ECONOMIC AND SOCIAL COMMITTEE

RULES OF PROCEDURE

(Adopted at the plenary session held on 2 June 1994)

PREAMBLE

Rule A

The Economic and Social Committee shall be the general advisory body to the Council and Commission representing the economic and social interest groups of the Member States.

Rule B

In accordance with Articles 194 and 195 of the Treaty on European Union, members of the Committee shall be appointed, after consultation with the Commission, by the Council acting unanimously.

Rule C

The Committee shall have the right to deliver opinions on its own initiative on all questions concerning Community activity.

Rule D

The Committee shall elect its president, two vice-presidents and other bureau members from among its members for a term of two years.

The composition of Committee bodies shall take account of the representation within the Committee of the Member States and the various categories of economic and social activity.

Rule E

It shall be the Committee's task to maintain relations with the socio-occupational organizations of non-Community countries within the framework of agreements or conventions entered into by the European Union.

TITLE I

ORGANIZATION OF THE COMMITTEE

CHAPTER I

INSTALLATION OF THE COMMITTEE IN OFFICE

Rule 1(1)

The Committee shall hold office for terms of four years.

The first meeting of the Committee following each four-yearly renewal shall be convened by the oldest member not later than one month after the members of the Committee have been notified of their appointment by the Council.

The first meeting shall be chaired by the oldest member present, assisted by the four youngest members present and the secretary-general of the Committee, who together shall constitute the interim bureau.

At this meeting, the interim president shall acquaint the Committee, with the communication which he has received from the Council with respect to the appointment of the members of the Committee, and shall declare the Committee installed in office for the new four-year term.

(1) Implementing provisions in italics.

Rule 2

The Committee shall consist of the following bodies, the terms of reference of which are set out in these Rules : the assembly, the bureau and the president.

CHAPTER II

BUREAU

Rule 3

Election for the first half of a four-year period

At its first meeting, held pursuant to Rule 1, the Committee, with the interim bureau in the chair, shall elect its bureau for a term of two years, commencing on the date of the installation of the Committee in office.

The interim bureau, set up in accordance with the implementing provisions for Rule 1, shall remain in the chair until the result of the election of the bureau of the Committee has been announced. Only matters pertaining to that election may be discussed under the chairmanship of the interim bureau.

Rule 4

Election for the second half of a four-year period

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

Rule 5

Composition

The bureau of the Committee shall comprise a president, two vice-presidents and 27 members.

The offices of president, vice-president and member of the bureau shall be incompatible with that of president of a section.

Unless otherwise decided beforehand by the Committee by a majority of three-quarters of its members, the president shall be elected in turn from among the members representing employers, those representing workers and those representing the other categories of economic and social activity.

Except by virtue of a decision as referred to above, 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.

The vice-presidents shall be elected from among the members representing the categories of economic and social activity to which the president does not belong.

The vice-presidents must be nationals of different Member States. In addition, they must not be nationals of the same Member State as the president.

Rule 6

Election procedure

The Committee may set up an election panel, drawn from its members, to prepare lists of candidates for election to the bureau. This panel shall propose candidates to the assembly, taking due account of the provisions of Rule 5. It must, however, lay before the assembly all the candidatures which it has received and which have not been withdrawn by the persons concerned.

The election panel is required by Rule 5 to carry out a preliminary examination of the lists of candidates for election to the bureau. Candidatures shall not be admissible unless they are submitted to the election panel. As a result, only the names of those members who have submitted their candidatures to the election panel can be included on the ballot papers.

The Committee, acting in accordance with the provisions of Rule 5, shall decide on all candidatures.

The Committee shall elect its president and two vice-presidents, holding more than one ballot if necessary. To be elected, a candidate must obtain at least three-quarters of the valid votes in the first ballot or an absolute majority of the valid votes in subsequent ballots. In the event of a tie, the oldest candidate shall be declared elected.

The Committee shall elect the other members of the bureau, holding more than one ballot if necessary. Provided they secure at least one-quarter of the valid votes, those members of the Committee who obtain the highest number of the valid votes shall be declared elected. In the event of a tie, the oldest candidate shall be declared elected.

