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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.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

RULES OF PROCEDURE

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

(MAY 2022)

PREAMBLE

1. The European Economic and Social Committee (the 'Committee'), which was established by the 1957 Treaties of Rome, is a consultative body of the European Union.
2. Based on Article 300 of the Treaty on the Functioning of the European Union, the Committee consists of representatives of organisations of employers, of the workers and of other parties representative of civil society, notably in socio-economic, civic, professional and cultural areas.

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.

The Committee works in three groups: the employers' group, the workers' group and the other parties of civil society group.

3. Within the European institutional set-up, the Committee fulfils a specific role: it is the prime forum in which the organisations of civil society in the European Union, represented by the members, 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.

The Committee's consultative role enables European civil society to participate in the European Union decision-making process.

4. The Committee's discussions often require negotiations involving all parties of civil society: employers (group I), workers (group II) and other parties of civil society (group III).
5. This expertise and the search for convergence resulting from these discussions and negotiations improve the quality and credibility of the European Union decision-making process, insofar as they make it more comprehensible and acceptable for Europe's citizens and increase the transparency which is so vital for democracy.

6. As a chamber for debating and for drawing up opinions, the Committee 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.

7. After the expiry of the European Coal and Steel Community Treaty, the European Commission tasked the European Economic and Social Committee to take over the *acquis* and the resources of the consultative committee of the ECSC. This is how the consultative commission on industrial change (CCMI) was created and is still today a part of the Committee.

8. To carry out its mission successfully, the Committee establishes its Rules of Procedure in accordance with Article 303, second paragraph, of the Treaty on the Functioning of the European Union.

PART ONE

ORGANISATION OF THE COMMITTEE

TITLE I

MEMBERS OF THE COMMITTEE

Rule 1 – Members of the Committee

1. The Committee consists of representatives of organisations of employers, of the workers, and of other parties representative of civil society, notably in socio-economic, civic, professional and cultural areas.
2. Members of the Committee are appointed for five years. Their term of office is renewable.
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.
4. Members of the Committee are entitled to the allowances and reimbursement of travel and subsistence expenses necessary for the performance of their duties, in accordance with the relevant decisions of the Council of the EU and of the bureau.

The Council determines the allowances of members of the Committee.

5. The Committee shall strive to ensure compliance with the principles of gender equality and non-discrimination, as defined in European Union law, and that these principles are applied in all bodies of the Committee.

The bureau shall assess developments regarding the gender balance in the various bodies of the Committee and, if necessary, adopt specific recommendations.

On a regular basis, a report prepared with the help of the administration shall be presented to the bureau to evaluate such developments. On the basis of such a report, the bureau shall decide on concrete measures in order to improve the gender balance.

Rule 2 – Members' Statute

1. Members of the Committee shall have the title 'member of the European Economic and Social Committee'.
2. In the performance of their duties and during travel to and from the place of meetings, members enjoy the customary privileges, immunities and facilities established in Article 10 of the 'Protocol (No 7) on the privileges and immunities of the European Union' annexed to the Treaties.
3. The 'Members' Statute of the European Economic and Social Committee' (the 'Members' Statute') shall define their rights and obligations, as well as the rules governing their activity and their relations with the Committee and its services.

Rule 3 – Code of Conduct

1. Members are required to maintain the standards enshrined in the 'Code of Conduct for Members of the EESC' (the 'Code of Conduct').

2. The Code of Conduct, appended as an annex, which has the same legal value as these Rules of Procedure, sets the standards and principles of conduct applicable to members of the Committee, delegates of the CCMI, alternates and advisors.
3. 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.
4. Failure to comply with the standards and principles established by the Code of Conduct may lead to the application of the measures set out in the said Code.

Rule 4 – Termination of members' tenure of office

1. Membership of the Committee expires at the end of the five-year term laid down by the Council at the time of the Committee's renewal.
2. Individual membership may also exceptionally cease through death, on resignation, on removal from office, in the event of unforeseen circumstances or an incompatibility of functions arising or on expulsion.
3. Resignations shall be in writing and shall be addressed to the president of the Committee.
In cases of resignation other than those provided for in paragraph 8 of this Rule, the resigning member:
 - shall remain in office until the date on which the appointment of his or her replacement takes effect, unless the resigning member indicates otherwise; and
 - may withdraw the resignation up until the date it is forwarded to the Council in accordance with paragraph 9 of this Rule.
4. The circumstances in which members may be removed from office are laid down in Rule 93(2) of these Rules of Procedure.
5. Unforeseen circumstances shall arise where a member of the Committee is unable to perform his or her duties for medical or other reasons, for a period of more than twelve months.
6. An incompatibility of functions shall arise where a member of the Committee is appointed or elected as a member of a government or parliament, a deputy minister with political responsibilities, a member of an institution or body of the European Union, or becomes an official or other servant of the Union in active employment.
7. The circumstances in which members may be expelled are laid down in Articles 14(3) and 16 of the Code of Conduct.
8. In the event of removal from office, unforeseen circumstances or an incompatibility of functions arising, the member in question shall resign.
Failure to resign in one of these cases may result in the application of Articles 14(3) and 16 of the Code of Conduct.
9. In all exceptional cases of termination of tenure of office, the president of the Committee shall notify the Council in order for the Council to verify the vacancy and initiate the replacement procedure.
The new member shall be appointed for the remainder of the current term of office.

TITLE II

BODIES OF THE COMMITTEE

Chapter I

General points*Rule 5 – Executive bodies, compositions and structure*

1. The president and the bureau are the executive bodies of the Committee.
2. The Committee works in its full composition – plenary sessions of the assembly – or in a reduced composition – meetings of sections and of other Committee bodies.

The secretariat shall keep up to date and publish on the intranet the list of Committee bodies.

3. The Committee is divided into three groups, the composition and role of which are set out in Rule 6.

Chapter II

The groups*Rule 6 – Composition and role of the groups*

1. At the installation of the Committee in office three groups of members shall be set up, representing respectively employers, workers and other components of organised civil society.
2. The groups shall operate in a democratic, transparent and autonomous manner in their functioning, in accordance with their principles and internal practice and with these Rules of Procedure.
3. Members may join one of the groups on a voluntary basis, subject to the approval of their eligibility by the members of that group.

No member may belong to more than one group at the same time.

4. The groups shall participate in the preparation, organisation and coordination of the business of the Committee and its constituent bodies.

They shall endeavour to reach a consensus with the other groups.

They shall make proposals for elections and appointments to posts and for the composition of the Committee's bodies in accordance with these Rules of Procedure.

5. Each group shall be provided with a secretariat.

Rule 7 – Group presidents

1. Each group shall internally elect its president and, if applicable, its vice-presidents.
2. The group presidents shall automatically be members of the Committee bureau.
3. The group presidents shall have an advisory role in the formulation of the Committee policy vis-à-vis the presidency and the bureau.
4. The group presidents shall meet regularly with the Committee presidency in the enlarged presidency to assist in preparing the work of the bureau and the assembly, in accordance with Rule 20(3).

Rule 8 – Members not belonging to a group

1. As group membership is voluntary, members may belong to none of the groups.
2. Members not belonging to a group shall not have significant advantages or disadvantages over members belonging to a group.
3. With regard to participation in the work of the Committee, members not belonging to a group shall have the same rights and obligations as those who have joined a group.

Members not belonging to a group shall have the material and technical support required for the performance of their duties.

This support shall be provided by the general secretariat.
4. The bureau shall determine the detailed arrangements for the participation of members not belonging to a group in the work of the Committee.

The detailed arrangements for the provision of material support by the secretariat shall be laid down by the bureau on a proposal from the secretary-general.
5. The participation of members not belonging to a group in study groups, as well as their appointment as rapporteurs, shall be the subject of a decision by the Committee president after consultation of the groups.
6. At plenary debates, the allocation of speaking time must take account of the existence of members not belonging to a group.
7. In any case, the right of members not belonging to a group to access all information provided to group members shall be guaranteed.

Chapter III**The assembly***Rule 9 – Composition of the assembly*

1. The assembly comprises all the members of the Committee appointed by the Council, who meet in plenary session.
2. Delegates of the CCMI, alternates and advisors are not members of the Committee and do not form part of the assembly.

Rule 10 – Powers of the assembly

1. The assembly exercises all the powers conferred on the Committee by the Treaties and other legal instruments.

However, it may confer its powers on another Committee body in the Rules of Procedure, the Code of Conduct or the Members' Statute, in accordance with the provisions of these Rules of Procedure.

It may also expressly delegate its powers in the cases provided for in these Rules of Procedure.
2. The assembly shall have residual powers: any power not conferred on another body by the Rules of Procedure, the Code of Conduct or the Members' Statute shall belong to the assembly.
3. The assembly shall adopt the opinions and other acts that the Committee draws up within the framework of the consultative role given to it by the Treaties.

4. The assembly shall adopt the Rules of Procedure, the Code of Conduct and the Members' Statute.
5. The assembly shall determine the number of members of the bureau in accordance with the provisions of these Rules of Procedure.

It shall also determine the number and the responsibilities of the sections, as well as the number of members participating in each section and in the CCMI, on a proposal from the groups.
6. The assembly shall appoint the president and vice-presidents of the Committee, the presidents of the sections and of the CCMI, as well as the rest of the members of the bureau, with the exception of the three group presidents, who shall be elected directly by their respective groups.

It shall also appoint, on a proposal from the groups, the members of the sections, the members and delegates of the CCMI as well as the members of their bureaux, the members of the subcommittees, of the observatories, of the delegations, of the ethical committee, the quaestors and the members of the rules of procedure panel.
7. The assembly shall have the power to revise on appeal certain decisions of the bureau in accordance with paragraph 8 of Rule 12.
8. The powers laid down in paragraphs 2 to 7 of this Rule shall not be delegated to or conferred on any other body.

Chapter IV

The bureau of the Committee

Rule 11 – Composition of the bureau

The bureau of the Committee shall comprise:

- a) the president of the Committee;
- b) the two vice-presidents of the Committee;
- c) the three group presidents, elected as provided for in Rule 37(2)(a), second indent;
- d) the presidents of the sections and of the CCMI; and
- e) a variable number of members, totalling no more than the number of Member States.

Rule 12 – Powers of the bureau

1. 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.

