2006/A1:2019
36.	EN ISO 16138:2006 Industrial valves - Diaphragm valves of thermoplastics materials (ISO 16138:2006) EN ISO 16138:2006/A1:2019
37.	EN ISO 16139:2006 Industrial valves - Gate valves of thermoplastics materials (ISO 16139:2006) EN ISO 16139:2006/A1:2019
38.	EN 16767:2020 Industrial valves - Metallic check valves
39.	EN ISO 21787:2006 Industrial valves - Globe valves of thermoplastics materials (ISO 21787:2006) EN ISO 21787:2006/A1:2019

ANNEX II

In Annex II to Implementing Decision (EU) 2019/1616, the following entries are added:

No	Reference of the standard	Date of withdrawal
22.	EN 12542:2010 LPG equipment and accessories - Static welded steel cylindrical tanks, serially produced for the storage of Liquefied Petroleum Gas (LPG) having a volume not greater than 13 m ³ - Design and manufacture	10 August 2022
23.	EN 12735-1:2016 Copper and copper alloys - Seamless, round tubes for air conditioning and refrigeration - Part 1: Tubes for piping systems	10 August 2022
24.	EN 12953-5:2002 Shell boilers - Part 5: Inspection during construction, documentation and marking of pressure parts of the boiler	10 August 2022
25.	EN 13175:2014 LPG Equipment and accessories - Specification and testing for Liquefied Petroleum Gas (LPG) pressure vessel valves and fittings	10 August 2022
26.	EN 13480-3:2017 Metallic industrial piping - Part 3: Design and calculation	10 August 2022
27.	EN 14276-1:2006+A1:2011 Pressure equipment for refrigerating systems and heat pumps - Part 1: Vessels - General requirements	10 August 2022
28.	EN 14276-2:2007+A1:2011 Pressure equipment for refrigerating systems and heat pumps - Part 2: Piping - General requirements	10 August 2022
29.	EN 16767:2016 Industrial valves - Steel and cast iron check valves	10 August 2022
30.	EN ISO 15620:2000 Welding - Friction welding of metallic materials (ISO 15620:2000)	10 August 2022
31.	EN ISO 16135:2006 Industrial valves - Ball valves of thermoplastics materials (ISO 16135:2006)	10 August 2022
32.	EN ISO 16136:2006 Industrial valves - Butterfly valves of thermoplastics materials (ISO 16136:2006)	10 August 2022
33.	EN ISO 16137:2006 Industrial valves - Check valves of thermoplastics materials (ISO 16137:2006)	10 August 2022
34.	EN ISO 16138:2006 Industrial valves - Diaphragm valves of thermoplastics materials (ISO 16138:2006)	10 August 2022

35.	EN ISO 16139:2006 Industrial valves - Gate valves of thermoplastics materials (ISO 16139:2006)	10 August 2022
36.	EN ISO 21787:2006 Industrial valves - Globe valves of thermoplastics materials (ISO 21787:2006)	10 August 2022
37.	EN ISO 4126-3:2006 Safety devices for protection against excessive pressure - Part 3: Safety valves and bursting disc safety devices in combination (ISO 4126-3:2006)	10 August 2022'

RULES OF PROCEDURE

RULES OF PROCEDURE OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

January 2021

PREAMBLE

1. The European Economic and Social Committee represents the various economic and social components of organised civil society. It is an institutional consultative body established by the 1957 Treaty of Rome.
2. The Committee's consultative role enables its members, and hence the organisations they represent, to participate in the European Union decision-making process. With views occasionally being diametrically opposed, the Committee's discussions often require real negotiations involving not only the usual social partners, i.e. employers (group I) and wage-earners (group II) but also all the other socio-occupational interests represented (group III). This expertise, these discussions and negotiations and the search for convergence may improve the quality and credibility of the European Union decision-making process, inasmuch as they make it more comprehensible and acceptable for Europe's citizens and increase the transparency which is so vital for democracy.
3. Within the European institutional set-up, the EESC fulfils a specific role: it is the prime forum in which the organisations of civil society in the European Union can have their views represented and discussed, and it is especially well placed to act as an intermediary between organised civil society and the European Union institutions.
4. As a chamber for debating and for drawing up opinions, the EESC helps to strengthen the democratic credentials of the process of building the European Union, including the promotion of relations between the EU and socio-economic groupings in third countries. In so doing it helps to promote genuine identification with Europe.
5. To carry out its missions successfully, on 17 July 2002, the EESC adopted its Rules of Procedure, in accordance with the second paragraph of Article 260 of the Treaty establishing the European Community ⁽¹⁾.
6. On 28 January 2021, the EESC's plenary assembly adopted the latest version of these Rules of Procedure.

TITLE I

ORGANISATION OF THE COMMITTEE

Chapter I

INSTALLATION OF THE COMMITTEE IN OFFICE

Rule 1

1. The Committee shall hold office for terms of five years.
2. The first meeting of the Committee following each five-yearly renewal shall be convened by the oldest member, and shall be held not later than 25 working days after the date of the decision of the Council appointing the majority of the members of the Committee.
3. The members of the Committee are not bound by any mandatory instructions. They are completely independent in the performance of their duties, in the Union's general interest.

⁽¹⁾ These Rules were subsequently amended on 27 February 2003, 31 March 2004, 5 July 2006, 12 March 2008, 14 July 2010 and 20 February 2019.

4. In the performance of their duties and on journeys to and from the place of meetings, members enjoy the privileges and immunities established in the Protocol on the privileges and immunities of the European Union. Specifically, they enjoy freedom of movement, personal inviolability and immunity.

5. The Committee shall ensure compliance with the principle of gender equality and non-discrimination, as defined by European Union law, in all its policies. The Committee shall ensure that the proportion of women in all bodies of the Committee is greater than that in the assembly. The bureau shall assess developments regarding the gender balance and, if necessary, adopt specific recommendations. At the end of each half term of office, a report shall be presented to the bureau to evaluate such developments.

Rule 2

1. The Committee shall consist of the following bodies: the assembly, the bureau, the president and the sections.
2. The Committee shall be divided into three groups, the composition and role of which are set out in Rule 30.

Rule 3

1. The Committee recognises and adopts the following European Union symbols:
 - a) the flag representing a circle of twelve gold stars on a blue background;
 - b) the anthem taken from the 'Ode to Joy' from Beethoven's Ninth Symphony;
 - c) the motto 'United in diversity'.
2. The Committee shall celebrate Europe Day on 9 May.
3. The flag shall be displayed in the buildings of the Committee and to mark official occasions.
4. The anthem shall be played at the opening of every inaugural session at the beginning of a term of office and at other formal sessions, e.g. when welcoming heads of state or government, or new members following an enlargement.

Chapter II

BUREAU

Rule 4

1. The election of the bureau members shall comply with the principle of observing an overall and geographical balance between the groups, with at least one, and a maximum of three, representatives from each Member State. The groups shall negotiate and draft a proposal for bureau membership which shall be submitted to the assembly.

The bureau of the Committee shall comprise:

- a) the president, the two vice-presidents;
 - b) the three group presidents, elected as provided for in Rule 30;
 - c) the section presidents;
 - d) a variable number of members, totalling no more than the number of Member States.
2. The president shall be elected in turn from among the members of the three groups.

3. The president and vice-presidents may not be re-elected. For the two and a half years immediately following the expiry of his term of office the president may not be a member of the bureau as a vice-president or as the president of a group or section.
4. The vice presidents shall be elected from among the members of the two groups to which the president does not belong.

Rule 5

1. At its first meeting, held in pursuance of Rule 1, the Committee, with the interim president in the chair, shall elect from among its members a president, two vice-presidents, the presidents of the sections and the other members of the bureau other than the group presidents for a term of two and a half years, commencing on the date of the installation of the Committee in office.
2. Only matters pertaining to these elections may be discussed under the chairmanship of the oldest member.

Rule 6

The meeting at which the bureau of the Committee is elected for the last two and a half years of a five-year period shall be convened by the outgoing Committee president. It shall be held at the beginning of the session of the month in which the term of office of the first bureau expires. The chair shall be taken by the outgoing president.

Rule 7

1. The Committee may set up an election panel, drawn from its members and consisting of one representative per Member State, to receive candidatures and to submit a list of candidates to the assembly, taking due account of the provisions of Rule 4.
2. The Committee, acting in accordance with the provisions of this Rule, shall decide on the list or lists of candidates for the presidency and the bureau.
3. The Committee shall elect the members of the bureau other than the presidents of the groups, holding more than one ballot if necessary, according to the procedure for voting by list.
4. Only complete lists of candidates conforming to the provisions of Rule 4 and accompanied by a declaration of acceptance from each candidate may be admitted to the vote.
5. Those candidates on the list which obtains the highest number and at least one-quarter of the valid votes cast shall be declared elected as members of the bureau.
6. The assembly shall then elect the president and the vice-presidents of the Committee by a simple majority.
7. The Committee shall then elect the presidents of the sections by a simple majority.
8. Lastly, the Committee shall vote on the bureau as a whole. At least two-thirds of the total number of valid votes must be cast in favour.

Rule 8

If a bureau member is unable to discharge the duties attaching to his post or in the cases provided for in Rule 75(2), such a member shall be replaced for the remainder of his term of office in accordance with Rule 7. Replacement shall be subject to a vote by the assembly on the basis of a proposal from the group concerned.

Rule 9

1. Meetings of the bureau shall be convened by the president, acting either *ex officio* or at the request of ten members.