A list setting out the names of the president, the two vice-presidents and the other members elected shall then be voted on as a whole. It must receive at least two-thirds of the total number of valid votes.

Voting under this Rule shall be by secret ballot. Delegation of voting rights shall not be permitted.

Voting papers shall be considered spoilt if they bear more votes than there are posts to be filled in the relevant ballot.

Rule 7

Replacement of members

In the event of resignation, death or inability to discharge the duties attaching to his post, a member of the bureau shall be replaced for the remainder of his term of office in accordance with Rules 5 and 6.

Rule 8

Duties — Convening of meetings

Meetings of the bureau shall be convened by the president, acting either ex officio or at the request of 10 of the members of the bureau.

Minutes of each bureau meeting shall be drawn up and submitted to the bureau for approval.

The bureau shall lay down its own procedural rules within the framework of these Rules of Procedure and the implementing provisions.

It shall lay down in the same manner the organization and working procedures of the Committee.

The bureau shall determine the implementing arrangements regarding members' travel and subsistence expenses, in compliance with the provisions laid down under the budget procedure.

The bureau shall have political responsibility for the general management of the Committee. In particular, it shall ensure that the activities carried out by the Committee, its bodies and its staff are in keeping with its institutional aims.

To this end the bureau shall inter alia *perform tasks relating to the organizaton and coordination of the work of the Committee and its bodies. The bureau shall be responsible for ensuring that the Committee makes good use of the available human, budgetary and technical resources in carrying out the tasks entrusted to it by the Treaty. The bureau shall, for instance, take part in the budgetary procedure and in the organization of the secretariat.*

The bureau shall draw up the annual meetings' schedule for the Committee and its constituent bodies in the course of the second half of the preceding year.

The group presidents may be invited to attend bureau meetings.

The group secretaries shall attend bureau meetings as observers.

The section presidents may be invited to attend certain bureau meetings.

The Committee presidency shall meet with the group presidents to prepare the work of the bureau and the assembly. The bureau shall note the decisions agreed at such meetings.

Section presidents shall hold meetings with the Committee presidency and the group presidents before the bureau meeting in order to distribute referrals and be informed of section proceedings. They may also hold other meetings. The bureau shall note the decisions agreed at such meetings. As a general rule the group and section presidents shall attend the meetings personally.

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 finance, the budget and the appointment of permanent staff are discussed.

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. The president, acting on behalf of the bureau, shall report on this action to the assembly at least once before the end of his term of office.

This report shall take account of the Commission's periodic communication on the action taken on opinions adopted by the Economic and Social Committee.

The bureau, when requested, shall interpret the 'Rules of Procedure'. In the case of doubt or disagreement regarding the application of Rules, the bureau shall act as the final arbitrator and its findings shall be binding on all members.

At the time of the Committee's four-yearly renewal, the bureau shall take responsibility for current business until the first meeting of the new Committee.

Rule 9

Budget group

The bureau and the president shall exercise the budgetary and financial powers provided for in the Financial Regulation and the Committee's Rules of Procedure.

The bureau shall set up a budget group, drawn from among its members, to assist it in making decisions when exercising its powers in that area.

The budget group shall participate in the drawing-up of the budget and see that it is implemented properly.

The budget group shall submit proposals, which may be detailed, to the bureau; the latter shall normally approve such proposals without a debate if the budget group has adopted them unanimously (item A). The budget group shall comprise nine members appointed on proposals from the groups and shall have a two-year term of office.

The budget group shall nominate its president from among its members.

The budget group shall operate within the framework of the financial rules and without prejudice to the powers of the responsible budgetary authorities (bureau, president); it shall provide guidance to the secretary-general on the broad strategy with regard to the budget estimates. The secretary-general shall communicate the establishment plan to the budget group before submitting it to the bureau.

The president of the budget group shall take part in the budget negotiations.