2. The bureau shall determine the objectives, the strategies and the priorities of the Committee in all areas.

It shall determine the Committee's work programme and shall evaluate the implementation of said programme.

It shall adopt the Committee's work programme after consulting the enlarged presidency.

3. The bureau shall exercise the budgetary and financial powers provided for in the Regulation on the financial rules applicable to the general budget of the European Union ⁽¹⁾ (the 'Financial Regulation') and in these Rules of Procedure.
4. In particular, the bureau shall:
 - perform the duties of authorising officer conferred on the Committee under the Financial Regulation. It shall delegate these powers to the secretary-general, as authorising officer by delegation, specifying the extent of the delegated powers and whether the secretary-general may subdelegate his or her powers;
 - determine the implementing arrangements regarding the allowances and reimbursement of travel and subsistence expenses of members, CCMI delegates, alternates and advisors, in compliance with the applicable budget and financial procedures;
 - in accordance with the applicable budgetary and financial procedures, lay down rules regarding:
 - the assistance to be given to members, delegates of the CCMI, alternates and advisors with disabilities;
 - the co-financing of training, IT, telecommunications and office equipment costs incurred by members and delegates of the CCMI;
 - the payment or reimbursement of entertainment and representation expenses incurred by members and delegates of the CCMI;
 - authorise activities in accordance with the provisions of Rule 13.
5. The bureau shall be responsible for ensuring that the Committee makes good use of its human, budgetary and technical resources.

It shall lay down the organisation and working procedures of the Committee and shall adopt the organisation chart on the proposal of the secretary-general.
6. The bureau shall adopt provisions for implementing the Rules of Procedure after consulting the groups in accordance with the provisions of these Rules of Procedure.
7. The bureau may set up *ad hoc* groups to deal with any questions falling within its competence. It may also set up permanent groups as provided for in Rule 35.
8. The bureau shall clarify the interpretation of the Rules of Procedure and its Implementing Provisions at the request of a member of the Committee or of the secretary-general. However, the assembly shall be responsible for interpreting the Rules of Procedure with regard to the prerogatives of the bureau.

The bureau's interpretation decisions may be appealed to the assembly in accordance with the procedure laid down in the Implementing Provisions of the Rules of Procedure.

The assembly's decision shall be final.
9. 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.
10. The bureau shall consider suggestions and recommendations from external control or investigation bodies in a timely manner.
11. The bureau shall lay down its own procedural rules.

⁽¹⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

Rule 13 – Authorisation of activities

The bureau may authorise activities directly or indirectly linked to the Committee's consultative function by decisions on a case-by-case basis. 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 in the consultation structures set up by the institutions of the European Union or in structures in which such institutions take part;
- members' participation in external structures, which shall be regularly monitored and evaluated. Members' representation in external structures shall be balanced and on a rotational basis;
- the preparation or commission of studies and their publication;
- the organisation of working visits and events away from headquarters.

Rule 14 – Evaluation of policies

1. Where appropriate, the bureau shall authorise the evaluation of policies.
2. 'Evaluation of policies' shall be understood as *ex post* evaluations, concerning policies or legal instruments of the European Union which are already being implemented.

Ex-post evaluations shall be qualitative and targeted.

The policy evaluation exercise shall take account of economic, social and environmental impacts.

3. Policy evaluations may take the form of opinions or evaluation reports as defined in these Rules of Procedure:
 - where they are explicitly requested by European Union institutions or decided on own initiative and are intended to express the points of view, assessments and requests of organised civil society on the impact of the Union's policies, policy evaluations shall be adopted in the form of opinions;
 - where they are explicitly requested by European Union institutions and are intended to present factual information with conclusions and recommendations, policy evaluations shall be adopted in the form of evaluation reports.

Rule 15 – Working procedures of the Committee bureau

1. The bureau shall be chaired by the president of the Committee or, in the absence of the president, by one of the vice-presidents.

It shall meet in ordinary session ahead of assembly sessions and in extraordinary session where necessary.

2. The president shall convene meetings of the bureau, acting either *ex officio* or at the request of ten members of the bureau.

3. Minutes of each bureau meeting shall be drawn up.

These minutes shall be submitted to the bureau for approval at the following meeting.

4. The bureau may also work by written procedure.

The bureau shall lay down the written procedure in its own procedural rules.

5. 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.

6. 'Current business' shall be understood as business that must be dealt with to ensure the continuity of services and the normal operation of the Committee during the period between the end of the term of office of the members of the outgoing Committee and the installation of the new Committee in office ('interregnum period'), such as, in particular:
 - issues of day-to-day management that must be settled and that do not involve new decisions that would be binding on the Committee on a lasting basis;
 - ongoing business in respect of which decisions had previously been made and that is at an advanced stage, the outcome of which should be managed;
 - urgent matters where a delay in its resolution would be detrimental to the Committee. In that case, the bureau could delegate, exclusively to a member whose mandate has been renewed, the power to continue certain specific activities during the 'interregnum period'.

Rule 16 – Instructions for the purposes of external or interinstitutional cooperation

1. The bureau may instruct the president of the Committee to negotiate and conclude cooperation agreements with the institutions and other bodies of the European Union or with external bodies or organisations.
2. The bureau may also instruct the secretary-general or a director of the Committee to negotiate and conclude agreements of a purely administrative nature with the institutions and bodies of the European Union or with external bodies or organisations. It can also delegate these powers to them.
3. Such instructions and delegations shall lay down the scope, extent and limits of the instructions and shall determine the procedure to be followed for the negotiation and conclusion of such agreements on behalf of the Committee.

Rule 17 – Commission for financial and budgetary affairs (CAF)

1. A commission for financial and budgetary affairs (CAF) shall be set up comprising twelve members: one president, who shall be one of the two Committee vice-presidents, and eleven members appointed by the bureau on a proposal from the groups.
2. The commission for financial and budgetary affairs shall have the following powers:
 - a) it shall receive the preliminary draft estimate of revenue and expenditure for the following financial year, which shall be submitted to it by the secretary-general; it shall examine said draft, discuss it with the secretary-general and submit it to the bureau, together with its comments and proposed amendments, for approval;
 - b) it shall be responsible for preparing the bureau's draft decisions of a financial and budgetary or organisational nature where they have a financial or budgetary impact.
 - c) It shall advise the bureau 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 discharge process, working closely with the secretary-general and the European Parliament rapporteur.
3. The bureau may delegate other powers to the commission for financial and budgetary affairs.

4. The commission for financial and budgetary affairs shall submit to the bureau a draft of its own procedural rules, for approval.
5. The commission for financial and budgetary affairs shall submit a report of its activities to the ordinary bureau meetings.
6. The president of the commission for financial and budgetary affairs shall represent the Committee vis-à-vis the European Union budgetary authorities and shall report thereon to the bureau.

Rule 18 – Communication commission (COCOM)

1. A communication commission (COCOM) shall be set up comprising twelve members: one president, who shall be one of the two Committee vice-presidents, and eleven members appointed by the bureau on a proposal from the groups.
2. The communication commission shall have the following powers:
 - a) It shall be responsible for guiding and monitoring the Committee's communication strategy.
 - b) It shall advise the bureau and the Committee president on matters of communication.
 - c) It 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 Committee's strategy and programmes.
3. The communication commission shall submit to the bureau a draft of its own procedural rules, for approval.
4. The communication commission shall submit a report of its activities to the ordinary bureau meetings.

Chapter V

The presidency

Rule 19 – The president of the Committee

1. The president shall represent the Committee.

The president may delegate this authority of representation to a vice-president or, if necessary, to another member.
2. The president shall direct the work of the Committee and its internal bodies, in accordance with the Treaties, the legal instruments in force and these Rules of Procedure.
3. The Committee president shall convene and chair the assembly sessions, as well as the meetings of the bureau and of the enlarged presidency.

The president shall have all the powers necessary to direct the deliberations of these bodies and ensure that they are properly conducted.
4. The president shall involve the vice-presidents in his or her activities on a permanent basis; he or she may delegate to them specific tasks or specific responsibilities falling within his or her remit.

The vice-presidents shall be accountable to the president for such delegation.
5. The president shall report to the assembly on actions and measures taken on behalf of the Committee between plenary sessions.

These reports may be followed by a debate.

6. The president may entrust specific tasks to the secretary-general for a limited period. The secretary-general shall report to the president thereon.
7. The Committee, in its role as personal data controller, shall be represented by its president.

The president shall exercise on behalf of the Committee the duties and responsibilities assigned to the Committee as a European Union body by the applicable legislation on the protection of personal data.

The president may delegate this authority to the secretary-general.
8. After his or her election, the president shall present his or her work programme for his or her term of office to the assembly.

At the end of his or her term, the president shall present a review of achievements to the assembly.

These two presentations shall be debated by the assembly.

Rule 20 – The presidency

1. The Committee presidency shall comprise the president and the two vice-presidents.
2. The two vice-presidents shall be respectively president of the commission for financial and budgetary affairs and president of the communication commission and shall perform these tasks under the authority of the Committee president.
3. The Committee presidency shall meet with the group presidents in the enlarged presidency to prepare the work of the bureau and the assembly.

The section presidents may be invited to take part in these meetings.
4. The Committee presidency shall meet at least twice a year with the presidents of the groups, the sections and the CCMI in order to define the Committee's programme of work and assess its implementation and, where appropriate, submit proposals to the bureau.

Rule 21 – The enlarged presidency

1. The enlarged presidency shall comprise the presidency 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;
 - c) advise the bureau on the formulation of the Committee's policies;
 - d) hold discussions in the event of a conflict when determining the size of a study group or in relation to its activities;
 - e) propose to the bureau the agenda for the assembly;
 - f) advise, where appropriate, on the appointment of officials and the employment of other servants, as provided for in these Rules of Procedure.
3. The enlarged presidency shall meet to prepare the work of the bureau and the assembly or if needed.

It shall also meet at least twice a year with the presidents of the sections and the CCMI to prepare the Committee's programme of work and assess its implementation and, where appropriate, submit proposals to the bureau.

Other persons can be invited to the meetings of the enlarged presidency as appropriate.

Chapter VI

The sections

Rule 22 – Formation of the sections

- 1 The Committee's consultative work shall be distributed between thematic sections, unless these Rules of Procedure stipulate otherwise.
- 2 The Committee shall set up its sections at the installation session following each five-yearly renewal.
Sections shall be set up by the assembly in the fields within the Committee's remit as laid down in the Treaties.
- 3 The list of sections and the fields within their remit may be re-examined at the time of each five-yearly renewal.