2. Minutes of each bureau meeting shall be drawn up. These minutes shall be submitted to the bureau for approval.
3. The bureau shall lay down its own procedural rules.
4. It shall lay down the organisation and working procedures of the Committee. It shall adopt provisions for implementing the Rules of Procedure after consulting the groups.
5. The bureau and the president shall exercise the budgetary and financial powers provided for in the Financial Regulation applicable to the general budget of the Union and the Committee's Rules of Procedure.
6. The bureau shall determine the implementing arrangements regarding the travel and subsistence expenses of members, their alternates, appointed in accordance with Rule 21, delegates and their alternates appointed in accordance with Rule 27, and of the experts appointed in accordance with Rule 26, in compliance with the budget and financial procedures.
7. The bureau shall have political responsibility for the general management of the Committee. In particular, it shall ensure that the activities of the Committee, its bodies and its staff are in keeping with its institutional aims.
8. The bureau shall be responsible for ensuring that in carrying out the tasks entrusted to it by the Treaty, the Committee makes good use of the human, budgetary and technical resources available to it. The bureau shall, for instance, take part in the budgetary procedure and in the organisation of the secretariat.
9. The bureau may set up ad hoc groups, drawn from among its members, to examine any questions falling within its competence. Other members may also be involved in the work of these groups, except when issues concerning the appointment of permanent staff are discussed.
10. Every six months the bureau shall examine, on the basis of a report drawn up for this purpose, the action taken on opinions delivered by the Committee.
11. At the request of a member or of the secretary-general, the bureau shall clarify the interpretation of the Rules of Procedure and its Implementing Provisions. Its findings shall be binding subject to the right of appeal to the assembly to make a final decision.
12. At the time of the Committee's five-yearly renewal, the outgoing bureau shall discharge current business until the first meeting of the new Committee. In exceptional cases, it may make an outgoing member responsible for the implementation of specific tasks, or tasks subject to time limits, that require a particular level of expertise.

Rule 10

Within the framework of interinstitutional cooperation, the bureau may instruct the president to conclude cooperation agreements with the institutions and other bodies of the European Union.

Rule 11

1. A commission for financial and budgetary affairs (CAF) shall be set up to advise the president and bureau and to prepare all draft decisions of a financial and budgetary or organisational nature to be adopted by the bureau.
2. The commission for financial and budgetary affairs shall be chaired by one of the two Committee vice-presidents.

It shall have twelve members, appointed by the bureau on a proposal from the groups.

3. The commission for financial and budgetary affairs shall draw up a draft Committee budget, that it shall submit to the bureau for approval, and shall ensure that the budget is properly implemented and accounted for.

The commission for financial and budgetary affairs shall advise on:

- any matter of importance which may compromise the sound management of appropriations or prevent attainment of the objectives set, in particular regarding forecasts on the utilisation of appropriations,
- the implementation of the current budget, transfer of appropriations, impacts relating to the establishment plan, administrative appropriations and operations concerning buildings-related projects; it shall in particular provide an assessment of the state of play and suggest future steps,
- the supervision of the discharge process, working closely with the secretary-general and the European Parliament rapporteur.

4. The Committee's budget shall comply with the principles of unity, budget accuracy, annuality, equilibrium, unit of account, universality, specification, sound financial management and transparency.

5. For specified additional matters, the bureau may delegate other powers to the commission for financial and budgetary affairs.

6. The commission for financial and budgetary affairs shall adopt its decisions according to its own procedural rules which should include the following provisions:

- a) proposals which it adopts unanimously shall be submitted to the bureau for approval without debate;
- b) proposals which it adopts by simple majority or refusals of such proposals shall be justified in order that they may be examined subsequently by the bureau.

7. The commission for financial and budgetary affairs shall submit an annual report to the bureau.

8. The president of the commission for financial and budgetary affairs shall chair the delegation responsible for negotiations with the European Union budgetary authority and shall report thereon to the bureau.

9. The secretariat shall provide the commission for financial and budgetary affairs with all the information necessary for it to carry out its task of advising the bureau and the Committee president.

Rule 12

1. A communication commission (COCOM) shall be set up, responsible for guiding and monitoring the Committee's communication strategy. Its duties shall include advising the bureau and the Committee president.

2. The communication commission shall be chaired by one of the two Committee vice-presidents. It shall have twelve members, appointed by the bureau on a proposal from the groups.

3. The communication commission shall coordinate the activities of the structures responsible for communication, for relations with the press and media and for culture, and ensure that such activities are consistent with the approved strategy and programmes.

4. Each year the communication commission shall submit an annual activity report to the bureau including the implementation of its duties, together with a work programme for the year ahead.

Chapter III

PRESIDENCY AND THE PRESIDENT

Rule 13

1. The presidency shall comprise the president and the two vice-presidents.

2. The Committee presidency shall meet with the group presidents to prepare the work of the bureau and the assembly. The section presidents may be invited to take part in these meetings.

3. In order to define the Committee's programme of work and assess its progress, the Committee presidency shall meet at least twice a year with the presidents of the groups and sections.

Rule 14

1. The president shall direct all the work of the Committee and its internal bodies, in accordance with the Treaty and with these Rules of Procedure. He shall have all the powers necessary to direct the deliberations of the Committee and ensure that they proceed smoothly.

2. The president shall involve the vice-presidents in his activities on a permanent basis; he may delegate to them specific tasks or responsibilities falling within his remit.

3. The president may entrust specific tasks to the secretary-general for a limited period.

4. The president shall represent the Committee. He may delegate this authority of representation to a vice-president or, if appropriate, to a member.

5. The president shall report to the Committee on action and measures taken on its behalf between plenary sessions. These reports shall not be followed by a debate.

6. After his election, the president shall present his work programme for his term of office to the plenary session. He shall also present a review of achievements at the end of his term.

These two presentations may be debated by the assembly.

Rule 15

The two vice-presidents shall be respectively president of the commission for administrative and financial affairs and president of the communication commission and shall perform these tasks under the authority of the Committee president.

Rule 16

1. The enlarged presidency shall comprise the president and the two vice-presidents of the Committee and the group presidents.

2. The role of the enlarged presidency shall be to:

- a) prepare and facilitate the work of the bureau and the assembly;
- b) facilitate the necessary decisions in the event of pressing time constraints or extraordinary circumstances.

To this end the section and consultative commission presidents, as well as other persons, may be invited to take part in its meetings.

3. The enlarged presidency shall meet at least twice a year with the presidents of the sections and consultative commissions to prepare the Committee's programme of work and assess its implementation.

Chapter IV

SECTIONS

Rule 17

1. The Committee shall comprise six sections. Other sections may be set up by the plenary assembly on a proposal from the bureau, in the fields covered by the Treaties.

2. The Committee shall set up its sections at the inaugural session following each five-yearly renewal.
3. The list of sections and their terms of reference may be re-examined at the time of each five-yearly renewal.

Rule 18

1. The number of members of the sections shall be decided by the Committee on a proposal from its bureau.
2. Apart from the president, every member of the Committee must be a member of at least one section.
3. No member may belong to more than two sections, except if he comes from a Member State where the number of members is nine or less. However, no member may belong to more than three sections.
4. The members of the sections shall be appointed by the Committee. Appointments shall be for two and a half years and shall be renewable.
5. The procedure laid down for the appointment of section members shall also be followed for the replacement of such members.

Rule 19

1. The bureau of a section, elected for a term of two and a half years, shall comprise twelve members including a president and three vice-presidents, one from each group.
2. Elections of section presidents and of other members of section bureaux shall be conducted by the Committee.
3. Section presidents and other members of section bureaux may be re-elected.
4. The presidency of three sections shall be rotated between the groups every two and a half years. The same group may not hold the presidency of any section for a period exceeding five consecutive years.

Rule 20

1. It shall be the task of the sections to adopt opinions or information reports on questions referred to them in accordance with Rule 37 of these Rules of Procedure.
2. The sections may set up from among their members a study group or drafting group or appoint a rapporteur working alone to deal with the questions referred to them.
3. The appointment of rapporteurs and, where appropriate, co-rapporteurs, and the composition of study and drafting groups shall be decided on the basis of proposals from the groups.
4. In order that study groups may be set up quickly and in the event of agreement between the three group presidents on the proposed appointment of rapporteurs and, where appropriate, co-rapporteurs, and on the composition of study or drafting groups, the section presidents shall take the steps required to ensure that work can begin.
5. The rapporteur, with the help of his expert, where appropriate, shall be responsible for monitoring action taken on an opinion after its adoption at the plenary session. He shall be assisted in this task by the secretariat of the section concerned. The section shall be informed of the findings of such monitoring.
6. Study groups may not become permanent bodies, save in exceptional cases for which the Committee bureau's prior authorisation is required for the same two-and-a-half-year period.

Rule 21

1. Any member of the Committee unable to attend a preparatory meeting may arrange to be represented by his alternate.
2. Alternates shall have no voting rights.
3. However, should a member be president of a section or study group, member of the section bureau or rapporteur, he may not be represented by his alternate in the performance of these duties.
4. The name and capacity of the alternate selected shall be communicated to the bureau of the Committee for its approval.
5. During the preparatory work the alternate shall carry out the same duties as the member whom he replaces and shall be subject to the same rules as regards travel and subsistence expenses.

Chapter V

SUBCOMMITTEES AND RAPporteur-GENERAL*Rule 22*

1. On the initiative of the bureau, the Committee may, in exceptional cases, set up subcommittees drawn from its members to produce, for submission initially to the bureau and then to the assembly, draft opinions or information reports on strictly horizontal general matters.
2. In the periods between plenary sessions the bureau may set up subcommittees, subject to subsequent confirmation by the Committee. In no case may a subcommittee be set up for more than one matter. A subcommittee shall be automatically dissolved as soon as the draft opinion or information report which it has prepared is voted on by the Committee.
3. Subcommittees set up for questions coming within the purview of two or more sections shall be made up of members of those sections.
4. The rules governing sections shall be applicable, *mutatis mutandis*, to subcommittees.