The budget group shall draw up a statute for members. This statute shall regulate, inter alia, *the administrative, financial and organizational aspects of the activity of members.*

The budget group shall report to the bureau on the matters referred to it so that the bureau can take a decision.

The budget group, aided by the secretary-general, shall meet before the bureau meeting; it may also meet on its own initiative.

CHAPTER III

PRESIDENT

Rule 10

The president shall direct the work of the Committee in accordance with these Rules and the Treaties.

The president shall have the authority to represent the Committee in its external relations.

The president may delegate this authority to the vice-presidents or to any other Committee member.

The president shall report to the Committee on action and measures taken on its behalf between plenary sessions.

These reports shall not be followed by a debate.

The vice-presidents, who shall deputize for the president in his absence, shall be briefed by him at regular intervals.

If the Committee establishes that the president is unable to carry out his duties, he shall be replaced during this period by the vice-president belonging to the group which is to provide the next president; the vice-president shall be vested with all the powers allocated to the president by these Rules.

The precidency shall be responsible for establishing relations with the chairman/vice-chairmen of the Committee of the Regions, within the framework of the provisions of the Treaty on European Union.

CHAPTER IV

SECTIONS

Rule 11

In accordance with the Treaties, the Committee shall contain an agriculture section, a transport section and a section for atomic energy questions. Other sections may be set up on a proposal from the bureau or from at least 35 members, in the fields covered by the Treaties.

Without prejudice to the application of the first paragraph of this Rule, the Committee shall comprise at least six sections. A list of sections and their terms of reference is appended to these Rules.

The Committee shall set up its sections at the inaugural session following each four-yearly renewal.

The Treaties stipulate that subcommittees may also be established within the Committee to prepare draft opinions on specific questions. These draft opinions shall be submitted to the Committee for its consideration.

Rule 12

Composition

The number of members and the general composition of the sections shall be decided by the Committee on a proposal from its bureau.

No section may have less than 35 or more than 72 members.

The maximum and minimum number of members per section shall depend on the number of sections.

Rule 13

Appointment of members

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 three sections, although the bureau of the Committee may allow exceptions where justified by the need to ensure fair representation of the Member States.

The number of sections to which a member may belong shall depend on the total number of sections.

The members of the sections shall be appointed by the Committee on the basis of their specific competence. Appointments shall be for two years and shall be renewable.

The procedure laid down for the appointment of section members shall also be followed for the replacement of section members.

Members of sections or study groups may be accompanied by an assistant, who may take part in the proceedings but may not take part in the votes held at section meetings. Before work is started on a question for which the participation of the assistant is requested, his name and capacity shall be communicated to the president of the section or study group for approval.

Members of sections or study groups may be accompanied by their alternates as assistants. Assistants shall not have any right to refund of expenses or to allowances. An assistant may be given the floor by the president of the meeting if the member whom the assistant is accompanying so requests.

It shall be the responsibility of the president of the meeting to ensure, within the scope of his general powers to direct the proceedings, that the contribution of an assistant is in keeping with the rules in force and does not exceed the function he has been assigned to perform for the member he is accompanying.

Rule 14

Bureau

The bureau of a section shall, depending on the number of members in that section, comprise six or nine members including a president and two vice-presidents.

The president and other members of a section bureau shall be elected for a term of two years by the members of the section. Unless unanimously decided otherwise by the members, election shall be by secret ballot; an absolute majority of the valid votes shall be required in the first ballot and a relative majority in the second ballot.

Elections of section presidents and of other members of section bureaux shall be subject to confirmation by the Committee.

Section presidents and other members of section bureaux may be re-elected.

The presidency of one section per group shall be rotated between the groups at the end of the first two-year period. The application of this principle shall not prejudice the foregoing provisions.

Rule 15

Duties — Rapporteurs — Study groups

It shall be the task of the sections to draw up opinions or information reports on questions referred to them in accordance with Rules 25 and 26.

Sections acting on a proposal from the groups referred to in Rule 22, shall appoint a rapporteur, who may be assisted by co-rapporteurs, to study the questions referred to them and prepare the relevant documents. The rapporteur shall be responsible for monitoring action taken on opinions after their adoption at the plenary session and, in due course, shall report to the section.