Rule 23 – Members of the sections

- 1 The number of members of the sections shall be decided by the assembly.
- 2 The members of the sections shall be appointed by the assembly, on proposals from the groups. Appointments shall be for two and a half years and shall be renewable.
- 3 Apart from the president, every member of the Committee must be a member of at least one section.
No member may belong to more than two sections, except if he or she comes from a Member State where the number of Committee members is nine or less.
No member may belong to more than three sections.
- 4 The procedure laid down for the appointment of section members shall also be followed for the replacement of such members.
The replacement member does not have to belong to the same group as the replaced member.

Rule 24 – Section presidencies and bureaux

1. The bureaux of sections, elected for a term of two and a half years, shall comprise twelve members including a president and three vice-presidents.
- 2 Members of section bureaux shall be appointed by the assembly on a proposal from the groups.
Section presidents and other members of section bureaux may be re-elected.
- 3 The presidency of sections shall be rotated between the groups under the following conditions:
 - the presidency of half the sections shall be rotated between the groups at the start of the five-year term of office;
 - the presidency of the other half of the sections shall be rotated between the groups after two and a half years, at the time of the mid-term renewal;
 - the same group may not hold the presidency of a section for a period exceeding two consecutive terms of office of two and a half years.

Rule 25 – Tasks of the sections

- 1 It shall be the task of the sections to adopt draft opinions that are referred to them.

- 2 They may also be tasked with adopting draft evaluation reports and draft information reports.
- 3 Each section shall have a secretariat in order to complete the tasks assigned to it.

Chapter VII

Subcommittees and observatories

Rule 26 – Subcommittees

1. On the initiative of the bureau, the assembly may, in exceptional cases, set up subcommittees to produce draft opinions on strictly horizontal general matters.

The drafts shall be presented to the bureau and submitted to the assembly's approval.

Members of subcommittees shall be appointed by the assembly on proposals from the groups.
2. The bureau may also set up subcommittees in the periods between plenary sessions.

It may also appoint their members, on proposals from the groups.

In this case, the decision to set up a subcommittee and the appointment of its members shall be subject to subsequent confirmation by the assembly.
- 3 In no case may a subcommittee be set up for more than one matter.

A subcommittee shall be automatically dissolved as soon as the assembly votes on the draft opinion which it has prepared.
4. Subcommittees set up for questions coming within the purview of two or more bodies shall be made up of members of those bodies.
5. The provisions governing sections shall be applicable, *mutatis mutandis*, to subcommittees.

Rule 27 – Observatories

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 assembly, ratifying, where appropriate, a decision taken earlier by the bureau on a proposal from a section or from a group.
3. The decision from the assembly to set up an observatory shall define its object, structure, composition and duration.

The decision may subsequently be revoked or amended by the assembly, on a proposal from the bureau.
4. Members of observatories shall be appointed by the assembly on proposals from the groups.
5. Without prejudice to the terms of reference of the sections and the CCMI, an observatory may draw up information documents and carry out studies on the effects of EU legal instruments or their absence in the areas within its remit.

These information documents and studies may be forwarded to the European Parliament, the Council, the Commission or to any other European Union institution or body, if the assembly so decides.
6. Each observatory shall work under the oversight of a section.

7. The bureau may authorise a section to assign the preparation of a draft opinion to the observatory attached to it.

The draft opinion prepared by the observatory shall be submitted to the section for adoption.

Where the section adopts the draft opinion, the section shall submit it to the assembly for adoption.

Chapter VIII

Consultative commissions

Rule 28 – Consultative Commission on Industrial Change (CCMI)

1. The Committee shall set up the consultative commission on industrial change (CCMI) within three months of the date of the Committee's five-yearly renewal, during an assembly plenary session.
2. The CCMI shall be 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 number of members and delegates shall be determined by the assembly on a proposal by the bureau.

The term of office of the CCMI members shall be two and a half years. For CCMI delegates it shall be five years. In both cases the mandate shall be renewable.

3. Committee members who join the CCMI shall be appointed by the assembly on proposals from the groups.
4. Delegates of the CCMI shall be appointed by the assembly on a proposal from the bureau, following the groups' recommendations.

The recommendations for appointing delegates shall be decided by each group in accordance with their internal rules.

5. The president of the CCMI shall be a member of the Committee bureau, to which he or she shall report every two and a half years on the activity of this consultative commission.
6. Delegates shall be subject to the same rules as Committee members as regards allowances and travel and subsistence expenses.

CCMI delegates may not designate alternates for CCMI meetings and preparatory work.

7. The CCMI shall have a secretariat.

Rule 29 – The establishment of other consultative commissions

1. The Committee may set up other consultative commissions where this proves necessary to fulfil the tasks assigned to the Committee by the Treaties or by other legal instruments.

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. In order to set up new consultative commissions, explicit authorisation must be obtained in advance from the Union budgetary authorities.
3. Consultative commissions shall be set up by a decision of the assembly which shall confirm a decision adopted by the bureau.

The decision from the assembly setting up a consultative commission shall define its object, structure, composition and duration, together with any conditions for becoming a delegate on it.

Chapter IX

Dialogue with economic and social organisations in EU and non-EU states*Rule 30 – Relations with external organisations*

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 in non-EU countries.
2. In the same way, it may undertake actions designed to foster the establishment of economic and social councils or similar institutions in countries which do not yet have them.

Rule 31 – Delegations and joint consultative committees

1. The assembly, 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.

The members of joint consultative committees and contact groups shall be appointed by the bureau on proposals by the 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 X

Other bodies*Rule 32 – The quaestors' group*

1. On a proposal from the bureau, the assembly shall elect, for each two-and-a-half-year period, three Committee 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 ethical committee; and
 - the audit committee.
3. The duties of the quaestors shall be as follows:
 - a) to monitor the implementation of and ensure the proper execution of the Members' Statute;
 - b) to draw up 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.

Rule 33 – Ethical committee

1. On a proposal from the bureau, the assembly shall elect, for each two-and-a-half-year period, twelve members of the Committee, with gender parity, six full members and six reserve members, who shall form the ethical committee.

The detailed arrangements for this election are laid down in Article 10 of the Code of Conduct.

2. The position of member of the ethical committee is incompatible with that of member of the following bodies:
 - the bureau of the Committee;
 - the quaestors' group; and
 - the audit committee.
3. Each of the Committee's three groups shall nominate one of its members to serve as chair of the ethical committee for two and a half years on a rotating basis.

Rule 34 – Audit committee

1. An audit committee shall be set up with the task of advising the president and bureau on audit matters.
2. The audit committee shall perform the duties assigned to the internal audit progress committee under Article 123 of the Financial Regulation.

In particular, the audit committee shall be tasked with ensuring the independence of the internal auditor, monitoring the quality of the internal audit work and ensuring that internal and external audit recommendations are properly considered and followed up by the Committee's services.

3. The audit committee shall report to the bureau.
4. The bureau shall decide on the structure, membership, tasks and procedural rules of the audit committee, taking into account the Committee's organisational autonomy and the importance of independent expert advice.
5. The members of the audit committee shall be appointed by the bureau on a proposal from the groups.

Each of the Committee's three groups shall nominate a chair of the audit committee for two and a half years on a rotating basis.

6. The position of member of the audit committee shall be incompatible with that of member of one of the following bodies:
 - the bureau of the Committee;
 - the commission for financial and budgetary affairs (CAF);
 - the quaestors' group; and
 - the ethical committee.

7. The audit committee shall adopt the draft internal auditor's charter in accordance with the Financial Regulation and in line with the relevant international standards for internal audits, and shall submit it to the bureau for adoption.

Rule 35 – Permanent groups

1. The Committee may set up permanent groups when the nature of the subject to be dealt with calls for particular deep monitoring of the subject, being a part of EU policy of high importance for the civil society.
2. A permanent group shall be set up by a decision of the bureau, on a proposal from a section or from a group.
3. The decision from the bureau to set up a permanent group shall define its object, structure, composition and duration. The duration of a permanent group may not be longer than until the end of the current mandate.
4. Members of permanent groups shall be appointed by the bureau on proposals from the groups.
5. Each permanent group shall work under the oversight of a section.

Chapter XI

Categories*Rule 36 – Categories*

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 shall be made up of at least ten members.

In the event of conflict over the eligibility of a member, the bureau shall decide after having consulted the members of the category.

No Committee member may 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.

PART TWO

PROCEDURES

TITLE I

PROCEDURE FOR INSTALLING THE COMMITTEE IN OFFICE AND ELECTION AND APPOINTMENT PROCEDURES

Chapter I

Procedure for installing the Committee in office*Rule 37 – First assembly session and installation of the Committee in office*

1. The first session of the assembly following each five-yearly renewal shall be dedicated to the installation of the Committee in office.

It shall be convened and chaired by the oldest member, and shall be held not later than 40 calendar days after the date of the decision of the Council appointing the members of the Committee, provided at least half of the members have been appointed by the Council.

In the event that the members of the Committee are not all appointed in the same Council decision, the aforementioned deadline shall be counted from the date of the decision appointing the majority of the members.

2. At the installation session, the following steps shall be taken:

a) Setting-up of the groups

- The members of the Committee shall declare the group to which they wish to belong and the three groups shall be set up.
- Each group shall withdraw and elect its president and vice-presidents, where applicable, at a meeting specific to the members of that group.
- The names of the three group presidents shall be communicated to the assembly.

b) Setting-up of the sections

- The assembly shall determine the number of sections and the fields within their remit.
- The members of the Committee shall declare the sections to which they wish to belong.
- The assembly shall appoint the section members and set up the sections.

c) Setting-up of the Committee bureau

- The assembly shall determine the number of bureau members.
- The assembly shall elect the members of the bureau other than the group presidents for two and a half years from the date on which the Committee is installed in office in accordance with the provisions of these Rules of Procedure.

d) Appointment of members to other positions of responsibility within the Committee, in accordance with the provisions of these Rules of Procedure.