Rule 23

In the event of referrals covering topics of secondary interest or of an urgent nature, the Committee may appoint a rapporteur-general, who shall address the plenary assembly alone and without first addressing the section.

Chapter VI

OBSERVATORIES - HEARINGS - EXPERTS*Rule 24*

1. The Committee may set up observatories when the nature, extent and complexity of the subject to be dealt with calls for particular flexibility in the working methods, procedures and instruments to be used.
2. An observatory shall be set up by a decision of the plenary assembly, ratifying a decision taken earlier by the bureau on a proposal from a group or from a section.
3. The decision to set up an observatory shall define the object, structure, composition and duration in each case.

4. The observatories may draw up an annual information document on the application of the horizontal clauses in the Treaty (the social clause, environmental clause and consumer protection clause) and their impact on the policies of the European Union. This report may be forwarded to the European Parliament, the Council and the Commission, if the assembly so decides.

5. Each observatory shall work under the oversight and supervision of a section.

Rule 25

If an issue under discussion is of sufficient importance, the various bodies and working units of the Committee may invite guest speakers from outside the Committee to a hearing. If the presence of guest speakers involves additional costs, the body or unit concerned must seek prior authorisation from the Committee bureau and submit a programme giving reasons why it considers that certain aspects call for outside assistance.

Rule 26

1. Where necessary for preparing certain tasks, the group presidents may appoint experts on a proposal from the rapporteurs and/or co-rapporteurs.

2. The group presidents may also appoint group experts.

3. Experts taking part in preparatory work shall be subject to the same conditions as those laid down for members as regards travel and subsistence expenses.

4. When their presence is useful, experts of rapporteurs and co-rapporteurs may, on a proposal from the rapporteur or co-rapporteur, attend section or consultative commission meetings during which the opinions or information reports for the preparation of which they were appointed will be examined.

The president of the section or consultative commission concerned must give his prior approval.

5. Experts do not represent the Committee and shall not be authorised to speak on its behalf.

6. Committee members may not be appointed experts.

Their alternates may be appointed, subject to temporary suspension of their tenure of office as alternate.

Consultative commission delegates may only serve as experts for the group which has appointed them or for a rapporteur belonging to that group.

Chapter VII

CONSULTATIVE COMMISSIONS

Rule 27

1. The Committee shall have the option of setting up consultative commissions. These shall be made up of members of the Committee and of delegates from areas of civil society that the Committee wishes to involve in its work.

2. Such commissions shall be set up by a decision of the plenary assembly which shall confirm a decision taken by the bureau. The decision setting up such commissions shall define their object, their structure, their composition, their duration and their rules.

3. In accordance with paragraphs 1 and 2 of this Rule, a consultative commission on industrial change (CCMI) may be set up, made up of members of the Committee and delegates from organisations representing the various economic and social sectors as well as civil society organisations concerned by industrial change. The president of the commission shall be a member of the Committee bureau, to which he shall report every two and a half years on the activity of the CCMI. He

shall be chosen from among the members of the bureau referred to in Rule 4(1)(d) of these Rules of Procedure. Delegates and alternates participating in preparatory work shall be subject to the same rules as members as regards travel and subsistence expenses.

Chapter VIII

DIALOGUE WITH ECONOMIC AND SOCIAL ORGANISATIONS IN EU AND NON-EU STATES

Rule 28

1. The Committee, on the initiative of the bureau, may maintain structured relations with economic and social councils and similar institutions and with civil society organisations of an economic and social nature in the European Union and non EU countries.
2. In the same way, it shall undertake actions designed to foster the establishment of economic and social councils or similar institutions in countries which do not yet have them.

Rule 29

1. The Committee, on a proposal from the bureau, may appoint delegations to maintain relations with the various economic and social components of organised civil society in states or associations of states outside the European Union.
2. Cooperation between the Committee and partners from organised civil society in the candidate countries shall take the form of joint consultative committees if these have been formed by the Association Councils. Otherwise it shall take place in contact groups.
3. The joint consultative committees and contact groups shall draw up joint information reports and declarations, which may be forwarded by the Committee to the relevant institutions and to the actors concerned.

Chapter IX

GROUPS

Rule 30

1. The Committee shall be made up of three groups of members representing respectively employers, employees and the various other economic and social components of organised civil society.
2. The groups shall elect their presidents and vice-presidents. They shall participate in the preparation, organisation and coordination of the business of the Committee and its constituent bodies, and help supply them with information. Each group shall be provided with a secretariat.
3. The groups shall propose to the assembly candidates for election as president and vice-presidents, in accordance with Rule 7(6) and respecting the principle of equality between men and women as defined by the institutions of the European Union.
4. The group presidents shall be members of the Committee bureau in accordance with Rule 4(1)(b).
5. The group presidents shall assist the Committee presidency in the formulation of policy and, where appropriate, in the monitoring of expenditure.
6. The group presidents shall meet with the Committee presidency to assist in preparing the work of the bureau and the assembly.
7. The groups shall make proposals to the assembly for the election of section presidents under Rule 7(7) and of section bureaux under Rule 19.

8. The groups shall make proposals for membership of the commission for financial and budgetary affairs to be set up by the bureau under Rule 11(1).
9. The groups shall make proposals for the membership of observatories and consultative commissions to be set up by the assembly under Rules 24 and 27 respectively.
10. The groups shall make proposals for the membership of delegations and joint consultative committees to be set up in accordance with Rule 29(1) and (2) respectively.
11. The groups shall make proposals for rapporteurs and for the composition of study and drafting groups to be appointed or set up by the sections under Rule 20(3).
12. In applying paragraphs (7) to (11) of this Rule, the groups shall take account of the representation within the Committee of the Member States, the various components of economic and social activity, terms of reference and the criteria of good management.
13. Members may, on a voluntary basis, join one of the groups subject to the approval of their eligibility by the members of that group. No member shall belong to more than one group at the same time.
14. The general secretariat shall provide members not belonging to a group with the material and technical support required for the performance of their duties. Their participation in study groups and other internal bodies shall be the subject of a decision by the president after consultation of the groups.

Chapter X

CATEGORIES

Rule 31

1. Members of the Committee may, on a voluntary basis, form categories representing the various economic and social interests of organised civil society in the European Union.
2. A category may be made up of members from the three groups within the Committee. No Committee member shall belong to more than one category at the same time.
3. The creation of a category shall be subject to approval being granted by the bureau, who shall inform the assembly.
4. The bureau's decision approving the creation of a category shall define its object, structure, composition, duration and procedural rules.

This decision may subsequently be amended or revoked by the bureau.

The minimum number of members required to form a category shall be ten.

TITLE II

PROCEDURE OF THE COMMITTEE

Chapter I

CONSULTATION OF THE COMMITTEE

Rule 32

1. The Committee shall be convened by its president to adopt opinions requested by the European Parliament, the Council or the Commission.
2. It shall be convened by its president, on a proposal from its bureau and with the agreement of the majority of its members, to deliver, on its own initiative, opinions on any question pertaining to the European Union, its policies and their possible developments.

Rule 33

1. Requests for opinions referred to in Rule 32(1) shall be addressed to the president. The president, in consultation with the bureau, shall organise the work of the Committee, taking account as far as possible of the time limits set in the request for an opinion.
2. The bureau shall determine the order of priority of opinions, allocating them among categories.
3. The sections shall draw up a proposal for allocating opinions among the three categories below. They shall give a provisional indication of the size of the study group. After discussions between the Committee presidency and the group presidents, the proposal shall be submitted to the bureau for a decision. In special cases, the presidents of the groups may propose that the size of the study group be modified. At its next meeting the bureau shall confirm this new proposal and lay down the final size of the study group.

The three categories shall be defined according to the following criteria:

Category A (referrals on topics identified as a priority). This category includes:

- all requests for exploratory opinions (European Parliament, future Council presidencies, Commission),
- all adopted proposals for own-initiative opinions,
- certain mandatory or optional referrals.

Such referrals shall be handled by study groups of various sizes (6, 9, 12, 15, 18, 21 or 24 members) and possessing appropriate resources.

Category B (mandatory or optional referrals covering topics of secondary interest or of an urgent nature).

Such referrals shall normally be handled by a rapporteur working alone or a rapporteur-general. In exceptional cases, following a decision by the bureau, a category B referral may be handled by a three-member drafting group (category B +). The number of meetings and working languages shall be decided by the bureau.

Category C (mandatory or optional referrals of a purely technical nature).

Such referrals shall be dealt with in a standard opinion, which the bureau shall submit to the assembly. This procedure shall not involve either the appointment of a rapporteur or examination by a section, but simply the adoption or rejection of the opinion at the plenary session. When such items come up at the plenary session, the assembly shall first of all be asked whether it is in favour of or against them being handled according to the above-mentioned procedure, and then to vote for or against the adoption of the standard opinion.

4. For urgent matters, the provisions of Rule 63 of these Rules shall apply.

Rule 34

The Committee may, on a proposal from the bureau, decide to prepare an information report with a view to examining any question pertaining to the policies of the European Union and their possible developments.

Rule 35

The Committee may, following a proposal from a section, a group or a third of its members, issue resolutions on a current topic, which shall be adopted by the assembly in accordance with Rule 61(2). Draft resolutions shall be given priority on the agenda for the plenary session.