Acting on a proposal from the groups, sections may, where necessary, set up study groups drawn from their members; they shall appoint the presidents and members of such study groups.

As an alternative to setting up a study group, the section may appoint either a rapporteur to work alone or a drafting group.

Study groups may not become permanent bodies, save in exceptional cases for which the bureau's prior authorization is required. The membership of study groups of this kind shall be reviewed in conjunction with the renewal of the sections at the end of each two-year period.

The membership of study groups should take account of the need to ensure that all the relevant interests and sectors are represented. This requirement is all the more justified where several sections are likely to claim that a subject falls within their remit.

Study groups should not in principle have more than 15 members unless prior authorization is given by the Committee bureau. This authorization shall be granted on a proposal from the meeting of the Committee precidency and the group presidents and at the request of the relevant section president acting with the approval of the section bureau. The Committee bureau shall decide the size of study groups which are to draw up own-initiative opinions.

The section shall decide on the size of the study group and appoint its members, bearing in mind the provisions of the preceeding paragraph. It shall be the responsibility of section presidents and bureaux, in consultation with the groups, to ensure that members appointed to a study group have a real interest in the subject, will be able to attend meetings, and possess relevant experience.

In urgent cases the section president may, in liaison with his bureau and after consultation of the group presidents, appoint the rapporteur and, if necessary, set up a study group, subject to the section's endorsement.

Rule 16

Experts

In so far as this is essential for the work to be performed, a section may, on its own initiative or on a proposal from its bureau, and with the agreement of the president of the Committee, authorize each rapporteur and co-rapporteur to obtain the assistance of a person who, in his capacity as an expert and by virtue of his experience and knowledge, is particularly well qualified to provide information on the questions for consideration.

Where necessary, up to three further experts may be appointed on a proposal from the bureau of the section concerned.

Experts appointed in accordance with this Rule shall be entitled to reimbursement of travel and subsistence expenses.

It shall be the duty of a section, acting where appropriate on a proposal from its bureau, to decide whether experts are necessary, bearing in mind the matter to be dealt with.

Experts must only be appointed where there is a need for clarification of the technical problems raised by the subject of the referral. They must not be appointed as a matter of course.

A group may propose the appointment of an expert, but the other groups are not obliged to follow suit.

Whether they are serving a rapporteur or a group, the job of experts shall be to supply the members with information, not to make members' decisions for them. Thus, experts are particularly useful during the preparatory stage of work. There is less need for them at section level, and section presidents should ensure that the part played by experts in section discussions does not go beyond the role assigned to them.

Experts' appointments shall end as soon as the section finishes its work on the subject concerned, unless the expert is advising a rapporteur, in which case the appointment may continue until the plenary session has finished considering the subject.

Rule 17

Alternates

Any member of the Committee unable to attend may arrange to be represented by an alternate at the proceedings of the study groups to which he belongs.

The name and capacity of the alternate selected shall be communicated to the bureau of the Committee for its approval.

The alternate shall carry out the same duties in the study groups as the member whom he replaces.

The alternate must be a national of the same Member State and belong to the same category of economic and social activity as the member in the Committee. The member may at any time terminate the duties of the alternate on his own initiative or at the request of the latter. The member shall inform the bureau of such action. The duties of the alternate shall in any event expire when the duties of the member of the Committee expire.

The alternate shall take part in meetings on the initiative of the absent member, who shall notify the president of the study group concerned in accordance with Rule 52.

This procedure can be seen as an additional way of enabling non-members to participate in the preparatory work of the Committee. In this sense it differs from the arrangements for the delegation of voting rights, representation and replacement which operate between members (Rules 53 and 54).

Alternates shall be reimbursed for their participation in the work in accordance with rules to be laid down by the bureau, it being understood that a member and his alternate are to be regarded as one and the same person for the purposes of travel and subsistence expenses.

Rule 18

Hearings

In the issue under discussion is of sufficient importance, a section may invite guest speakers from outside the Committee to a hearing. The section must seek prior authorization from the Committee bureau and submit a programme giving reasons why it considers that certain aspects call for outside assistance.