3. Only matters pertaining to these steps may be discussed while the oldest member is acting as chair.

Rule 38 – Mid-term renewal session

1. Halfway through the five-year term, i.e. two and a half years following the date of the Committee's installation in office, the terms of office of the Committee's positions of responsibility shall be renewed.
2. The meeting of the assembly at which the members are elected or appointed to the positions of responsibility referred to in the previous paragraph for the last two and a half years of a five-year period shall be convened by the outgoing Committee president.
3. 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 Committee president.

Chapter II

Election and appointment procedures

Section 1 – Procedure for the election of bureau members

Rule 39 – Election panel and lists of candidates for the election of bureau members

1. The assembly shall set up an election panel, drawn from its members and consisting of a balanced representation of members of the three groups, with one national of each Member State.

Members of the election panel shall not stand for election to the bureau.

2. The election panel shall be responsible for receiving a list (or lists) of candidates for the bureau, for vetting the legality of the applications according to paragraph 6 of this Rule, and for submitting the list (or lists) of candidates to the assembly for the purposes of electing the bureau.
3. The groups, represented by their presidents, shall participate in negotiating and drafting a proposal for bureau membership in the form of a common list which shall be submitted to the election panel.
4. Alternative complete lists of members may also be submitted to the election panel by at least twenty-five members.
5. The election panel shall first submit to the assembly the common list put forward by the groups for vote. It shall also submit to it the alternative lists, where applicable.
6. In order to be admitted to the vote in the assembly all lists must comply with the provisions of Rules 1(5) and 41 and be accompanied by a declaration of acceptance from each candidate with an indication of the post they wish to occupy.

Rule 40 – Election of bureau members

The procedure for electing bureau members shall be carried out in stages, holding more than one ballot if necessary, in the following order:

1. In the first stage, the assembly shall decide on the list or lists of candidates for the bureau.
 - a) The common list presented by the groups shall be voted on first.

If more than two thirds of Committee members vote in favour, the members of the bureau are elected.
 - b) If the common list does not obtain the required majority, the alternative list(s) shall be voted on, where appropriate, in the order decided by the election panel.

If more than two thirds of Committee members vote in favour, the members of the bureau are elected.
 - c) If none of the lists presented to the assembly obtain the required majority, a second ballot shall be held in accordance with the procedure laid down in points a) and b) above.

In this case, the majority required is more than the half of the members of the Committee.
 - d) If none of the lists obtains the new required majority in the second ballot, the sitting shall be suspended and postponed to another time.

When the meeting resumes, a third ballot shall be held in accordance with the procedure laid down in points a) and b) above.

In this case, the majority required is more than a half of the members present or represented.
2. Once the list of bureau members has been adopted by the assembly, in the second stage the assembly shall elect members to the positions on the bureau other than those of the presidents of the groups, holding more than one ballot if necessary, under the following conditions:
 - a) Only those bureau members who appear on the list previously adopted by the assembly may be elected.
 - b) The votes shall be held in the following order:
 - i. election of the Committee president,
 - ii. election of the two Committee vice-presidents,
 - iii. election of the section presidents,
 - iv. election of the CCMI president.

- c) A majority is achieved if more than a half of the members present or represented vote in favour.
- d) If none of the candidates reaches the required majority in a vote, a second vote shall be held, but only between the two candidates who received the most votes in the first ballot.

The candidate who obtains the highest number of votes in the second vote shall be appointed.

Rule 41 – Conditions for the election of bureau members

The election of the bureau members must comply with the following conditions, otherwise the election shall be deemed to be invalid:

1. The composition of the bureau must comply with the provisions of Rule 1(5) and reflect the overall balance between the groups and geographical balance, with at least one, and a maximum of three, nationals of each Member State.
2. For each two-and-a-half-year term, the Committee president shall be elected in turn from among the members of the three groups.
3. The two vice-presidents shall belong to different groups and shall be elected from among the members of the groups to which the Committee president does not belong.
4. The president and vice-presidents of the Committee shall not be re-elected.
5. For the two and a half years immediately following the expiry of his term of office the Committee president shall not be a member of the bureau as a vice-president of the Committee or as the president of a group, a section or the CCMI.

Rule 42 – Replacement of a bureau member

1. If a bureau member is in one of the situations provided for in Rule 4(2), such a member shall be replaced in accordance with the conditions set out in Rule 41 for the remainder of his term of office.
2. Replacement shall be subject to a vote by the assembly on the basis of a proposal from the group to which the member being replaced belongs. If that member does not belong to a group, the groups shall draw up a proposal for replacement.

A majority is achieved if more than half of the members present or represented vote in favour.

If the candidate proposed by the group concerned does not obtain the required majority, the group shall make new proposals until a member is appointed.

Section 2 – Procedure for the election of other positions of responsibility

Rule 43 – Procedure for the election of other positions of responsibility by the assembly

1. At the installation session, once the bureau members have been elected and the positions within the bureau have been assigned, the assembly shall elect members to the following positions:
 - a) the three members of the quaestors' group,
 - b) the six full members and six reserve members of the ethical committee,
 - c) the members of the section bureaux other than their presidents.
2. The Implementing Provisions of the Rules of Procedure shall set out the procedure for election to these positions.

Rule 44 – Procedure for the appointment of rapporteurs and study group members

The criteria and procedure for appointing rapporteurs and study group members are set out in Rule 55 of these Rules of Procedure.

Section 3 – Participation of the groups in election and appointment procedures*Rule 45 – Groups' proposals*

1. The groups shall draw up proposals for the election of bureau members and for the appointment of members of Committee bodies, respecting the principles of gender equality and non-discrimination as defined by European Union law.
2. In applying this Rule, the groups shall seek balance and shall take account of the skills and expertise of the members proposed.

They shall also, where appropriate, take account of the existence of members not belonging to a group.

*TITLE II***THE CONSULTATIVE PROCEDURE****Chapter I****General points***Rule 46 – Performance of consultative duties*

The Committee shall be convened by its president at the request of the European Parliament, the Council or the Commission.

It may also meet on its own initiative.

It shall perform its consultative duties by drawing up opinions, evaluation reports, information reports or resolutions on current topics.

Rule 47 – Committee opinions

The opinion is the legal instrument provided for in the Treaties for the Committee to express the views of organised civil society.

The Committee's opinions shall be classified in the following three categories, in accordance with the provisions of Rule 53:

1. Category A opinions

This category includes opinions resulting from:

- mandatory or optional referrals from the European Parliament, the Council or the Commission on topics considered by the Committee to be priorities;
- all requests for exploratory opinions from the European Parliament, the Council or the Commission;
- all adopted proposals for own-initiative opinions.

Such opinions shall be handled by study groups of various sizes (between 6 and 24 members) and possessing appropriate resources.

2. Category B opinions

This category comprises opinions based on mandatory or optional referrals of an urgent nature or covering topics that are of secondary interest to the Committee.

Such opinions shall be handled by a rapporteur working alone or a rapporteur-general, except in the cases provided for in these Rules of Procedure.

The bureau may decide, in duly justified cases, that a category B opinion shall be handled by a three-member drafting group (category B +).

3. Category C opinions

This category comprises opinions based on mandatory or optional referrals of a purely technical nature for which the involvement of a rapporteur or study group is not considered necessary.

Such opinions shall be dealt with in a standard opinion, which the bureau shall submit directly 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 standard opinion at the assembly.

When such items come up at the plenary session, the assembly shall first of all establish whether it is in favour of or against the referral being handled according to the above-mentioned procedure, and, where appropriate, shall then vote for or against the adoption of the standard opinion.

Rule 48 – Evaluation reports

1. An evaluation report is a Committee document intended to evaluate EU policy in accordance with Rule 14.

The report must be requested by a European institution.

2. The evaluation report shall be drawn up by a study group working with a rapporteur.

3. It shall be submitted, together with its conclusions and recommendations and, if necessary, appendices, to the competent section or the CCMI for adoption. During the section meeting, provisions on amendments as referred to in Rule 60(1) shall apply.

4. The report adopted by the section or the CCMI shall be presented to the assembly by the rapporteur.

The bureau shall send back to the section or to the CCMI an evaluation report that does not comply with the provisions of paragraph 1 of the present Rule.

Amendments to an evaluation report may be tabled by members and groups to be voted by the assembly, provided the amendments comply with the provisions of paragraph 1 of the present Rule.

The assembly shall vote on the report and, where appropriate, on sending the document to the other European institutions.

5. Evaluation reports shall not be published in the *Official Journal of the European Union*, but may be forwarded to the other institutions if the assembly so decides.

Rule 49 – Information reports

1. An information report is a Committee document intended to examine a question pertaining to the policies of the European Union or their possible developments, containing only factual information and, possibly, summaries of information without recommendations.

2. The draft information report shall be drawn up by a study group working with a rapporteur.

3. It shall be submitted, together with any summaries of information and appendices, to the competent section or to the CCMI for adoption. During the section meeting, the same provisions on amendments as referred to in Rule 60(1) shall apply.

4. The report adopted by the section or by the CCMI shall be presented to the assembly by the rapporteur.
The bureau shall send back to the section or to the CCMI an information report that does not comply with the provisions of paragraph 1 of the present Rule.
The assembly shall vote on the report and, where appropriate, on sending the document to the other European institutions.
5. Information reports shall not be published in the *Official Journal of the European Union*, but may be forwarded to the other institutions if the assembly so decides.
6. An information report may serve as a basis for preparing an own-initiative opinion.

Rule 50 – Resolutions on current topics

1. The Committee may issue resolutions on a current topic.
2. The proposal must be signed by either the Committee president, the president of a section, the president of a group or at least twenty-five members of the Committee.
It must include the draft resolution and, whenever possible, be submitted to the bureau secretariat 48 hours before the opening of the session of the assembly.
3. Whenever possible, draft resolutions shall be given priority on the agenda for the plenary session.
Resolutions on current topics shall be debated, voted on and, where appropriate, adopted by the Assembly.

Chapter II

Initiation of the consultative procedure

Rule 51 – Initiation of the procedure by referral from the institutions

1. The Committee is consulted by the European Parliament, by the Council or by the Commission in order to draw up opinions where the Treaties so provide.
2. The Committee may also be consulted by these institutions in all cases in which they consider it appropriate. It may also be asked to prepare policy evaluation reports.
3. The institution may, if it considers it necessary, set the Committee a time limit for the submission of its opinion.
Upon expiry of the time limit, the absence of an opinion shall not prevent further action.
4. Referrals from the institutions shall be sent to the president of the Committee.
The president, in consultation with the bureau, shall organise the work of the Committee, taking account of the time limits set in the referral.

