

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

Second amendment to the EESC Rules of Procedure, approved at the plenary session on 31 March 2004⁽¹⁾

Articles 3, 8, 10, 10a, 13, 16, 19, 24, 50, 51, 52 and 72 of the Rules of Procedure are amended as follows:

1. In Title I, Chapter II, Article 3 is amended as follows:

Article 3

1. The bureau shall have 37 members and include a representative of each Member State.
2. The bureau of the Committee shall comprise:
 - (a) the President, the two Vice-Presidents and 25 members, directly elected by the assembly;
 - (b) the three group presidents, elected as provided for in Article 27;
 - (c) the six specialised section presidents.
3. The President shall be elected in turn from among the members of the three groups.
4. The President and Vice-Presidents may not be re-elected for the two years immediately following the expiry of their two-year term of office.
5. The Vice-Presidents shall be elected from among the members of the two groups to which the President does not belong.
6. The election of the bureau members shall comply with the principle laid down in Article 3(1) and observing the balance between the groups formed pursuant to Article 27.'

2. In Title I, Chapter II, Article 8(9) is amended as follows:

'9. The bureau may set up ad hoc groups, drawn from among its members, to examine any questions falling within its competence. Other members may also be involved in the work of these groups, except when issues concerning the appointment of permanent staff are discussed.'

3. In Title I, Chapter II, Article 10 is amended as follows:

Article 10

1. A "budget group" shall be set up to assist the bureau in exercising its budgetary and financial powers.
2. The budget group shall be chaired by one of the two Vice-Presidents under the authority of the President. It shall have nine members, appointed by the bureau on the proposal of the groups.
3. For specified matters the bureau may delegate its decision-making power to the budget group.
4. Proposals adopted unanimously by the budget group shall be submitted to the bureau for approval without debate.
5. The budget group shall participate in the drawing up of the budget and ensure that it is implemented properly.
6. The president of the budget group shall take part in negotiations with the budgetary authorities and shall report thereon to the bureau.

⁽¹⁾ The first amendment was approved at the plenary session of 27 February 2003 and published in OJ L 258 of 10 October 2003.

7. The budget group's duties shall include advising the President, the bureau and the Committee and exercising control over the various services.'

4. In Title I, Chapter II, the following Article 10a is added:

'Article 10a

1. A "communication group" shall be set up, responsible for guiding and monitoring the Committee's communication strategy.

2. The communication group shall be chaired by one of the two Vice-Presidents under the authority of the President. It shall have nine members, appointed by the bureau on the proposal of the groups.'

5. In Title I, Chapter III, Article 13 is amended as follows:

'Article 13

The two Vice-Presidents shall be respectively president of the budget group and president of the communication group and shall perform these tasks under the authority of the President.'

6. In Title I, Chapter IV, Article 16 is amended as follows:

'Article 16

1. The bureau of a specialised section, elected for a term of two years, shall comprise 12 members including a president and three vice-presidents, one from each group.

2. Elections of specialised section presidents and of other members of specialised section bureaux shall be conducted by the Committee.

3. Specialised section presidents and other members of specialised section bureaux may be re-elected.

4. The presidency of three specialised sections shall be rotated between the groups every two years. The same group may not hold the presidency of any specialised section for a period exceeding four consecutive years.'

7. In Title I, Chapter V, Article 19 is amended as follows:

'Article 19

1. On the initiative of the bureau, the Committee may, in exceptional cases, set up subcommittees drawn from its members to produce, for submission initially to the bureau and then to the assembly, draft opinions or information reports on strictly horizontal general matters.

2. In the periods between plenary sessions the bureau may set up subcommittees, subject to subsequent confirmation by the Committee. In no case may a subcommittee be set up for more than one issue. A subcommittee shall be automatically dissolved as soon as the draft opinion or information report which it has prepared is voted on by the Committee.

3. Subcommittees set up for questions coming within the purview of two or more specialised sections shall be made up of members of those specialised sections.

4. The rules governing specialised sections shall be applicable, *mutatis mutandis*, to subcommittees.'

8. In Title I, Chapter VII, Article 24 is amended as follows:

'Article 24

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

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

3. In accordance with Article 24(1) and (2), a “consultative commission on industrial change” (CCIC) may be set up, made up of members of the European Economic and Social Committee and delegates from professional organisations representing the coal and steel sector and related sectors. The president of the commission shall be a member of the Committee bureau. He/she shall be chosen from among the 25 members of the bureau referred to in Article 3(2)(a) of these Rules of Procedure.’