Once the authorization of the Committee bureau has been obtained, it is for the section president to set the hearing procedure in motion, after consultation of the study group president and on the basis of any information supplied by the groups. Provision must be made to ensure that the various views on the topic in question can be expressed during a hearing.

CHAPTER V

SUBCOMMITTEES

Rule 19

Constitution — Terms of reference — Composition

On the initiative of the bureau, the Committee may, in exceptional cases, set up subcommittees drawn from its members to produce, for submission to the assembly, draft opinions on general or specific matters coming within the purview of two or more sections.

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 referral. A subcommittee shall be automatically dissolved as soon as the draft opinion which it has prepared is voted on by the Committee.

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

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

CHAPTER VI

RAPPORTEUR-GENERAL

Rule 20

The Committee may appoint a rapporteur-general for any question submitted to it.

CHAPTER VII

COMMITTEE DELEGATIONS

Rule 21

On the initiative of the bureau, the Committee may appoint delegations drawn from its members to maintain relations with the socio-occupational organizations of non-Community countries.

CHAPTER VIII

GROUPS

Rule 22

Members of the Committee may, on a voluntary basis, form groups representing employers, workers and the other categories of economic and social activity.

Groups having 40 or more members shall elect presidents and vice-presidents. Such groups shall participate in the preparation, organization and coordination of the business of the Committee and its constituent bodies, and help supply them with information. Each group shall be provided with a secretariat.

The secretariat-general shall provide members not belonging to a group with the material and technical assistance required for the performance of their duties.

The bureau shall ensure that Rule 22 is applied in accordance with the provosions of the Treaties.

The groups formed within the Committee shall meet regularly at the time of the plenary sessions. If necessary, they may also meet at other times, preferably on the occasion of meetings of the constituent bodies of the Committee, provided that permission is granted by the president or the secretary-general of the Committee.

Committee members who attend group meetings organized in accordance with the above provisions shall be entitled to reimbursement of travel and subsistence expenses.

The groups shall contribute towards the organization of the business of the Committee by briefing their members for meetings of its various constituent bodies. In liaison with the bureau, they shall play a major role in organizing the proceedings of the assembly, especially in connection with certain debates.

They may help in the drafting of plenary session agendas by presenting the bureau with proposals for the inclusion of a draft resolution or for the production of an own-initiative opinion.

The groups shall receive assistance from the secretariat-general.

The group secretariats shall act inter alia *as a link between the groups and the secretariat-general of the Committee. They shall help to ensure that the work is properly organized in the interests of the Committee. To this end the groups shall be allocated the necessary posts; these posts shall be included in the staff chart of the Committee.*

The group secretariat posts shall be listed under the president's private secretariat in the establishment plan.

The appointing authority, acting in agreement with the president of the group in question, shall recruit staff for the group secretariat posts in accordance with the recruitment procedures laid down in the Staff Regulations of Officials of the European Communities, or in accordance with the Conditions of Employment of Other Servants. The groups shall be free to fill these posts by secondment of officials from the Committee or another institution or by recruiting temporary staff pursuant to Article 2 (c) of the Conditions of Employment of Other Servants of the

European Communities. The groups may modify their staffing decisions provided that they give notice early enough for the requisite budgetary arrangements to be made.

The staff, no matter what their status may be, shall be subject to the rules governing all officials and other servants and shall be accountable to their superiors and, ultimately, to the secretary-general of the Committee.

The group secretaries shall be answerable to their respective presidents for their actions. From the administrative point of view — i.e. application of the Staff Regulations, the Conditions of Employment of Other Servants and provisions governing the working procedures of the secretariat-general — they shall come under the authority of the secretary-general.

TITLE II

PROCEDURE OF THE COMMITTEE

CHAPTER I

CONSULTATION OF THE COMMITTEE

Rule 23

Convening of the Committee

The Committee shall be convened by its president to produce opinions requested by the Council or the Commission.