Rule 52 – Initiation of the procedure on the Committee's own initiative

1. The Committee may issue an opinion on its own initiative in cases in which it considers such action appropriate.
2. On a proposal from the bureau, adopted by the majority of its members, the assembly may decide to issue an own-initiative opinion on any question pertaining to the European Union, its policies and their possible developments.
3. The assembly 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.

4. Following a proposal from the Committee president, a section, a group or at least twenty-five members, the assembly may decide to issue a resolution on a current topic.

Chapter III

Work of the sections

Section 1 – Preparation of the work of the sections

Rule 53 – Designation of sections and allocation of opinions

1. When an opinion, evaluation report or information report is to be produced, the Committee bureau 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 of the Committee shall designate that section and inform the bureau of his decision.

The bureau shall, where appropriate, ratify the designation made by the Committee president at its next meeting.

2. The section presidents shall present a proposal for allocating opinions among the three categories referred to in Rule 47.

The proposal shall be submitted to the bureau, which shall determine the order of priority of opinions, allocating them among categories.

The category of an opinion shall determine whether it is drawn up by a rapporteur working alone or assisted by a study group.

3. The sections shall give a provisional indication of the size of the study group for each opinion, evaluation report or information report.

In the event of a disagreement between the sections, the matter shall be referred to the enlarged presidency for discussion.

The final proposal shall be submitted to the bureau for decision.

4. In duly justified cases, the presidents of the groups may propose that the size of the study group be modified subsequent to the bureau decision.

At its next meeting the bureau shall, where appropriate, confirm this new proposal and lay down the final size of the study group.

When there is a need for an urgent procedure in order to meet the institutional deadlines, the sections are informed of the changes at the same time as the nominations; sections may seek the approval of the Committee bureau by written procedure.

Rule 54 – Preparatory work of the sections

The preparatory work of the sections shall be carried out within a study group, with a rapporteur.

Exceptionally, it may also be carried out:

- by the rapporteur in cooperation with one or two co-rapporteurs, or two and three rapporteurs on an equal footing within a study group, or
- by a rapporteur working alone or, if necessary, with a drafting group.

Rule 55 – Study groups

1. Study groups may vary in size, ranging from 6 to 24 members.

A drafting group is a 3-member study group.

2. The section presidents shall appoint the rapporteur – and, where appropriate, the co-rapporteurs – and the members of the study group on the basis of proposals agreed by the group presidents.
3. In order that study groups may be set up quickly, especially in urgent cases, with the 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 may take the steps required to ensure that work can begin.

In such cases, the decision of a section president on the appointment of the rapporteur – and, where appropriate, the co-rapporteurs – and of the study group members shall require agreement between the three group presidents.

4. Once appointed, the rapporteur – and, where appropriate, the co-rapporteurs – assisted by their advisors, shall study the question referred, take account of the views expressed by the study group members and, on this basis, draw up the draft opinion, which shall be sent to the president of the section.

There shall be no voting at study group meetings.

5. Study groups may not become permanent bodies.

In exceptional cases, the bureau may give them prior authorisation to extend their activities for a period that may not under any circumstances exceed the end of the two-and-a-half-year term of office.

Rule 56 – Supplementary opinions

1. Where a section that has been designated to prepare an opinion wishes to hear the views of the CCMI, or where the CCMI wishes to set out its views on an opinion allocated to a section, the Committee bureau may authorise the drawing up of a supplementary opinion or the presentation of additional comments on one or more of the issues covered by the main referral.

The bureau may also take this decision on its own initiative.

2. The president of the CCMI shall be notified by the Committee president of the decision and of the time limit for the completion of the section's work. The president of the section concerned shall also be informed.
3. The Committee president shall inform the members of the Committee of the referral to the CCMI and of the date on which the subject is to be dealt with by the plenary session.
4. The bureau shall organise the work in such a way that the CCMI is able to prepare its supplementary opinion in good time to be taken into consideration by the section.
5. The section alone shall be responsible for reporting to the assembly.

It shall however append to its opinion the supplementary opinion drawn up by the CCMI.

Section 2 – Holding section meetings

Rule 57 – Section meetings

1. Meetings of the sections shall be prepared by the section president in consultation with the section bureau, unless specified otherwise in these Rules of Procedure.

They shall be convened by their president.

2. Section meetings shall be chaired by the section president or, in his or her absence, by one of the section vice-presidents.

3. Concise minutes of each section meeting, including the presence list, shall be drawn up and submitted to the section for approval at the next meeting. These minutes shall be published in the EESC website.

Rule 58 – Joint meetings

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

Rule 59 – Section quorum

1. A quorum shall exist at section meetings if over half of the full members are present or represented, unless specified otherwise in these Rules of Procedure.
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 or she 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 60 – Section opinions

1. With reference to the draft opinion submitted by the rapporteur – or, where appropriate, the co-rapporteurs – the section shall discuss the proposed text.

Amendments to the draft opinions may be submitted in the section.

The section shall vote on and, where appropriate, adopt the section opinion.

2. Section opinions shall contain the text adopted by the section.

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 amendment received at least one-quarter of the votes cast.

Section 3 – Procedures following section meetings

Rule 61 – Sending section opinions to the assembly

1. Section opinions, including their appendices, shall be sent by the president of the section to the Committee bureau, which shall submit them to the assembly as soon as possible.
2. These documents shall be made available to the members of the Committee in good time.

Rule 62 – Re-examination of section opinions

The president of the Committee, in agreement with the bureau or with the assembly – depending on the stage reached in the procedure – may refer a section opinion back to a section if the procedure laid down in these Rules of Procedure for drawing up opinions has not been adhered to or if further study is considered necessary.

Chapter IV

Work of the assembly

Section 1 – Preparation of the work of the assembly

Rule 63 – Preparatory session of plenary

1. The assembly shall meet in plenary session to adopt Committee opinions, evaluation reports, information reports and resolutions on current topics.
2. Sessions shall be prepared by the Committee president in consultation with the bureau.

3. The bureau shall meet before each session, and where appropriate during a session, to organise the proceedings.

Rule 64 – Setting the agenda

1. The draft agenda for the assembly shall be drawn up by the bureau on the basis of a proposal from the enlarged presidency.
2. If a motion of no confidence has been submitted in accordance with Rule 92, this motion shall always be the first item on the agenda of the next plenary session.
3. Draft resolutions shall be given priority on the agenda for the plenary session.
4. Where a text has been adopted by a section with less than five votes against, the bureau may include it on the assembly agenda among the items to be voted on without a discussion.
5. The bureau may set a time limit for the general discussion of each opinion at the session.
6. The draft agenda shall be sent by the Committee president to all members and to the European Parliament, the Council and the Commission at least fifteen calendar days before the opening of the relevant session.
7. The documents necessary for the Committee's deliberations shall be made available to the members in good time before the opening of the session.

Rule 65 – Tabling of amendments

1. 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.
2. Only Committee members and the groups may table amendments to Committee opinions, evaluation reports and information reports.
3. Proposals for amendments shall be drawn up in writing, signed by the proposers and lodged with the secretariat before the opening of the relevant session.

The assembly shall, however, allow proposals for amendments to be lodged up to 12 noon before the opening of the relevant session sitting, provided such proposals are lodged by a group or 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.
5. All amendments shall be distributed to members before the beginning of the plenary session or, in the case provided for in the second sentence of paragraph 3, before the start of the sitting.

Section 2 – Holding plenary sessions

Rule 66 – Opening the session and establishing the quorum

1. The Committee president shall open session sittings, preside over discussions and ensure that these Rules of Procedure are observed.

The president shall be assisted by the vice-presidents of the Committee.

2. If the Committee president is absent, one of the vice-presidents shall deputise.
If the vice-presidents are absent, the oldest member of the bureau shall deputise.

3. The Committee president shall establish the quorum at the beginning of each sitting.
A quorum shall exist at session sittings if more than half of the members of the assembly are present or represented.
4. If there is not a quorum, the Committee 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 67 – Adoption of the agenda

1. The draft agenda shall be submitted to the assembly for approval at the opening of each session.
2. When the agenda is submitted for adoption, the inclusion of any topical item shall be announced, where appropriate, by the Committee president.
3. The assembly may amend the draft agenda for the purpose of examining draft resolutions submitted in accordance with the procedure referred to in Rule 50.
4. Where the bureau has included a document on the agenda of the assembly among the items to be voted on without a discussion, a discussion shall nonetheless be held if:
 - at least twenty-five members so request,
 - an amendment is tabled for discussion at the plenary session, or
 - the section concerned requests that the document be discussed at the plenary session.
5. Once the agenda has been adopted, the items must be examined during the sitting for which they are scheduled and in the established order.

Rule 68 – Deliberation and votes

1. The assembly shall base its deliberations on the work of the competent section.
2. The plenary assembly shall decide by a majority of the votes cast, unless otherwise provided in these Rules of Procedure.
3. The following voting procedure shall apply to Committee opinions, evaluation reports and information reports:
 - a) amendments to the draft document shall be put to the vote first;
 - b) once the amendments have been voted on, a vote shall be taken on the document as a whole, whether amended or not.

Rule 69 – Speaking time

1. The Committee president, either on his or her own initiative or at the request of a member, may invite the assembly in exceptional cases to decide on a limitation of speaking time or the number of speakers, the adjournment of a sitting or the closure of a discussion.
2. 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 Committee president.
3. A member may at any time request and be given priority to speak during a discussion for the purpose of submitting a procedural motion.

Rule 70 – Dealing with amendments

1. The assembly shall base its work on a list of amendments.

2. Rapporteurs may indicate amendments tabled to their draft opinion which they recommend to be adopted (voting recommendation).

The acceptance by the rapporteur of an amendment shall not constitute a reason for not voting on that amendment.

3. Amendments that are repetitive in their form and content shall be examined together and dealt with in a consistent way.

4. For each amendment the assembly shall hear members speaking for and speaking against the proposed amendment, according to the principle of equal treatment. The rapporteur shall have the right to intervene if he or she so wishes.

If the Committee president decides to limit the speaking time, the limitation shall apply to all participants equally, in accordance with the principle of equal treatment.