Rule 36

1. The bureau may govern activities directly or indirectly linked to its consultative function by general decisions and authorise such activities by specific decisions. This applies in particular to:
 - the establishment, composition and management by the Committee of forums, platforms or other thematic consultation structures, and the format for the participation of the Committee and its members in the consultation structures set up by the institutions of the Union or in which such institutions take part,
 - the preparation or commission of studies and their publication,
 - the organisation of working visits and events away from headquarters,
 - the evaluation of policies, decided by the bureau or requested by Union institutions, in particular in the form of opinions or information reports as defined in these Rules of Procedure; 'evaluation of policies' shall be understood as ex post evaluations, concerning policies or laws which are already being implemented. They shall express the assessments and requests of the organisations represented on the Committee.
2. In providing its own ex-post assessments (information reports), the EESC shall transmit the views of organised civil society on the impact of Union policies. Ex-post evaluation shall be qualitative and targeted. This evaluation exercise shall take account of social, economic and environmental impacts.
3. Members' participation in external bodies shall be decided by the bureau, regularly monitored and evaluated. Members' representation in external bodies shall be balanced and on a rotational basis.

Chapter II

ORGANISATION OF WORK**A. WORK OF THE SECTIONS***Rule 37*

1. When an opinion or information report is to be produced, the Committee bureau, in accordance with Rule 9(4), shall designate the section which is to be responsible for preparing the work in question. Where the matter for consideration is clearly within the purview of a given section, the president shall designate that section and inform the bureau of his decision.
2. Where a section that has been designated to prepare an opinion wishes to hear the views of the Consultative Commission on Industrial Change (CCMI) or where the CCMI wishes to set out its views on an opinion allocated to a section, the Committee bureau may authorise the CCMI to draw up a supplementary opinion on one or more of the issues covered by the referral. The bureau may also take this decision on its own initiative. The bureau shall organise the Committee's work in such a way that the CCMI is able to prepare its opinion in good time to be taken into consideration by the section.

The section alone shall be responsible for reporting to the Committee. It shall however append to its opinion the supplementary opinion drawn up by the CCMI.

3. The president of the section concerned shall be notified by the Committee president of the decision and of the time limit for the completion of the section's work.
4. The Committee president shall inform the members of the Committee of the referral to the section and of the date on which the subject is to be dealt with by the plenary session.

Rule 38

The Committee president, in agreement with the bureau, may authorise a section to hold a joint meeting with a European Parliament committee, or a Committee of the Regions commission.

Rule 39

Sections to which a question has been referred in accordance with these Rules shall be convened by their president.

Rule 40

1. Meetings of the sections shall be prepared by the section presidents in consultation with the section bureau.
2. Meetings shall be chaired by the section president or, in his absence, by one of the vice-presidents.

Rule 41

1. A quorum shall exist at section meetings if over half of the full members are present or represented.
2. If there is not a quorum, the president shall close the meeting and convene a further meeting to be held at a time which he considers appropriate, but during the course of the same day; at that further meeting a quorum shall exist irrespective of the number of members present or represented.

Rule 42

The sections shall adopt opinions with reference to the draft opinion submitted by the rapporteur and, where appropriate, the co-rapporteur.

Rule 43

1. Section opinions shall contain only texts adopted by the section in accordance with the procedure laid down in Rule 61 of these Rules of Procedure.
2. The text of proposed amendments which have been rejected, together with the result of the voting thereon, shall be appended to the opinion if the amendments received at least one-quarter of the votes cast.

Rule 44

Section opinions, together with all the documents appended thereto in accordance with Rule 43, shall be sent by the president of the section to the president of the Committee and shall be laid before the Committee by its bureau as soon as possible. These documents shall be made available to the members of the Committee in good time.

Rule 45

Concise minutes of each section meeting shall be drawn up and submitted to the section for approval.

Rule 46

The president, in agreement with the bureau or where appropriate the assembly, may refer a question back to a section if he considers that the procedure laid down in these Rules of Procedure for drawing up opinions has not been adhered to or that further study is necessary.

Rule 47

1. Without prejudice to Rule 20(2), the preparatory work of the sections shall be carried out, in principle, within a study group.

2. The rapporteur, assisted by his expert and, where appropriate, by one or more co-rapporteurs, shall study the question referred, take account of the views expressed and, on this basis, draw up the draft opinion, which shall be sent to the president of the section.
3. There shall be no voting at study group meetings.

B. PROCEEDINGS OF THE PLENARY SESSIONS

Rule 48

The assembly, comprising all the members of the Committee, shall meet in plenary session.

Rule 49

1. Sessions shall be prepared by the president in consultation with the bureau. The bureau shall meet before each session, and where appropriate during a session, to organise the proceedings.
2. The bureau may set a time limit for the general discussion of each opinion at the session.

Rule 50

1. The draft agenda drawn up by the bureau on a proposal from the Committee presidency in collaboration with the group presidents shall be sent by the Committee president to all members and to the European Parliament, the Council and the Commission at least fifteen days before the opening of the relevant session.
2. The draft agenda shall be submitted to the assembly for approval at the opening of each session. Once the agenda has been adopted, the items must be examined during the sitting for which they are scheduled. The documents necessary for the Committee's deliberations shall be made available to the members in accordance with Rule 44.

Rule 51

1. A quorum shall exist at session sittings if more than half of the members of the Committee are present or represented.
2. If there is not a quorum, the president shall close the sitting and convene a further sitting to be held at a time he considers appropriate but during the same session; at that further sitting there shall be a quorum whatever the number of members present or represented.

Rule 52

When the agenda is submitted for adoption, the inclusion of any topical item shall be announced, where appropriate, by the president.

Rule 53

The Committee may amend the draft agenda for the purpose of examining draft resolutions submitted in accordance with the procedure referred to in Rule 35.

Rule 54

1. The president shall open session sittings, preside over discussions and ensure that these Rules are observed. The president shall be assisted by the vice-presidents.
2. If the president is absent, the vice-presidents shall deputise. If the vice-presidents are absent, the oldest member of the bureau shall deputise.

3. The Committee shall base its deliberations on the work of the section competent to report to the assembly on the questions concerned.

4. Where a text has been adopted by a section with less than five votes against, the bureau may propose that it be included on the plenary session agenda among the items to be voted on without a discussion.

This procedure shall not apply if:

- at least twenty-five members signify their objection,
- an amendment is tabled for discussion during the plenary session, or
- the section concerned decides that the text should be discussed at the plenary session.

5. If a text fails to secure a majority of votes in the assembly, the president may, with the consent of the assembly, refer the text back to the competent section for re-examination or appoint a rapporteur-general, who shall submit a new draft text at the same or another session.

Rule 55

1. Proposals for amendments must be drawn up in writing, signed by the proposers and lodged with the secretariat before the opening of the relevant session.

2. In the interests of efficient organisation of the proceedings of the assembly, the bureau shall fix the arrangements for the lodging of proposals for amendments.

3. The Committee shall, however, allow proposals for amendments to be lodged up to the opening of the relevant session sitting, provided such proposals are signed by at least twenty-five members.

4. Proposals for amendments must specify the part of the text to which they refer and be supported by a brief explanatory statement. Amendments that are repetitive in their form and content shall be examined together.

5. As a general rule, for each amendment the assembly shall hear only the proposer, a member who is against the proposed amendment and the rapporteur.

6. When a proposal for an amendment is examined, the rapporteur may put forward compromise proposals orally with the agreement of the proposer of the amendment. In such cases the Committee shall only vote on these compromise proposals.

7. Where appropriate, the president of the Committee, in consultation with the president and the rapporteur of the competent section, may propose to the Committee that any amendments be dealt with in such a way as to ensure that the final text is consistent.

Rule 56

1. Any amendment or set of amendments which aim to set out a generally divergent view to an opinion presented by a section or consultative commission shall be described as a counter-opinion. A counter-opinion must be short and concise and constitute a self-sufficient document: it must contain conclusions and explanations.

2. The groups may ask the bureau to describe one or more amendments as a counter-opinion.

3. The bureau shall take its decision after hearing the views of the president of the section or consultative commission concerned.

4. The bureau may decide, having described one or more amendments as a counter-opinion, to refer the opinion, together with the counter-opinion, back to the section or consultative commission for further study, should the time limit set for adopting the opinion allow.

5. Where an amendment was not presented in sufficient time to allow the bureau to take a decision on whether to describe it as a counter-opinion, this decision, as well as any decision to refer the matter back to the body concerned, shall be taken by the assembly on a proposal from the enlarged presidency and following consultation with the president of the body concerned.

6. If, in the situation mentioned in paragraph 5 of this Rule, the matter is not referred back to the body concerned or the proposed text is not considered to be a counter-opinion, the plenary shall vote on the submitted amendments in the same way as for group amendments.

7. If the counter-opinion obtains a majority of the votes in the plenary, it shall be adopted.

In order to decide whether the original text should be appended to the adopted opinion, a new vote shall take place. The original text is appended to the new text if it obtains at least one quarter of the votes cast.

8. If the counter-opinion does not obtain a majority but obtains at least one quarter of the votes cast, it shall be appended to the original opinion.

Rule 57

1. The president, either on his own initiative or at the request of a member, may invite the Committee to decide on a limitation of speaking time or the number of speakers, the adjournment of a sitting or the closure of a discussion. Once a discussion has been declared closed, no member may speak except to explain his vote; such explanations of voting shall be made after the relevant vote has been taken and shall not exceed the speaking time allotted by the president.

2. A member may at any time request and be given precedence to speak during a discussion for the purpose of submitting a procedural motion.