It shall be convened by its president, in consultation with the bureau, to give further consideration to questions on which it has already delivered an opinion.

It may be convened by its president, on a proposal from its bureau and with the agreement of the majority of its members, to deliver, on its own initiative, opinions on any question pertaining to the tasks assigned to the European Union.

Regardless of whether opinions are delivered at the request of an institution, on the Committee's own initiative or to add to an earlier opinion, their submission to and adoption by the plenary session shall be subject to the same procedures.

Accordingly, an additional opinion must be presented by a rapporteur; this presentation shall be followed by a general discussion, a paragraph-by-paragraph examination, the presentation of the amendments (if any) and a formal vote. Subsequently, in common with all other opinions, the additional opinion shall be forwarded to the institutions and published in the Official Journal in accordance with Rule 55 and the other provisions in force.

The Committee's right to take up matters on its own initiative should enable it to anticipate certain proposals by the Commission: adopt a position on issues of general interest on which it would not be asked for an opinion; and make its view known on topical issues of political importance.

The own-initiative procedure must be used only to draw up a formal opinion which is voted on at a plenary session. It must not be used to produce work of an academic nature or hasty resolutions. Safeguards must therefore be attached to this procedure to ensure that it is not employed without the broad agreement of the Committee.

Proposals to use this procedure shall be put forward by the sections or the groups and must be accompanied by a detailed report.

Requests for the use of this procedure may be entertained only if they are submitted to the Committee bureau in writing.

Rule 24

Requests for opinions

Requests made by the Council or the Commission for opinions shall be addressed to the president of the Committee. The president, in consultation with the bureau, shall organize the work of the Committee, taking account as far as possible of the time limits set by the Council or the Commission.

The time limit set for the section must be such that the Committee's opinion is ready in time to influence Community decision-making. It shall be fixed taking into account the priorities laid down by the authorities requesting the opinion, the importance of the subject and the workload of the Committee and of the section to which referral is made.

CHAPTER II

ORGANIZATION OF WORK

A. *WORK OF THE SECTIONS*

Rule 25

Referral procedure

When an opinion or information report is to be produced, the Committee president, in accordance with Rule 8, shall designate the section which is to be responsible for preparing the work in question. Where the matter for consideration is clearly within the purview of a given section, the president shall designate that section and inform the bureau of his decision.

The president of the section which has been designated shall be notified by the Committee president of the subject to be considered and of the time limit for submission of the documents.

The Committee president shall inform the members of the Committee of the referral to the section and of the date on which the subject is to be dealt with by the plenary session.

Rule 26

Information procedure

Without prejudice to the provisions of the third paragraph of Rule 23, the Committee may, on a proposal from the bureau, decide to prepare an information report with a view to examining any question pertaining to the tasks assigned to the European Union.

The information report, which is not published in the Official Journal, shall be forwarded to the institutions if the assembly so decides.

Information reports shall deal with a problem of particular importance communicated to the Committee by the Council or the Commission for information purposes, or matters on which the Committee must or may be consulted under the Treaty.

An information report is a section document that does not commit the Committee. It shall be submitted to the plenary session by the rapporteur and a general discussion shall ensue. It may not be amended.

An information report may also serve as a basis for preparing an own-initiative opinion. After the information report procedure has been completed, the assembly should consider, on the basis of a proposal from the bureau, whether a short own-initiative opinion should be drawn up on the basis of the information report.

If, however, in the course of the work, a clear position appears to be emerging, the bureau may, at the section's request, propose that the Committee alter the legal status of the work and deliver an own-initiative opinion instead of an information report. The legal basis of the work may also be changed if the Committee receives a formal request for an opinion on the subject in question.

Rule 27

Joint meetings

As a general rule, sections shall not discuss matters jointly. However, the president, in agreement with the bureau, may authorize two or more sections to hold joint meetings if he considers such meetings necessary for the preparation of the relevant opinion. By the same token, a section may be authorized to hold a joint meeting with a European Parliament committee or Committee of the Regions commission.