5. If the number of speakers in the debate on any document voted by the assembly is limited in accordance with the provisions of Rule 69 (1), the same number of members speaking for and against amendments shall have the right to speak, and the rapporteur shall have the right to be among these speakers as the last speaker.

6. When a proposal for an amendment is examined, the rapporteur may put forward compromise proposals, preferably in writing, with the agreement of the proposer of the amendment.

In such cases the Committee shall only vote on these compromise proposals.

7. Voting on amendments shall follow the order of the text to which they refer and the following order of priority:

- compromise amendments first,
- then rapporteur's amendments, and
- finally, other amendments.

8. If two or more mutually exclusive amendments have been tabled to the same part of a text, the president, on a proposal by the sections, can decide that the amendment that departs furthest from the original text shall be put to the vote first.

9. The Committee president shall announce before the vote is taken whether the adoption of an amendment would negate one or more other amendments, either because these amendments are mutually exclusive if they refer to the same passage, or because they are contradictory.

An amendment shall be deemed to fall if it is inconsistent with a prior vote on the same opinion.

10. If the text as a whole fails to secure a majority of votes in the final vote, the assembly may take one of the following steps:

- a) refer the document back to the competent section for re-examination in accordance with Rule 62;
- b) appoint a rapporteur-general, who shall submit a new draft text to the assembly at the same or another session; or
- c) give up the opinion.

In the latter case the Committee president shall inform the institution from which the request emanated.

11. If the coherence of the final text has been compromised as a result of the adoption of amendments, the president of the Committee, after consulting the president of the competent section, the rapporteur and the authors of the amendments concerned, may propose to the assembly that the amendments be dealt with in such a way as to ensure that the final text is consistent.

The assembly shall vote on the Committee president's proposal.

Rule 71 – Counter-opinions

1. Any amendment or set of amendments which aim to set out a generally divergent view to an opinion presented by a section or the CCMI shall be described as a counter-opinion.
2. The bureau has the competence to describe one or more amendments as a counter-opinion.
Any group may submit such a request to the bureau.
The bureau shall take its decision after hearing the views of the group presidents and the president of the section concerned or of the CCMI.
3. The bureau may decide, having described one or more amendments as a counter-opinion, to refer the draft opinion, together with the counter-opinion, back to the section or the CCMI for further study, should the time limit set for adopting the opinion allow.
If the bureau decides not to refer it back, the draft opinion shall, where possible, be added to the agenda for the last day of the plenary session.
4. 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 adopted by the assembly on a proposal from the president and following consultation with the president of the body concerned and the authors of the counter-opinion.
5. If the proposed text is not considered to be a counter-opinion by the bureau, or if it is so considered but the draft opinion is not referred back to the body concerned, the assembly shall vote on the submitted amendments in the same way as for any other amendments.
6. 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 shall be appended to the new text if it obtains at least one quarter of the votes cast.
7. 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 72 – Minutes of the plenary session

1. Minutes of each plenary session shall be drawn up and submitted to the assembly for its approval at the next session.
2. The final version of such minutes shall be signed by the president and the secretary-general of the Committee.

Rule 73 – Closing of the plenary session

Before the closing of the plenary session, the president shall announce the time and place of the following plenary session. Where appropriate, he shall also announce any items already on the agenda.

Section 3 – Procedures following plenary sessions*Rule 74 – Content of Committee opinions sent to the institutions*

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.
They shall contain a substantive part and a procedural part.

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 three groups in the Committee, or one of the categories of economic and social activity referred to in Rule 36, adopts a divergent but uniform standpoint on a matter submitted to the assembly for examination, one of them may decide that its position will 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 75 – Sending opinions

1. Opinions adopted by the Committee and minutes of assembly 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.

Chapter V

Common provisions

Section 1 – Voting

Rule 76 – Voting

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 secret ballot or by roll call. In this latter case, the names and the votes will be recorded in the minutes of the meeting.
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 positions 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 chair of the meeting shall have a casting vote.

Section 2 – Rapporteurs

Rule 77 – Duties of rapporteurs

1. It shall be the task of the rapporteur to draw up the draft opinion, evaluation report or information report ensuring that the different contributions of the study group members are incorporated into it.

The rapporteur shall present the text he or she has drawn up to the body concerned.

If it is adopted, he or she shall present the draft to the assembly.

2. The rapporteur, with the help of his or her advisor, where appropriate, shall be responsible for monitoring action taken on an opinion after its adoption at the plenary session.

He or she shall be assisted in this task by the secretariat of the section concerned, which shall be informed of the findings of such monitoring.

3. Should the body concerned adopt amendments that alter the substance of the text the rapporteur has drawn up, he or she may inform in writing the president of the body that he or she resigns from his or her duties. He or she may also request that his or her name be removed from the opinion at the end of the procedure.

Following such resignation, the body which has appointed the resigning rapporteur may appoint a new rapporteur after consultation with the groups.

Rule 78 – Rapporteur working alone

A rapporteur working alone shall work without a study group to prepare a draft opinion and submit it to the section or the CCMI. Whenever necessary, he or she can be supported by two more members, forming a drafting group.

Rule 79 – Rapporteur-general

1. The rapporteur-general shall prepare his or her draft opinion alone, without a study or drafting group, and shall address the assembly without first addressing the section or the CCMI.

2. A rapporteur-general shall be appointed:

- by the assembly, or
- by the Committee president, in urgent cases.

The appointment made by the Committee president shall be ratified by the assembly before the draft opinion concerned is discussed.

3. In all other respects, rapporteurs-general shall have the same tasks and obligations as any other rapporteur.

Section 3 – Hearings

Rule 80 – Hearings

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 as part of preparing their work. All three groups shall be equally involved in the preparation of hearings.

Section 4 – Advisors

Rule 81 – Advisors

1. Where necessary, and to help with preparing certain tasks, the Committee may appoint advisors to assist either the rapporteurs or the groups.
2. Advisors do not represent the Committee and shall not be authorised to speak on its behalf.
3. Committee members may not be appointed advisors.

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

4. Advisors taking part in work shall be subject to the same rules as Committee members as regards allowances and reimbursement of travel and subsistence expenses.
5. Any reference made to rapporteurs in the context of this Rule shall be interpreted as also referring, *mutatis mutandis*, to co-rapporteurs.

Rule 82 – Advisors to rapporteurs

1. Where necessary, rapporteurs may propose the appointment of advisors.
2. These advisors shall be appointed by the section presidents, on a proposal from the rapporteurs, to assist the rapporteurs in preparing documents relating to the Committee's consultative work as set out in Rule 46 of these Rules of Procedure.
3. Advisors to rapporteurs may, on a proposal from the rapporteur, attend certain meetings where their presence is necessary and justified in the context of examining the document for the preparation of which they were appointed.

Under these conditions, they may attend the following meetings:

- study group meetings;
- section meetings;
- CCMI meetings;
- subcommittee meetings;
- *ad hoc* group meetings.

They may also attend one preparatory meeting with the rapporteur.

Participation in other meetings, including meetings with representatives of other institutions and with other stakeholders, needs to be authorised in advance by the section president.

4. Advisors to rapporteurs may attend plenary sessions in exceptional cases only, provided that both of the following conditions are met:
 - i. the document on which they are working is included on the assembly's agenda for debate; and
 - ii. they are authorised in advance by the section president.
5. Advisors to rapporteurs-general may attend plenary sessions.

Rule 83 – Advisors to groups

1. The group presidents may appoint advisors to the groups.
2. Group advisors may attend study group meetings.
3. Group advisors may attend preparatory meetings, section meetings and plenary sessions in exceptional cases only, provided that both of the following conditions are met:
 - i. the document in question is included on the meeting or plenary session agenda for debate; and
 - ii. they are authorised in advance by the president of the group concerned.
4. Group advisors may also provide assistance to prepare other documents or reports for the groups concerning the consultative and political work of the Committee, as authorised by the bureau. In order to perform those duties, group advisors would be allowed to participate in maximum two preparatory meetings with members of the groups. Group advisors could participate in additional meetings only if authorised in advance by the president of the group concerned.
5. The criteria and procedures for appointing group advisors shall be decided by each group.

Section 5 – Absence and representation

Rule 84 – Delegation of voting rights

1. Committee members who are unable to attend a plenary session may delegate their voting rights to another member of the Committee.
Committee members who are unable to attend a section meeting may delegate their voting rights to another member of the section.
2. Members who are unable to attend shall inform the secretariat of their group in writing, which shall in turn inform the president of the body concerned.
Members not belonging to a group shall inform the president of the body concerned directly.
3. No member may hold more than one delegated voting right at a plenary assembly session or section meeting.
4. For the calculation of quorums and majorities, a member delegating his or her voting rights is considered as a represented member.

Rule 85 – Representation

1. Members who are unable to attend a meeting to which they have been duly invited may arrange for another member of the Committee to represent them at the relevant meeting by granting that member a proxy.
2. Members who are unable to attend shall inform the secretariat of their group in writing, which shall in turn inform the president of the body concerned.
Members not belonging to a group shall inform the president of the body concerned directly.
3. Such proxies are valid solely for the meeting for which they are issued.
The proxy includes the delegation of voting rights, in accordance with Rule 84, to the representing member, unless specified otherwise in said proxy.
4. Representation within the meaning of this Rule does not apply to meetings of:
 - the Committee bureau;
 - the Commission for Financial and Budgetary Affairs (CAF);
 - the quaestors' group;
 - the ethical committee;
 - the audit committee.

Rule 86 – Substitution in a study group

1. At the time of the constitution of a study group, any member of said group may ask the section to be substituted by another member of the Committee.
2. Such substitution shall apply for a specific question and for the duration of the work of the section on that question.

Rule 87 – Alternates

1. Members of the Committee may designate alternates for preparatory work. Alternates are appointed by the bureau.
CCMI delegates may not designate alternates.