Rule 58

1. Minutes of each plenary session shall be drawn up and submitted to the Committee for its approval.

2. The final version of such minutes shall be signed by the president and the secretary-general of the Committee.

Rule 59

1. Opinions of the Committee shall consist of, in addition to the legal basis of the opinion, an explanatory statement and the views of the Committee on the question as a whole.

2. The result of the voting on the opinion as a whole shall be set out in the procedural section of the opinion. Where a recorded vote is held, the names of the voters shall be given.

3. If proposed amendments are rejected by the plenary session but receive at least one quarter of the votes cast, their texts and explanatory statements shall be appended to the relevant Committee opinions, together with the results of the voting. This requirement shall also apply to counter-opinions.

4. Section opinion texts that are rejected in favour of amendments adopted by the assembly shall also be appended to Committee opinions together with the results of the voting, provided that at least one quarter of the votes cast were in favour of retention of the section opinion texts.

5. When one of the groups formed within the Committee under Rule 30 or one of the categories of economic and social activity formed under Rule 31 adopts a divergent but uniform standpoint on a matter submitted to the assembly for examination, its position may be summarised in a brief statement to be appended to the opinion, where the debate on that matter has been concluded by a recorded vote.

Rule 60

1. Opinions adopted by the Committee and minutes of Committee plenary sessions shall be sent to the European Parliament, the Council and the Commission.
2. Opinions adopted by the Committee may be forwarded to any other institution or concerned entity.

TITLE III

GENERAL PROVISIONS

Chapter I

METHODS OF VOTING*Rule 61*

1. The valid forms of votes shall be: votes for, votes against and abstentions.
2. Except where otherwise provided in these Rules, adoption of the texts and decisions of the Committee and its constituent bodies shall be by a majority of the votes cast for and against.
3. Voting shall be by open ballot, by recorded vote, or by secret ballot.
4. Voting on a resolution, a proposed amendment, a counter-opinion, an opinion or any other text shall be by recorded vote if one quarter of the members present or represented so request.
5. Election to the various representative posts shall always be by secret ballot. Other votes may be taken by secret ballot if a majority of the members present or represented so request.
6. If the vote is a tie (an equal number of votes for and against), the chairman of the meeting shall have a casting vote.
7. The acceptance by the rapporteur of an amendment shall not constitute a reason for not voting on that amendment.

Chapter II

URGENCY PROCEDURE*Rule 62*

1. Where the urgency results from a deadline for the submission of its opinion imposed on the Committee by the European Parliament, by the Council or by the Commission, the urgency procedure may be applied if the president finds that this is necessary to enable the Committee to adopt its opinion in good time.
2. In cases of urgency at Committee level the president may, immediately and without consulting the bureau beforehand, take all requisite steps to enable the Committee to carry out its work. He shall inform the members of the bureau of the steps which he takes.
3. Arrangements made by the president under the urgency procedure shall be submitted to the following session of the Committee for confirmation.

Rule 63

1. Where the urgency results from the deadlines imposed on a section for issuing an opinion, the president of that section may, with the agreement of the three group presidents, organise the work of the section otherwise than as provided in these Rules of Procedure.

2. Arrangements made by the president of a section under the urgency procedure shall be submitted to the following meeting of that section for confirmation.

Chapter III

ABSENCE AND REPRESENTATION

Rule 64

1. Any member of the Committee who is unable to attend a meeting to which he has been duly invited must give the president concerned advance notice of his absence.
2. Where a member of the Committee fails to attend more than three consecutive plenary sessions of the Committee without appointing a member to represent him and without providing a reason recognised as valid, the president may, after consulting the bureau and inviting the member concerned to explain his absence, call upon the Council to remove that member from office.
3. Where a member of a section fails to attend more than three consecutive meetings of the section without appointing a member to represent him and without providing a reason recognised as valid, the president of that section may, after inviting the member concerned to explain his absence, call upon him to yield his seat on the section to another member and shall inform the Committee bureau of this fact.

Rule 65

1. Any member of the Committee who is unable to attend a Committee session or a section meeting may, after notifying the president concerned, delegate his voting right, in writing, to another member of the Committee or section.
2. No member may hold more than one delegated voting right at a plenary session or section meeting.

Rule 66

1. Any member who is unable to attend a meeting to which he has been duly invited may, after giving written notice to the president concerned directly or through his group secretariat, arrange for another member of the Committee to represent him at the relevant meeting. This possibility does not apply for meetings of the Committee bureau or of the commission for financial and budgetary affairs.
2. Such proxies shall be valid solely for the meeting in respect of which they are issued.
3. At the time of the constitution of a study group, any member designated as a member of that study group may ask to be replaced by another member of the Committee. Such replacement shall apply for a specific question and for the duration of the work of the section on that question. However, should the work of the study group continue beyond the end of a two-and-a-half or five-year term, the replacement shall only remain valid until the end of the term during which it was decided.

Chapter IV

PUBLICATION AND DISTRIBUTION OF TEXTS

Rule 67

1. The Committee shall publish its opinions in the *Official Journal of the European Union* in accordance with the procedure laid down by the Council and the Commission after consultation of the Committee bureau.
2. The names of the members of the Committee, its bureau and its sections, and all changes in the membership thereof, shall be published in the *Official Journal of the European Union* and on the Committee's website.

Rule 68

1. The Committee shall ensure the transparency of its decisions, in accordance with the second paragraph of Article 1 of the Treaty on European Union.
2. The secretary-general shall be responsible for taking the measures necessary to guarantee the public's right of access to the corresponding documents.
3. Any citizen of the European Union may write to the Committee in one of the official languages and receive a reply written in the same language, in accordance with the fourth paragraph of Article 24 of the Treaty on the Functioning of the European Union.

Rule 69

1. Plenary sessions of the Committee and meetings of the sections shall be public.
2. Certain debates that do not concern consultative work may be declared confidential by the Committee, acting on a request from a concerned institution or body or on a proposal from the bureau.
3. Other meetings shall not be public. However, in duly justified cases at the discretion of the chairman of the meeting other persons may attend as observers.

Rule 70

1. Members of the European institutions may attend and address meetings of the Committee and its constituent bodies.
2. Members of other bodies and duly authorised officials of the institutions and these other bodies may be invited to attend, address or answer questions at meetings, under the direction of the president of the meeting.

Chapter V

TITLES, PRIVILEGES, IMMUNITIES AND MEMBERS' STATUTE - QUAESTORS*Rule 71*

1. Members of the Committee shall have the title 'member of the European Economic and Social Committee'.
2. The provisions of Article 10, Chapter IV of Protocol No 7 on the privileges and immunities of the European Union, annexed to the Treaties, shall apply to the members of the European Economic and Social Committee.

Rule 72

1. The Members' Statute shall define the status, rights and duties of Committee members, as well as the rules governing their activity and their relations with the institution and its services.

Rule 73

1. The Code of Conduct, which has the same legal value as these Rules of Procedure and is appended to them as an annex, sets the standards and principles applicable to members of the Committee, delegates of consultative commissions, alternates and experts.
2. The Code of Conduct establishes an ethical committee. It also sets the procedure and the measures to be applied in case of a breach of standards and principles.
3. Failure to comply with the standards and principles laid down in the Code of Conduct may lead to the application of the measures set out in the said Code.

Rule 74

1. On a proposal from the bureau, the assembly shall elect, for each two-and-a-half-year period, three members to form the quaestors' group.
2. The position of quaestor is incompatible with that of member of the following bodies:
 - the bureau of the Committee,
 - the commission for financial and budgetary affairs (CAF),
 - the audit committee,
 - the ethical committee.
3. The quaestors shall have the following functions:
 - a) to monitor and ensure the proper implementation of the Members' Statute;
 - b) to draw up appropriate proposals for perfecting and improving the Members' Statute;
 - c) to endeavour, by taking appropriate steps, to resolve any cases of doubt or dispute arising from application of the Members' Statute;
 - d) to be responsible for relations between the members of the Committee and the general secretariat as regards application of the Members' Statute.

Chapter VI

TERMINATION OF MEMBERS' TENURE OF OFFICE, INCOMPATIBILITIES*Rule 75*

1. Membership of the Committee shall expire at the end of the five-year term laid down by the Council at the time of the Committee's renewal.
2. Individual membership shall cease on resignation, on removal from office, through death, in the case of force majeure or in the event of an incompatibility of functions arising.
3. The functions of a member of the Committee shall be incompatible with those of a member of a government, a parliament, an institution of the European Union, the Committee of the Regions or the board of directors of the European Investment Bank, and with the post of official or other servant of the European Union in active employment.
4. Resignations shall be in writing and shall be addressed to the president.
5. The circumstances in which members may be removed from office are laid down in Rule 64(2) of these Rules of Procedure. In such cases the Council shall initiate the replacement procedure, if it decides to terminate membership.
6. In the case of resignation, death, force majeure or incompatibility of functions, the president shall notify the Council, which shall verify the vacancy and initiate the replacement procedure. In the case of resignation, however, the resigning member shall remain in office until the date on which the appointment of his replacement takes effect, unless the resigning member indicates otherwise.
7. In all the cases referred to in paragraph 2 of this Rule, the new member shall be appointed for the remainder of the current term of office.

Rule 76

1. On a proposal from the bureau adopted by at least three quarters of the members of the bureau, a motion of no confidence with regard to the president may be submitted to the assembly, for serious and duly verified reasons.

In such cases, this motion shall be the first item on the agenda of the next plenary session.

2. The assembly shall take a decision by secret ballot, with no provision for delegation of votes, having heard in succession a member of each group and then members of the presidency wishing to speak, and lastly the president.