Rule 28

Convening of meetings

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

Rule 29

Preparation of meetings

Section meetings shall be prepared by the section president in consultation with the section bureau.

The draft agenda and the other documents pertaining to a section meeting shall be sent in good time to the members of the section and, for information purposes, to any member of the Committee who so requests.

Meetings shall be chaired by the section president or, in his absence, by one of the vice-presidents.

If the president and the vice-presidents are absent, the oldest member of the bureau shall take the chair.

Section presidents and bureaux shall ensure that opinions are prepared within the deadlines set by the bureau of the Committee at the request of the institutions.

When submitting their procedural proposals, section presidents and bureaux shall also establish a draft timetable, drawn up in liaison with the rapporteur and the secretariat, so that members contemplating joining the study group will be fully aware of the work schedule. This draft timetable shall take account of the section deadline and the time needed for the preparation of documents between meetings. It shall indicate the dates of the study group meetings and the date on which the section is to adopt its opinion.

Except in special circumstances, the meetings must be held at intervals of four to six weeks so that documents can be passed on to the secretariat in good time and the deadline set by the bureau can be observed.

The provisions of Rules 43, 44 and 45 regarding the conduct of the proceedings at plenary sessions shall apply, mutatis mutandis, *to section meetings.*

Rule 30

Quorum

A quorum shall exist at section meetings if over half of the members of the section are present.

If there is not a quorum, the president shall close the meeting and arrange for a further meeting to be held at a time which he considers appropriate, but during the course of the same day; at that further meeting a quorum shall exist irrespective of the number of members present.

Rule 31

Preparation of opinions

Section opinions shall be drawn up with the reference to the working documents compiled by the rapporteur, the drafting group or the study group.

Rule 32

Opinions

Section opinions shall contain only texts adopted by the section in accordance with the procedure laid down in Rule 49.

The text of proposed amendments which have been rejected, together with the result of the voting thereon, shall be appended to the opinion if the amendments received at least one-quarter of the votes cast. This shall also apply to counter-opinions.

The submission of amendments should be governed by rules similar to those observed for plenary sessions. In any case, whatever the deadline, members are advised to submit any amendements in writing before the meeting.

Rule 33

Forwarding of opinions

Section opinions, together with all the documents appended thereto in accordance with Rule 32, shall be sent by the president of the section to the president of the Committee and shall be laid before the Committee by its bureau as soon as possible. These documents shall be sent to the members of the Committee in good time.

All the provisions on the preparation of opinions shall apply, mutatis mutandis, *to the preparation of information reports.*

In the interests of efficient organization of the work, section opinions shall, except in urgent cases, be adopted at least two weeks before their inclusion on the plenary session agenda, so that the relevant documents can be sent to Committee members in good time.

Rule 34

Minutes

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

Section minutes should record the decisions taken and any controversial points in the discussions. They shall be drawn up immediately after the meeting, and shall as a rule be available in time for the next meeting.

Rule 35

Referral of opinions back to sections

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

B. *PREPARATORY WORK*

Rule 36

The rapporteur, assisted where appropriate by a study group and/or co-rapporteurs, and acting in accordance with the instructions given by the section, shall study the question referred, collect the basic material for the draft opinion and compile the dossier of working documents, which shall be sent to the president of the section.

The meetings of a study group shall be presided over by a president appointed by the section in accordance with Rule 15; if the president of a study group is absent, a member designated by the members present shall take the chair.

There shall be no voting at study group meetings.

The president and the rapporteur shall fix the dates of meetings in agreement with the section secretariat. As part of the computerization of timetabling, the secretariat shall drawn up a draft meetings' schedule to be submitted to the members for approval.

A concise memo for each study group meeting shall be drawn up for the Committee president, the rapporteur and for the secretariat. This memo shall include a list of the members, alternates, experts and assistants who attended the meeting.

The rapporteur shall draw up a working document for the first study group meeting. After this meeting the rapporteur, assisted by the secretariat, and if necessary,

by experts, shall draw up either a preliminary draft opinion for submission to the study group or a draft opinion for submission to the section.