2. The following meetings shall be regarded as preparatory work within the meaning of this Rule, provided that they are held in Brussels, for the elaboration of an opinion, an evaluation report or an information report:
 - study group meetings;
 - section meetings;
 - CCMI meetings;
 - observatory meetings;
 - subcommittee meetings.
3. Alternates shall be persons external to the Committee.
Committee members and CCMI delegates may not act as alternates.
4. Alternates must come from the same area, or represent the same category, of civil society as the members they exercise duties for.
The name and capacity of the alternate selected shall be communicated to the bureau of the Committee for its approval.
5. An alternate may only exercise duties for one member at a time.
6. The alternate shall carry out the same duties as those of the member, with the following exceptions:
 - alternates shall not have voting rights;
if the member wishes to exercise his or her voting rights, he or she must send a written delegation of voting rights to another Committee member, in accordance with Rule 84 of these Rules of Procedure.
 - should the member be president of a section, member of the section bureau or president of a study group, the alternate may not perform these duties;
 - the alternate may not act as rapporteur or co-rapporteur.
7. Regarding allowances and travel and subsistence expenses, alternates shall be subject to the relevant decisions of the Council and of the bureau.
8. Alternates may be appointed as advisors.
In that case the status of alternate shall be suspended in practice for the duration of their tenure of office as advisor.
9. A member may bring their alternate's duties to an end at any time, informing the bureau accordingly.
In any event, the duties of the alternate shall come to an end at the same time as those of the member.
In the event of the resignation of a member, the duties of that member's alternate shall come to an end on the day on which the Committee member ceases to hold office.
10. The criteria and procedure for appointing alternates shall be laid down in a decision of the bureau, after consultation of the groups.

Section 6 – Working procedures of the CCMI

Rule 88 – Specific features of the CCMI

1. The CCMI draws up supplementary opinions.
The bureau may also task the CCMI with drawing up draft ordinary opinions, including own-initiative opinions, draft evaluation reports and draft information reports.

2. The provisions applicable to the sections shall apply *mutatis mutandis* to the CCMI, with the following specific features:
 - Only members of the Committee may be appointed as rapporteurs. Delegates may only be appointed as co-rapporteurs.
 - When a draft opinion, a draft evaluation report or a draft information report is voted on at the CCMI, its president shall first invite the delegates only to express their views by a non-binding vote, the result of which shall be announced by the president.

The president shall then open the vote to the members of the Committee.

Only the votes of members shall be taken into consideration when determining whether the draft opinion, evaluation report or information report has been adopted.

The same procedure shall be followed in the case of votes on amendments.
 - Delegates may table amendments to draft opinions, evaluation reports and information reports to be voted on in the CCMI. They shall not be able to table amendments to be voted in the assembly.

TITLE III

OTHER PROCEDURES

Chapter I

Urgency procedures

Rule 89 – Urgency at assembly level

1. In the event of urgency resulting from a deadline for the submission of its opinion imposed on the Committee by the European Parliament, the Council or the Commission, the urgency procedure may be applied if the Committee president finds that this is necessary to enable the Committee to adopt its opinion in good time.

The urgency procedure at assembly level may also be applied to the adoption of evaluation reports, information reports or resolutions on current topics if the Committee president finds it is necessary not to wait until the next plenary session.
2. The urgency procedure at assembly level allows the president of the Committee, immediately and after informing the enlarged presidency in writing, to adopt all requisite steps to enable the Committee to carry out its work properly.

The Committee president shall immediately inform the members of the bureau of the steps taken.
3. Measures adopted by the Committee president shall be submitted to the following session of the assembly for ratification.

Rule 90 – Urgency at bureau level

1. In the event that the bureau is obliged to adopt a decision within a timeframe such that it is impossible to wait for its next meeting and it would not be possible to use the written procedure, the Committee president may immediately adopt all requisite steps to ensure the proper functioning of the Committee.

He or she shall inform the members of the bureau of the steps taken.
2. Measures adopted by the Committee president shall be submitted to the following bureau meeting for ratification.

Rule 91 – Urgency at section level

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.

The urgency procedure at section level may also be applied to the adoption of evaluation reports, information reports or resolutions on current topics if the section president finds it is necessary not to wait until the next meeting.

The section president shall inform the members of the section bureau of the steps taken.

2. Measures adopted by the president of the section concerned under the urgency procedure shall be submitted to the following meeting of that section for confirmation.

The section president may decide that confirmation of the proposal made by him or her be expressed in writing before the following meeting of the section. In that case he or she will set a deadline for answering. The usual majorities for adopting decisions within the section shall apply.

3. The provisions of this Rule are also applicable to the CCMI.

Chapter II

Procedures related to members

Rule 92 – Motion of no confidence

1. On a proposal from the bureau adopted by at least three quarters of its members, or at the request of more than half of Committee members, a motion of no confidence with regard to the Committee president may be submitted to the assembly.

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

The assembly shall be chaired by the vice-president in charge of the CAF to address the motion of no confidence item.

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, a representative of the members who requested the motion of no confidence, where appropriate, and lastly the Committee president.

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

Otherwise, it shall be deemed rejected.

3. The assembly shall immediately arrange for the replacement of the Committee president by a member belonging to the same group as the outgoing Committee president.
4. The assembly votes the candidate proposed by the group concerned. If the candidate is not accepted, proceedings shall be suspended to enable the group concerned to propose other members of that group until one candidate is elected as Committee president.

It shall be reconvened, if possible the same day, by the temporary president.

5. The new president of the Committee shall be elected for the remaining part of the current term of office.

Rule 93 – Removal from office

1. Any member of the Committee who is unable to attend a session or meeting to which he or she has been duly invited must give advance notice of absence to the secretariat of his or her group, which in turn shall inform the president of the body concerned.

Members not belonging to a group shall inform the president of the body concerned directly.

2. Where a member of the Committee fails to attend more than five consecutive plenary sessions of the assembly without delegating his or her voting rights to another member under Rule 84 and without providing a reason recognised as valid, the Committee president may, after consulting the bureau and inviting the member concerned to explain his or her absence, ask the member to resign in accordance with Rule 4(8) and, if necessary, call upon the Council to remove that member from office in accordance with Rule 4(9) of these Rules of Procedure.
3. Where a member of a section or the CCMI fails to attend more than five consecutive meetings of that body without delegating his or her voting rights to another member under Rule 84, without arranging for another member to represent him or her under Rule 85, and without providing a reason recognised as valid, the president of that body may, after inviting the member concerned to explain his or her absence, call upon him or her to leave the section or the CCMI.

The section president shall inform the Committee bureau of this fact and the replacement procedure shall be initiated in accordance with Rule 23(4) of these Rules of Procedure.

Rule 94 – Disciplinary procedure

In the event of a breach of ethical standards, of rules, principles or standards of conduct, or of the duties and obligations laid down in these Rules of Procedure, in the Code of Conduct or in the Members' Statute by a member of the Committee, a delegate, an alternate or an advisor, the disciplinary procedure laid down in Part III of the Code of Conduct shall apply.

Rule 95 – Waiver of immunity

Any request to the president of the Committee by a competent authority of a Member State to waive the immunity of a member of the Committee shall be dealt with in accordance with the procedure laid down in Chapter IV of the Members' Statute.

Rule 96 – Assistance

1. The members of the Committee may be granted the assistance which the Union provides for officials under the Staff Regulations of Officials of the European Union, in the cases and under the conditions referred to therein ⁽²⁾ ('Staff Regulations').
2. The bureau shall be responsible for deciding on a request for assistance from a member, on a proposal from the Committee president.

The bureau shall adopt its decision after hearing the member concerned.

3. If the member requesting assistance is a member of the bureau, he or she shall not take part in the part of the bureau meeting that decides on the matter.

Moreover, if it is the Committee president who requests the assistance, the bureau shall act on a proposal from the vice-president in charge of the CAF.

Chapter III

Publication and distribution of texts

Rule 97 – Publication

1. The Committee shall publish its opinions in the *Official Journal of the European Union*.

⁽²⁾ Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15). Consolidated version: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20220101>

2. The names of the members of the assembly, 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 98 – Transparency, openness and right of access to Committee documents

1. The Committee shall ensure the transparency of its decisions as openly as possible.
2. 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.
3. Any citizen of the Union and any natural or legal person residing or having its registered office in a Member State has a right of access to Committee documents, whatever their medium, in accordance with Article 15 of the Treaty on the Functioning of the European Union.

Such access to Committee documents is subject to the principles, conditions and limits laid down in the European regulations and in the Committee's internal decisions, as well as in compliance with EU data protection rules.

4. The Committee shall establish a register of Committee documents.

The bureau shall adopt the internal rules governing access to said register and shall draw up a list of directly accessible documents.

Its purpose is to ensure that all Committee documents are recorded, in particular the decisions of the assembly, the bureau and the Committee president.

5. The secretary-general shall be responsible for taking the measures necessary to guarantee the public's right of access to the corresponding documents, after consultation of the enlarged presidency and the Legal service.

Rule 99 – Public nature of Committee meetings

1. Plenary sessions of the assembly and meetings of the sections and the CCMI shall be public.
2. However, certain debates of these bodies that do not concern consultative work may be declared confidential by the assembly.

The institutions or bodies concerned, and the bureau, may ask the assembly to conduct a debate *in camera*.

3. Other meetings shall not be public.

However, in duly justified cases at the discretion of the chair of the meeting other persons may attend non-public meetings as observers.

4. Members of the European Parliament, the Council and the Commission, as well as any other stakeholders as deemed appropriate, may be invited by the president of the meeting to attend, address or answer questions at meetings of the assembly, the bureau, the sections and the CCMI, and other Committee bodies.

PART THREE

ADMINISTRATION OF THE COMMITTEE

Chapter I

General secretariat

Rule 100 – General secretariat

1. The Committee shall be assisted by a general secretariat headed by a secretary-general.

2. The bureau, acting on a proposal from the secretary-general, shall draw up the establishment plan for the general secretariat and adopt the Committee's organisation chart 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.

Rule 101 – Secretary-general

1. The secretary-general shall discharge his or her duties under the direction of the Committee 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 or she shall give a solemn undertaking, before the bureau, to discharge his or her 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 Committee president pursuant to these Rules of Procedure.

With regard to the implementation of decisions adopted by these bodies, he or she shall, where appropriate, report in writing every three months to the Committee president on the criteria and implementing provisions which have been adopted or are envisaged for handling administrative or organisational problems and staff matters.

The Committee president shall immediately forward this information to the bureau.

5. The powers conferred on the secretary-general in accordance with the delegation of powers of the bureau or president of the Committee shall end at the latest 21 calendar days after the date on which a new bureau is elected or a new Committee president is appointed.