The motion shall be deemed adopted if a majority of three quarters of the members present support it. Otherwise it shall be deemed rejected.

3. In the event of the adoption of a motion of no confidence, the assembly shall immediately arrange for the replacement of the president by a member of the same group.

For this purpose, the assembly shall be temporarily chaired by the Committee vice-president from the group due to take over the following Committee presidency.

4. If the assembly cannot make this replacement immediately, proceedings shall be suspended to enable the groups to formulate a proposal and it shall be reconvened, if possible the same day, by the member temporarily in the chair.

5. The member replacing the president, and belonging to the same group, shall remain in place until the end of the scheduled term of office.

Chapter VII

ADMINISTRATION OF THE COMMITTEE

Rule 77

1. The Committee shall be assisted by a secretariat headed by a secretary-general, who shall discharge his duties under the direction of the president, representing the bureau.

2. The secretary-general shall attend the meetings of the bureau in an advisory capacity and shall keep the minutes of those meetings.

3. He shall give a solemn undertaking, before the bureau, to discharge his duties conscientiously and with complete impartiality.

4. The secretary-general shall be responsible for giving effect to decisions taken by the assembly, the bureau and the president pursuant to these Rules of Procedure; he shall report in writing every three months to the president on the criteria and implementing provisions which have been adopted or are envisaged for handling administrative or organisational problems and staff matters.

5. The secretary-general may delegate his powers within the limits decided by the president.

6. The bureau, acting on a proposal from the secretary-general, shall draw up the establishment plan for the general secretariat in such a way that it can ensure the efficient functioning of the Committee and its constituent bodies and help the members in the performance of their duties, in particular in the organisation of meetings and the preparation of opinions.

7. The powers conferred on the secretary-general in accordance with the delegation of powers of the president shall be temporary: they shall end at the latest at the end of the term of office of the president.

Rule 78

The procedure for appointing a new secretary-general shall be as follows:

(1) The bureau shall:

- decide on the secretary-general's status (official or temporary member of staff), appoint a drafting panel made up of three members and then adopt the vacancy notice,
- appoint a screening panel made up of six members of the Committee and set the time limit by which the panel must present its findings to the bureau.

- (2) The mandate of the screening panel shall consist of examining applications, conducting interviews, drawing up a reasoned report listing the candidates in order of preference, in the light of their skills and in accordance with the procedure and criteria set out in the vacancy notice, and proposing a candidate or a list of candidates for the post.
- (3) The screening panel shall be fully independent and its work shall be impartial, confidential and based on criteria defined by the bureau when the panel is set up.

The panel shall be assisted by the competent services of the Committee secretariat and may, if necessary, call on the services of outside experts.

- (4) After consulting the report of the screening panel, the bureau shall take the final decision by means of a vote, if necessary with several rounds.

A candidate receiving, in the first round, votes exceeding half the number of members of the bureau, including those who are absent, shall be appointed without the need for a second round.

If no applicant meets this condition in the first round, the bureau shall hold a second round of voting for the two candidates who obtained the largest number of votes; the candidate receiving the largest number of votes from the members present in the second round shall be appointed.

In the event of a tie making it impossible to identify only two candidates after the first round or to appoint the secretary-general after the second round, a new meeting of the bureau shall be convened at a next possible date to appoint the secretary-general.

Rule 79

1. All the powers which the Staff Regulations of Officials of the European Union confer on the appointing authority and which the Conditions of Employment of Other Servants (CEOS) of the European Union confer on the authority empowered to conclude contracts shall be exercised, with respect to the secretary-general, by the bureau.

2. The powers which the Staff Regulations of Officials of the European Union confer on the appointing authority shall be exercised as follows:

- with respect to deputy secretaries-general and directors, by the bureau, on a proposal from the secretary-general, as regards the application of Articles 29, 30, 31, 40, 41, 49, 50, 51, 78 and 90(1) of the Staff Regulations; by the president, on a proposal from the secretary-general, as regards the application of the other provisions of the Staff Regulations, including Article 90(2),
- with respect to:
 - deputy directors,
 - heads of unit,

by the president, acting on a proposal from the secretary-general and following consultation with the enlarged presidency,

- with respect to officials in the AD function group who do not have a management post at the level of head of unit or above and officials of the AST and AST/SC function groups, by the secretary-general.

3. The powers which the CEOS confer on the authority empowered to conclude contracts shall be exercised as follows:

- with respect to temporary staff appointed to the post of deputy secretary-general or director, by the bureau, on a proposal by the secretary-general, as regards the application of Articles 11, 17, 33 and 48 of the CEOS; as regards the other provisions of the CEOS, by the president, on a proposal from the secretary-general,
- with respect to temporary staff appointed to the post of deputy director or head of unit, by the president, on a proposal from the secretary-general,
- with respect to temporary staff in the AD function group who do not have a management post at the level of head of unit or above and temporary staff of the AST and AST/SC function groups, by the secretary-general,
- with respect to special advisers and contract staff, by the secretary-general.

4. The president shall exercise the powers conferred on the institution by Article 110 of the Staff Regulations with a view to implementing the general provisions for giving effect to the Staff Regulations and the rules adopted by agreement between the institutions. With regard to the other provisions of a general nature, these powers shall be exercised by the secretary-general.

5. The bureau, the president and the secretary-general may delegate the powers vested in them by this Rule.

6. Decisions to delegate adopted pursuant to the above paragraph shall specify the scope of the powers delegated, their limits and period of validity, as well as stating whether they may be subdelegated.

7. For the appointment of officials to the posts of deputy secretary-general, director deputy director, head of unit of consultative work:

- the vacancy notice shall be published simultaneously in all the EU institutions,
- before applications are examined, the secretary-general shall establish an assessment grid based on the vacancy notice,
- when the various applications are examined, the secretary-general shall be assisted, in particular, by three members of the bureau,
- at the end of the procedure, he shall present a proposal for appointment to the bureau, who shall decide on that basis.

Rule 80

1. The groups shall each have a secretariat which reports directly to the group president.

2. The powers of the appointing authority shall be exercised, with respect to officials seconded to the groups in accordance with the second indent of Article 37(a) of the Staff Regulations, on a proposal from the group president concerned, as regards the application of Article 38 of the Staff Regulations, including decisions relating to their career development within the group.

When an official seconded to a group rejoins the Committee secretariat, he shall be classified in the grade to which he would have been entitled as an official.

3. The powers of the authority empowered to conclude contracts of employment shall be exercised, with respect to temporary staff seconded to the groups in accordance with Article 2(c) of the CEOS, on a proposal from the group president concerned, as regards the application of the third paragraph of Article 8, Article 9 and Article 10(3) of the CEOS.

Rule 81

1. The president shall have a private secretariat.

2. The staff of the secretariat shall be engaged under the budget as temporary staff, the powers of the authority competent to conclude contracts of service being exercised by the president.

Rule 82

1. Before 1 June of each year the secretary-general shall submit to the bureau the draft estimates of the expenditure and revenue of the Committee for the next financial year. The commission for financial and budgetary affairs shall examine the draft before the bureau discussion and, where appropriate, make remarks or propose modifications. The bureau shall draw up the estimates of the expenditure and revenue of the Committee. It shall forward these in accordance with the procedure and within the time limits laid down in the Financial Regulation applicable to the general budget of the Union.

2. The president of the Committee, acting in accordance with the Financial Regulation applicable to the general budget of the Union, shall implement or cause to be implemented the statement of expenditure and revenue.

Rule 83

1. An audit committee shall be set up with the task of advising the president and bureau on audit matters. It shall perform its tasks in complete independence, in compliance with the Financial Regulation applicable to the general budget of the Union and, in particular, with the powers and duties of the internal auditor.

The audit committee shall in particular have the oversight of all reporting processes, systems of internal control and all monitoring processes with respect to compliance with laws, regulations, professional and ethical standards and codes of conduct.

2. The audit committee shall submit its reports to the president, who shall forward them to the bureau without delay.

3. The structure, membership, responsibilities and procedural rules of the audit committee shall be determined by a decision of the bureau.

4. The members of the audit committee shall be appointed by the bureau on a proposal from the groups.

Membership of the audit committee shall be incompatible with membership of the Committee bureau, of the commission for financial and budgetary affairs or of the quaestors' group.

5. The audit committee shall adopt its own procedural rules to ensure the fulfilment of its role and purpose and the implementation of its responsibilities, rights and obligations as described in this Rule.

6. Should a member of the audit committee have to be replaced, the procedure shall be that laid down in the first subparagraph of paragraph 4 of this Rule.

Rule 84

Correspondence to the Committee shall be addressed to the president or the secretary-general.

Chapter VIII

GENERAL PROVISIONS*Rule 85*

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

Rule 86

1. The Committee may decide by an absolute majority of its members that these Rules of Procedure should be revised.

2. If such a decision is taken, the Committee shall set up a panel, which shall be known as the Rules of Procedure Panel. The Committee shall appoint a rapporteur-general to produce a draft text of the new Rules of Procedure.

3. After the adoption of the amended Rules of Procedure by an absolute majority, the assembly shall renew the mandate of the Rules of Procedure Panel for a maximum period of sixty days so that, if necessary, it may draw up a draft amendment of the Implementing Provisions and submit it to the bureau, who will take a decision after receiving the views of the groups.

4. The date on which the new Rules of Procedure and the changes to the Implementing Provisions shall enter into force shall be decided at the time of their adoption by the Committee.

Rule 87

These Rules of Procedure shall enter into force upon the date of its publication in the *Official Journal of the European Union*.