9. In Title II, Chapter II, Section B, Article 50 is amended as follows:

‘Article 50

1. The President shall open session sittings, preside over discussions and ensure that these rules are observed. The President shall be assisted by the Vice-Presidents.
2. If the President is absent, the Vice-Presidents shall deputise. If the Vice-Presidents are absent, the oldest member of the bureau shall deputise.
3. The Committee shall base its deliberations on the work of the specialised section competent to report to the assembly on the questions concerned.
4. Where a text has been adopted by a specialised section with no votes against, the bureau may propose to the assembly that the text be voted on without a discussion. This procedure shall be applied unless at least 25 members signify their objection.
5. If a text fails to secure a majority of votes in the assembly, the President of the Committee may, with the consent of the assembly, refer the opinion back to the competent specialised section for re-examination or appoint a rapporteur-general, who shall submit a new draft opinion at the same or another session.’

10. In Title II, Chapter II, Section B, Article 51 is amended as follows:

‘Article 51

1. Proposals for amendments must be drawn up in writing, signed by the proposers and lodged with the secretariat before the opening of the relevant session.
2. In the interests of efficient organisation of the proceedings of the assembly, the bureau shall fix the arrangements for the lodging of proposals for amendments.
3. The Committee shall, however, allow proposals for amendments to be lodged up to the opening of the relevant session sitting, provided such proposals are signed by at least 15 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. As a general rule, for each amendment the assembly shall hear only the proposer, a member who is against the proposed amendment and the rapporteur.
6. When a proposal for an amendment is examined, the rapporteur may put forward compromise proposals orally with the agreement of the proposer of the amendment. The Committee shall then vote on these compromise proposals.
7. In the case of a counter-opinion, the purpose of which is to set out a generally divergent view to the specialised section opinion, it is for the bureau to decide, in consultation with the specialised section president and the rapporteur, whether this amendment can be submitted as it stands to the Committee, or whether the matter should be referred back to the specialised section for further study.
8. Where appropriate, the President of the Committee, in consultation with the president and the rapporteur of the competent specialised section, may propose to the Committee that any amendments be dealt with in such a way as to ensure that the final text is consistent.’

11. In Title II, Chapter II, Section B, Article 52 is amended as follows:

'Article 52

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

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

12. In Title II, Chapter VII, Article 72 is amended as follows:

'Article 72

1. The powers which the Staff Regulations of officials of the European Communities confer on the appointing authority shall be exercised as follows:

- with regard to the Secretary-General, by the bureau,
- with regard to officials in grades 16, 15 and 14 of function group AD, by the bureau, acting on a proposal from the Secretary-General, as regards application of Articles 13, 29, 30, 31, 32, 40, 41, 49, 50, 51, 78 and 90(1) of the Staff Regulations; by the President, acting on a proposal from the Secretary-General, as regards application of the other provisions of the Staff Regulations, including Article 90(2),
- with regard to officials in grades 13, 12 and 11 of function group AD, by the President, acting on a proposal from the Secretary-General,
- with regard to officials in the other grades of function group AD and all grades of function group AST, by the Secretary-General.

2. The powers which the Conditions of employment of other servants of the Communities (CEOS) confer on the authority competent to conclude contracts of service shall be exercised as follows:

- with regard to temporary staff in grades 16, 15 and 14 of function group AD, by the bureau, as regards application of Articles 11, 17, 33 and 48 of the CEOS; as regards the other provisions of the CEOS, by the President, acting on a proposal from the Secretary-General,
- with regard to temporary staff in grades 13, 12 and 11 of function group AD, by the President, acting on a proposal from the Secretary-General,
- with regard to temporary staff in other grades of the administrators' function group and all grades of the assistants' function group, by the Secretary-General,
- with regard to special advisers and contract and local staff, by the Secretary-General.

3. The President shall exercise the powers conferred on the institution by Article 110 of the Staff Regulations with a view to implementing the general provisions for giving effect to the Staff Regulations and the rules adopted by agreement between the institutions.

4. The bureau, the President and the Secretary-General may delegate the powers vested in them by this Article.

5. Decisions to delegate adopted in accordance with Article 72(4) shall specify the scope of the powers delegated, their limits and period of validity, as well as stating whether they may be subdelegated.'

Entry into force

These amendments shall enter into force on 30 April 2004, except for Articles 10(1), 10(2), 10a, 13, 16(1) and 24(3), which shall enter into force on 24 October 2004.

Transitional provision

For the remainder of the 2002-2004 term of office, the assembly will elect bureau members from the new Member States as and when they take up their posts as Committee members.