The secretary-general may subdelegate the powers conferred on him or her by the bureau or the Committee president within the limits decided by the delegating authority.

6. The secretary-general may delegate his or her own powers by indicating, in internal administrative rules, the staff to whom these tasks are delegated, the extent of the powers delegated, and whether the beneficiaries of the delegation may in turn subdelegate their powers.

Chapter II

Officials and other staff

Rule 102 – Powers of the appointing authority

All the powers which the Staff Regulations confer on the appointing authority shall be exercised as follows:

1. with respect to the official appointed to the post of secretary-general: by the bureau;
2. with respect to officials appointed to the posts of deputy secretary-general or director:
 - as regards application of Articles 29, 30, 31, 40, 41, 49, 50, 51, 78 and 90(2) of the Staff Regulations: by the bureau, on a proposal from the secretary-general;
 - as regards the application of the other provisions of the Staff Regulations, including Article 90(1): by the Committee president, on a proposal from the secretary-general;
3. with respect to officials appointed to the posts of deputy director or head of unit: by the Committee president, acting on a proposal from the secretary-general.

The enlarged presidency shall receive comprehensive information and be consulted on the appointment of said officials;

4. 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.

Rule 103 – Powers of the authority empowered to conclude contracts (AECC)

All the powers which the Conditions of Employment of Other Servants ('CEOS') confer on the authority empowered to conclude contracts ('AECC') shall be exercised as follows:

1. with respect to the temporary staff member appointed to the post of secretary-general: by the bureau;
2. with respect to temporary staff engaged for the posts of deputy secretary-general or director:
 - as regards the application of Articles 11, 17, 33 and 48 of the CEOS: by the bureau, on a proposal by the secretary-general;
 - as regards the application of the other provisions of the CEOS, by the Committee president, on a proposal from the secretary-general;
3. with respect to temporary staff engaged for the posts of deputy director or head of unit: by the Committee president, on a proposal from the secretary-general.

The enlarged presidency shall receive comprehensive information and be consulted on the appointment of said staff;

4. 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;
5. with respect to special advisers: by the secretary-general;
6. with respect to contract staff: by the secretary-general.

Rule 104 – Other provisions of the Staff Regulations

1. The Committee president shall exercise the powers conferred on the Committee 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.

2. In all other cases not provided for in these Rules of Procedure, the powers conferred on the Committee by the Staff Regulations or by the CEOS shall be exercised by the secretary-general.
3. The bureau, the Committee president and the secretary-general may delegate the powers vested in them by Rules 102, 103 and 104 of these Rules of Procedure.

Decisions to delegate indicating the officials or other staff members to whom these powers are delegated shall specify the scope of the powers delegated, their limits and period of validity, as well as stating whether they may be subdelegated.

Rule 105 – Selection of the secretary-general

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

- A. The bureau shall (first stage):
 - i. Decide on the secretary-general's status (official or temporary member of staff).

- ii. Appoint a drafting panel made up of three Committee members, responsible for preparing a draft vacancy notice with the assistance of the relevant departments of the general secretariat, and set the time limit within which the panel must submit the draft vacancy notice to it.
- iii. Adopt the vacancy notice on the basis of the draft presented by the drafting panel.
- iv. 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.

B. The screening panel shall:

i. Have the task of:

- examining applications,
- conducting interviews,
- drawing up a reasoned report in writing 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 list of candidates for the post.

Provided that a sufficient number of applications have been received, fulfilling the requirements presented in the vacancy notice, the list shall contain at least three candidates for the post and shall respect, where candidates are of equal merit, the principle of gender balance.

In the case of an official's post, the screening panel shall rank the candidates in accordance with the order set out in Article 29 of the Staff Regulations.

- ii. Be fully independent, and its work shall be impartial, confidential and based on the criteria defined in the vacancy notice adopted by the bureau.

The panel shall be assisted by the competent services of the Committee's general secretariat and may, if necessary, call on the services of outside experts or tests produced by an 'assessment centre'.

C. The bureau shall (second stage):

- i. Examine the report and the documents on which it is based, and the list of candidates, presented by the screening panel.
- ii. Interview the candidates proposed by the screening panel.
- iii. Take the final decision by means of a vote *in camera*, if necessary with several rounds:

- A candidate receiving, in the first round, votes exceeding half the number of members of the bureau shall be appointed without the need for a second round.
- If no applicant achieves this majority, the bureau shall hold a second round of voting for the two candidates who obtained the largest number of votes; the candidate receiving votes exceeding half the number of members of the Bureau 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 for these purposes.

At this second meeting, the bureau shall again conduct interviews with the candidates proposed by the screening panel.

- If the bureau does not ultimately select a candidate, the selection procedure shall be closed without appointment and the Bureau shall launch a new selection procedure.

Rule 106 – Selection of other positions in the hierarchy

1. Without prejudice to the possibility of filling posts by transfer or promotion within the institution, which must be examined first, for the appointment of officials and the engagement of other staff to the posts of deputy secretary-general, director, deputy director or head of unit of consultative work, the procedure shall be as follows:
 - a) The Appointing Authority or the AECC shall decide whether to publish the post only internally or also interinstitutionally.

In the case of the posts of deputy secretary-general and director, publication may also take place in accordance with Article 29(2) of the Staff Regulations.
 - b) Before applications are examined, the secretary-general shall establish an assessment grid for screening based on the vacancy notice.
 - c) When the various applications are examined, the secretary-general shall be assisted by officials from the general secretariat with at least the same grade and function as the position to be filled. For the post of deputy secretary-general, the function of the officials shall be at least director.

Three members appointed by the Bureau shall also participate in the work of the panel.
 - d) At the end of the procedure, the secretary-general shall present a proposal for appointment or engagement, taking into account the order laid down in Article 29 of the Staff Regulations in the case of an official.
 - e) The secretary-general shall submit this proposal:
 - in the case of appointment or engagement of the deputy secretary-general or a director: to the bureau, who shall decide on that basis;
 - in the case of appointment or engagement of a deputy director or head of unit of consultative work: to the Committee president, who shall decide on that basis. The enlarged presidency shall receive comprehensive information and be consulted before such an appointment or engagement.
2. The secretary-general may adopt a decision on the implementing provisions for this Rule.

Chapter III**Secretariats***Rule 107 – Secretariat of the Committee president*

1. The Committee president shall have a secretariat.
2. This secretariat shall comprise officials assigned to the Committee president's secretariat and/or staff engaged under the budget as temporary staff.

In both cases, the powers of the Appointing Authority or the AECC shall be exercised by the Committee president.

Rule 108 – Section secretariats

The sections and the CCMI shall each have a secretariat, provided by the general secretariat under the management of a head of unit.

Rule 109 – Group secretariats

1. The groups shall each have a secretariat. The head of the group secretariat reports directly to the president of the group concerned.
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 or she shall be classified in the grade to which he or she would have been entitled as an official.

3. The powers of the AECC 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 Articles 8, 9 and 10(3) of the CEOS.

Chapter IV

Budget

Rule 110 – Drawing up the Committee's budget

1. In the first four months of each year the secretary-general shall send to the commission for financial and budgetary affairs the preliminary draft estimates of the expenditure and revenue of the Committee, which will be submitted to the bureau for the next financial year.
2. The CAF shall examine the draft, discuss it with the secretary-general, and submit it to the bureau, where appropriate making remarks or proposing modifications.
3. The bureau shall draw up the estimates of the expenditure and revenue of the Committee.
It shall forward these to the budgetary authority in accordance with the procedure and within the time limits laid down in the Financial Regulation.
4. The president of the Committee, acting in accordance with the Financial Regulation, shall implement or cause to be implemented the statement of expenditure and revenue.

Chapter V

Miscellaneous

Rule 111 – Correspondence

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

Rule 112 – Principles for the holding of meetings

1. To ensure the proper functioning of the Committee, the Committee meetings shall be held in presence. Meetings can also be held in hybrid form.
2. Specific provisions concerning the organisation and holding of hybrid meetings, the possible participation of members, CCMI delegates, alternates and advisors in these meetings shall be adopted by the bureau, following consultation with the groups and the enlarged presidency.

PART FOUR

FINAL PROVISIONS

Rule 113 – Gender and terminology

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

Rule 114 – Symbols of the Committee

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.

Rule 115 – Revision of the Rules of Procedure

1. The assembly 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 assembly shall set up a panel, which shall be known as the Rules of Procedure Panel.
The assembly shall appoint a rapporteur-general to produce a draft text of the new Rules of Procedure. The panel and the rapporteur-general shall strive to reach a consensus on all critical issues. If this is not possible, alternative proposals supported by at least a half of the panel members shall be added to the draft produced by the rapporteur-general.
3. The draft shall be presented to the assembly and amendments may be tabled.
4. The assembly shall adopt the new Rules of Procedure, where appropriate, if more than half of its members vote in favour.

Rule 116 – Adoption of the Implementing Provisions of the Rules of Procedure

1. After the adoption of the Rules of Procedure, the assembly shall renew the mandate of the Rules of Procedure Panel for a maximum period of ninety working days so that, if necessary, it may draw up a draft amendment to the Implementing Provisions.
2. The proposal shall be submitted to the bureau, who will adopt it after receiving the views of the groups, if more than a half of its members vote in favour.
3. In the event of a revision of the Rules of Procedure without any subsequent amendment of the Implementing Provisions, said provisions shall continue to apply.
They must always be interpreted in such a way as to ensure compliance with the provisions of the Rules of Procedure in force.
4. The Implementing Provisions may also be amended if the bureau considers that a revision is necessary.
In such cases, the Bureau shall ask the assembly to set up a panel for the revision of the Implementing Provisions and the procedure laid down in paragraphs 1 and 2 of this Rule shall be followed, *mutatis mutandis*.
5. The Implementing Provisions shall enter into force on the day following their publication on the Committee's intranet.

Rule 117 – Entry into force of the Rules of Procedure

The Rules of Procedure shall enter into force the day after their 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/?uri=CELEX%3A01962R0031-20220101&qid=1653325709293>

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 ⁽²⁾, 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.

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.

⁽²⁾ Consolidated version: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01962R0031-20220101>

*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, inter-institutional 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 ⁽³⁾ 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.

⁽³⁾ Administrative arrangements between the European Economic and Social Committee and the European Anti-Fraud Office of 13 January 2016.

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