ANNEX

CODE OF CONDUCT FOR MEMBERS OF THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

PART I

STANDARDS AND PRINCIPLES

Article 1

General principles

1. This Code of Conduct shall apply to the members of the Committee. As decided by the bureau of the European Economic and Social Committee of October 2020, the revision of this code will result in the adaptation of all relevant texts, such as the Members' Statute, the EESC's Rules of procedure and any other text as appropriate.

It shall also apply, *mutatis mutandis*, to delegates of consultative commissions, alternates and experts, except for Articles 1(2), 7(3) and 10 of this Code which are applicable only to the members of the Committee.

2. The members of the Committee are not bound by any mandatory instructions.

They are completely independent in the performance of their duties, in the Union's general interest.

3. Members shall conduct themselves in accordance with the Treaties and the law deriving therefrom. Their relations with organisations or interest groups shall be compatible with the need to preserve their independence.

4. Members shall be guided by and observe the following general principles of conduct: integrity, openness, diligence, honesty, accountability, respect for others and respect for the Committee's reputation.

5. In accordance with Articles 2 and 3 of the Treaty on European Union, and with the Charter of Fundamental Rights of the European Union, the members shall ensure, in the performance of their duties, the promotion, effective protection and respect of fundamental rights and values such as human dignity, non-discrimination, tolerance, freedom, solidarity, the principle of the rule of law and gender equality.

6. In performing their tasks, members shall commit themselves to building the best possible consensus in a spirit of mutual respect.

7. In exercising their duties, the members shall act solely in the general interest and shall refrain from obtaining or seeking to obtain any direct or indirect financial benefit or other reward.

8. In any case where a member, whether intentionally or through negligence, fails to comply with his or her obligations or obtains, or seeks to obtain, in the exercise of their duties as members, any direct or indirect financial benefit or other reward, he or she shall be subject to the measures provided for in this Code.

Article 2

Principles of conduct

1. The conduct of members shall be characterised by mutual respect and shall be based on the values and principles laid down in the Treaties, and particularly in the Charter of Fundamental Rights.

2. Members shall commit themselves to respecting the Committee, as well as the dignity of members and staff, and to preserving its reputation.

3. Members shall not compromise the smooth conduct of Committee business and shall not compromise the maintenance of security and order on the Committee's premises or the functioning of its equipment.
4. Members shall not disrupt the good order of sessions or meetings and shall refrain from improper behaviour.

They shall not resort to defamatory, racist, sexist, homophobic, xenophobic or offensive language or behaviour.
5. The application of this rule shall not otherwise detract from the liveliness of debates, nor shall it undermine the members' freedom of speech.
6. After ceasing to hold office, former members shall continue to be bound by ethical standards of integrity and discretion. Former members shall not lobby members or staff on behalf of their own business, that of their employer or client, on matters for which they are holding important positions or writing reports for a period of two years after ceasing to hold office.

Article 3

Disclosure of information

1. Members shall refrain from any unauthorised disclosure of sensitive information defined as such, received in the exercise of their duties, unless that information has already been made public or is accessible to the public.
2. They shall continue to be bound by this obligation after leaving the Committee.

Article 4

Appropriate behaviour

1. In exercising their duties, members shall behave in accordance with the rules and obligations laid down in this Code of Conduct, with dignity and respect and without prejudice or discrimination.
2. Members shall behave in a professional manner and shall refrain, in their relations with other members as well as with staff, from degrading or insulting behaviour, using offensive or discriminatory language or any other actions which are unethical, demeaning or unlawful.
3. Members shall not incite or encourage other members or staff to violate, circumvent or ignore the legislation in force, the Committee's internal rules or this Code, or accept such behaviour by staff under their responsibility.
4. With the aim of ensuring that the Committee functions effectively, members shall seek to ensure, exercising appropriate discretion, that any disagreements or conflicts involving other members or staff under their responsibility are handled promptly, fairly and effectively.

Article 5

Prevention of harassment

1. Members shall refrain from any type of psychological or sexual harassment ⁽¹⁾.

⁽¹⁾ EEC/EAEC Council: Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ P 45, 14.6.1962, p. 1385), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:01962R0031-20200101&qid=1608019328072&from=EN>.

2. Where necessary, members shall cooperate promptly and fully with the procedures in place for managing situations of conflict or harassment (psychological, physical or sexual), including responding promptly to any allegations of harassment.

3. Members shall be offered, and encouraged to take part in, specialised training organised for them on preventing conflict and harassment in the workplace and on prevention of any misconduct or behaviour which would be contrary to European values.

Article 6

Integrity and financial transparency

1. Members are entitled to allowances as determined by the Council, but do not receive any remuneration from the Committee.

2. Missions or activities that are partially or totally reimbursed by a third party shall not be the subject of double reimbursement by the Committee.

If a mission or activity is partially or totally reimbursed by a third party after having been reimbursed by the Committee, the member shall promptly inform the general secretariat and return the reimbursement to the Committee, up to the amount received from the third party.

3. In the performance of their duties, members shall refrain from accepting any gifts or benefits with a value of more than EUR 150.

When, in accordance with diplomatic and courtesy usage, they receive gifts worth more than this amount, they shall hand them over to the general secretariat when they attend the next meeting of the Committee after their receipt.

The president shall decide whether such gifts, as well as gifts of the same value given directly to him or her, become the property of the Committee or are donated to a suitable charitable organisation.

The general secretariat shall keep a register of gifts with a value of more than EUR 150, which shall be publicly available if requested.

4. Members shall comply with all of the Committee's financial rules that are applicable to them.

Article 7

Declaration of financial interests

1. Members shall, in accordance with the principle of transparency, submit a declaration of their financial interests to the president upon taking up their duties.

Declarations shall be re-submitted on an annual basis on 1 January, and in case of a change in the information to be declared during a member's term of office, a new declaration shall be submitted at the earliest opportunity and at the latest within two months of the change in question.

2. The declaration of financial interests shall contain the information listed in Article 5a of the Members' Statute.

3. Members of the Committee may not be elected as officeholders of the Committee or of one of its bodies, be appointed as a rapporteur or participate in missions or activities if they have not submitted or updated their declaration of financial interests.

4. Delegates of consultative commissions, alternates and experts shall not be entitled to receive any allowances from the Committee before submitting or updating their declaration of financial interests.

5. If the president receives information which leads him or her to believe that the declaration of financial interests of a member is substantially incorrect or out of date, or could reasonably lead to incompatibility with the members' obligations as laid down in this Code of Conduct, the president may consult the ethical committee.

Where appropriate, the president shall request the member to correct his or her declaration within 10 working days.

6. The bureau, after having received in writing the opinion of the ethical committee, shall, not earlier than 14 days later, hear the member concerned, assisted if so desired by another person, and may adopt a decision applying paragraph 3 or 4, as applicable, to members who do not comply with the president's correction request.

The bureau shall hear the member concerned, either orally or in writing, before adopting the decision, which shall be reasoned.

Article 8

Conflicts of interests

1. Members shall avoid any situation liable to give rise to a conflict of interests or which may objectively be perceived as a conflict of interests.

2. A conflict of interests exists where a member has a personal interest that may conflict with the interests of the Union or could improperly influence the performance of his or her duties as a member.

A conflict of interests does not exist where a member benefits only as a member of the general public or of a broad class of persons.

3. For the purposes of paragraph 2, a conflict of interests arises where a personal interest may influence the independent performance of their duties. Personal interests include, but are not limited to, any potential benefit or advantage to members themselves, their spouses, partners or direct family members.

4. In cases of ambiguity, the member may seek advice in confidence from the ethical committee, under Article 9(2)(a).

5. Any member who finds that he or she has a conflict of interests, or is in a situation which may objectively be perceived as such, shall immediately take the necessary steps to address it, in accordance with the principles and provisions of this Code.

If the member is unable to resolve the conflict of interests, or the situation that may be perceived as a conflict of interests, he or she shall cease all activity on the matter and shall report this to the president in writing.

6. The president shall decide, after consulting the ethical committee, whether the member shall cease definitively all activity on the matter.

7. Members who do not comply with their obligations to disclose or declare a conflict of interests or a situation which may objectively be perceived as a conflict of interests, who do not address it or, being unable to resolve it, do not cease all activity on the matter, could be subject to the measures of this Code.

PART II

ETHICAL COMMITTEE

Article 9

Ethical committee

1. An ethical committee is hereby established.

2. The functions of the ethical committee are the following:
 - (a) Members may consult the ethical committee on any matters related to this Code; in turn, the ethical committee may seek advice from the Committee's legal service. Upon request by a member, the ethical committee shall give him or her, in confidence and within 30 calendar days, guidance on the interpretation and implementation of the provisions of this Code.
 - (b) Following a complaint submitted in accordance with Article 11(1), the ethical committee shall also assess alleged breaches of ethical standards set in this Code and advise the president on possible steps to be taken.
 - (c) The ethical committee shall advise the president and the bureau, upon request, on the interpretation and implementation of the provisions of this Code.
3. The ethical committee may, after consulting with the president unless he or she has a conflict of interests, seek advice from experts.
4. The ethical committee shall publish an annual report of its work, duly anonymised.
5. The ethical committee shall propose its own rules of procedure, to be adopted by the bureau.

Article 10

Members of the ethical committee

1. On a proposal from the bureau, the assembly shall elect, for each two-and-a-half-year period, six members of the Committee, two (of different genders) from each of the three groups, as full members of the ethical committee.
2. On a proposal from the bureau, the assembly shall also appoint, for the same period, six members of the Committee, two (of different genders) from each of the three groups, as reserve members for the ethical committee. Reserve members shall replace a full member in the work of the ethical committee if a full member cannot attend or if he or she is involved in a case of conflict of interests.
3. The mandate of full and reserve members of the ethical committee is renewable.
4. The position of member of the ethical committee is incompatible with that of member of the following bodies:
 - the bureau of the Committee,
 - the audit committee,
 - the quaestors' group.
5. Each group of the ethical committee shall serve as chair for two and a half years on a rotating basis among the three groups.

In the event of a tie in a vote, the chair will have a casting vote.

6. Any member of the ethical committee shall recuse him or herself from participating in a procedure if he or she finds he or she has a conflict of interests or is in a situation which may objectively be perceived as a conflict of interests by a third party.

If, in a procedure, a member of the ethical committee is called into question by another member of the ethical committee, his or her participation in the procedure may be refused by a majority vote of the ethical committee.

The member called into question shall not be present at the vote.

7. In the event of an alleged breach of ethical standards by a full or reserve member of the ethical committee, the member concerned shall refrain from taking part in the proceedings relating to the alleged breach and shall be immediately replaced by a reserve member.

If, at the end of the procedure, the president concludes that the member concerned has breached ethical standards and the sanction adopted is other than a written warning, the member shall cease to be a full or reserve member of the ethical committee.

In such a case, the president shall appoint a replacement member for the remaining period of the two-and-a-half-year mandate. The appointment shall be confirmed by the assembly at the following session.

8. The members of the ethical committee have a duty of confidentiality.
9. The members of the ethical committee shall be provided, at the beginning of their mandate, with appropriate, mandatory training.

PART III

PROCEDURE IN THE EVENT OF POSSIBLE BREACHES OF ETHICAL STANDARDS

Article 11

Opening of the procedure

1. Any person, member or employee, can submit a complaint to the ethical committee concerning the behaviour of a member.

Allegations shall be supported by sufficient *prima facie* evidence to justify the initiation of an investigation.

2. The ethical committee shall inform the president of the Committee of the receipt of the complaint, except where the President is him or herself the subject of the complaint.
3. The president shall transmit to OLAF, without delay, any information or evidence related to members that comes to his or her attention and needs to be transmitted to OLAF under the administrative arrangements signed with the office.
4. Whistleblowers recognised as such shall have the rights to confidentiality, protection, prohibition of retaliation and measures of support provided for by EU law, including the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union ^(*), national law and the internal EESC rules, as applicable.

Article 12

Investigation

1. Without prejudice to Article 17, where the ethical committee considers that there is a reason to think that a member may have breached the ethical standards set in this Code, it shall open an investigation. The ethical committee shall promptly inform the president and the member concerned that an investigation has been opened, provided this is not harmful to the investigation or to potential evidence.
2. The ethical committee shall examine the circumstances of the alleged breach and shall hear the member concerned, either orally or in writing.

The member concerned may be assisted by a lawyer or a person of his or her choice.

3. The ethical committee shall have investigation powers and shall call any witnesses (members, staff or third parties) it may consider necessary or useful to hear in the framework of the investigation.

The ethical committee shall be provided with all existing evidence, including correspondence, and shall receive any piece of information it may consider necessary or useful.

^(*) Regulation (EEC, Euratom, ECSC) No 259/68 of the Council of 29 February 1968, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31968R0259>.

4. Members and former members shall cooperate promptly and fully with the ethical committee by providing all the relevant additional information needed.

Members shall not lobby the ethical committee, the president or the bureau in a manner calculated to influence their consideration of the matter.

5. On the basis of its conclusions, the ethical committee shall make a reasoned report to the president containing recommendations on a possible decision that may include penalties when appropriate. The report is sent to the member in question at the same time.

Article 13

Reasoned decision

1. The president shall adopt a reasoned decision on the basis of the report of the ethical committee, after having notified the member concerned of all evidence in the file and the recommendations of the ethical committee, and after having heard the member concerned, either orally or in writing, with the member's legal advisor if the member requests it.

2. In the reasoned decision, the president may:

- (a) decide that no case has been made against the member; or
- (b) if the president concludes that the member concerned has breached the ethical standards set in this Code, adopt a decision imposing a penalty pursuant to Article 14.

3. The president shall promptly notify the reasoned decision to the member concerned.

4. In the event of an alleged breach of ethical standards by the president of the Committee, he or she shall not take part in the proceedings and shall be replaced by the vice-president that chairs the commission for financial and budgetary affairs, who shall assume the functions of the president for that specific procedure.

Article 14

Penalties

1. When assessing the conduct observed, the severity of the penalties imposed shall be proportionate to the seriousness of the misconduct and to the member's hierarchical position.

To determine the seriousness of the misconduct and to decide upon the penalty to be imposed, account shall be taken in particular of:

- (a) the nature of the misconduct and the circumstances in which it occurred;
- (b) the extent to which the misconduct adversely affects the physical and/or moral integrity of members and/or staff, the reputation and/or the interests of the Committee or the European Union;
- (c) the extent to which the misconduct involves intentional actions or negligence, as well as the degree of the member's hierarchical responsibility;
- (d) the level of the member's duties and responsibilities, as well as the member's hierarchical position over the victims of the misconduct;
- (e) the level of damage inflicted on the physical or moral integrity of the victim or victims; and
- (f) whether the misconduct involves repeated action or behaviour.

2. According to the degree of severity of the member's behaviour, the penalty may consist of one or more of the following measures:

- (a) a written warning (which can be made public);
- (b) a reprimand (which can be made public);
- (c) temporary forfeiture of entitlement to the daily subsistence allowance for a period of between two and 30 meeting days, according to the gravity of the misconduct;

- (d) without prejudice to the right to vote in plenary, temporary suspension from participation in all or some of the activities of the EESC or its bodies, in missions or in activities for a period of between two and 30 meeting days;
- (e) prohibition from representing the EESC on any national, interinstitutional or international forums, for up to one year;
- (f) in the case of a breach of confidentiality, a limitation on the rights to access confidential or classified information for up to one year.

3. In addition, the president may, in accordance with the procedure laid down in Article 16, submit a proposal to the bureau for:

- (g) the temporary suspension of the member from one or more of the offices held by that member in the Committee, for up to one year;
- (h) the removal of the member from one or more of the offices held by that member in the Committee; or
- (i) calling upon the Council to remove the member from the Committee.

4. The time period of the measures laid down in paragraphs 2 and 3, points c) to f) and g) of this Article may be doubled in the case of repeated breaches, or if the member refuses to comply with one of the ancillary measures laid down in paragraph 5.

5. In addition to the penalties laid down in paragraphs 2 and 3, the following ancillary measures may be applied:

- (i) requiring the member to take action to regularise his or her position;
- (ii) requiring the member to make a personal statement of apology (privately, to a specific person, or publicly, in the plenary);
- (iii) requiring the member to repair any damage.

Article 15

Internal appeal procedure

1. The member concerned may lodge an internal appeal with the bureau within two weeks of notification of the penalty imposed by the president by virtue of Article 14(2), (4) and (5).

The appeal shall have the immediate effect of suspending the application of the penalty.

2. The bureau shall hear the member concerned, either orally or in writing, before adopting a decision.

The bureau may, not later than four weeks after the lodging of the appeal or, if it does not meet in that period, at its next meeting, annul, confirm or modify the penalty imposed.

3. The member concerned may bring an action for annulment before the Court of Justice of the European Union within two months of the notification of the final decision or within two months of the date on which the bureau should have taken its decision, pursuant to Article 263 of the Treaty on the Functioning of the European Union.

Article 16

Early termination of an office

1. In accordance with his or her reasoned decision, the president may submit a proposal to the bureau pursuant to Article 14(3).

2. The bureau, acting by a majority of two-thirds of the votes cast, may propose to the assembly suspending or bringing to an end the term of office of the president, a vice-president, a president of a group, a member of the bureau, a quaestor, a president or vice-president of a section or any other officeholder elected within the Committee, where it considers that the member in question has been guilty of serious misconduct.

Exceptionally, the bureau may propose to the assembly the expulsion of the member from the Committee.

The bureau shall hear the member concerned, either orally or in writing, before making a proposal to the assembly pursuant to this Article.

3. The assembly shall take a decision on the proposal by a majority of two-thirds of the votes cast, constituting a majority of its component members.

The assembly shall hear the Committee president's reasoned report, then the member concerned, either orally or in writing, before the decision is adopted.

If a decision of expulsion is adopted, it shall be notified to the Council, so that it initiates the replacement procedure.

4. The member concerned may bring an action for annulment before the Court of Justice of the European Union within two months of the notification of the decision of the assembly, pursuant to Article 263 of the Treaty on the Functioning of the European Union.

PART IV

FINAL PROVISIONS

Article 17

Investigations conducted by the European Anti-Fraud Office (OLAF)

1. The common rules laid down in the interinstitutional agreement ⁽⁷⁾ concerning internal investigations by the European Anti-Fraud Office (OLAF), comprising the measures that are needed to facilitate the smooth running of investigations conducted by OLAF, shall be applicable.

2. Where the Committee is aware of possible cases of fraud, corruption or any other illegal activities detrimental to the interests of the European Union and OLAF has either not yet been informed or not yet taken a decision on whether or not to open an investigation, the ethical committee shall not open an investigation into the same facts, unless agreed otherwise with OLAF.

It will suspend any procedure relating to the case and avoid undertaking any activities which may compromise potential evidence and OLAF's investigation.

Article 18

Application of the Code

The president shall be responsible for the full and correct application of this Code.

Within the framework of application of this Code, the president may at any time refer to the ethical committee for advice on any matter.

⁽⁷⁾ Administrative arrangements between the European Economic and Social Committee and the European Anti-Fraud Office of 13 January 2016.

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