The general discussion on the subject under consideration shall take place either in the section when the work is organized or in the study group at its first meeting; at all events, unless the section decides otherwise, a general discussion shall take place when the draft opinion is examined and adopted by the section.

Under the present Rule, meetings should be organized in such a way that all the members or their alternates and the experts and assistants have sufficient time to study the documents. The rapporteur's draft must reach members at least three days before the study group meets, failing which the president may alter the day of the meeting. Furthermore, proceedings should be organized in such a way that members have sufficient time to study the document drawn up by the rapporteur so that they can, in writing if appropriate, criticize and propose changes to the text and consult interested socio-occupational organizations.

Study group presidents shall be responsible to the section president, who shall be in turn responsible to the Committee's bureau, for ensuring that documents are concise, that the opinion confirms with the rules and that deadlines are met. They must conduct meetings accordingly.

Study groups may not hold more than three meetings without referring to the section bureau, which must inform the Committee bureau so that it can take any steps necessary. These same rules shall apply to own-initiative opinions.

Study groups may work in four languages, to be determined by the president before the first meeting, according to the study group's composition. The language chosen by the rapporteur may be added, if not among the four languages selected.

As they are responsible for ensuring that the work of their section progresses smoothly, section presidents may attend the meetings of the study groups of their section as observers.

C. *PROCEEDINGS OF THE PLENARY SESSIONS*

Rule 37

Sessions

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

Sessions of the Committee shall be convened in accordance with Rule 23 and shall in principle be held during the last seven days of the month in accordance with the timetable drawn up by the bureau in the course of the second half of the preceding year.

Rule 38

Preparation of sessions

Sessions shall be prepared by the president in consultation with the bureau in accordance with Rule 8. The bureau shall meet before each session, and where appropriate during a session, to organize the proceedings.

The bureau may set a time limit for the general discussion of each opinion at the session.

Rule 39

Agenda

Without prejudice to Rule 50, which lays down the urgency procedure, the draft agenda drawn up by the bureau on a proposal from the Committee presidency and the group presidents, shall be sent by the Committee president to all Committee members and to the Council and the Commission at least 15 days before the opening of the relevant session.

The draft agenda shall be submitted to the assembly for approval at the opening of each session. Once the agenda has been adopted, the items must be examined during the sitting for which they are scheduled. The documents necessary for the Committee's deliberations shall be sent to the members of the Committee in accordance with Rule 33.

Rule 40

Quorum

A quorum shall exist at session sittings if more than half of the members of the Committee are present.

If there is not a quorum, the president shall close the sitting and arrange for 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.

If at the end of a sitting the number of members present or represented is clearly insufficient, the president of the sitting may, when a vote is particularly important, decide to defer it until the next sitting.

Rule 41

Question time

When the agenda is adopted, the inclusion of any item concerning the role or operation of the Committee shall be announced by the president.

Committee members may submit written questions to the president regarding the role and operation of the Committee. These questions must normally be submitted at least two weeks before the plenary session at which they are to be discussed. However, if its topical nature so dictates, a question may be submitted up to the opening of the plenary session.

The president shall give a reply to these questions at the plenary sessions. The author of the question may, if necessary, give an explanation of the question before the reply is given. Questions to which it is not possible to reply within the space of one hour shall be the subject of a written reply or, if the author of the question so wishes, shall be put on the next plenary session agenda.

If a question concerns a subject which the president considers should not be discussed in public, it must be dealt with at the end of the plenary session. Moreover, questions may not concern work in progress in the study groups or sections.

Rule 42

Resolutions

The draft agenda may be amended by the Committee for the purpose of examining draft resolutions submitted by one or more groups in accordance with the procedure in force.

The groups or their presidents may present the Committee bureau or, if need be, the Committee president with a draft resolution on any subject falling within the remit of the Committee.

In principle, the draft must reach the president at least one working day before the bureau meeting. The bureau shall examine the draft text. It may decide, unless one of the groups objects, that the draft resolution should be put on the agenda for that session or the following session.

The text of the draft resolution shall be forwarded to the other groups for examination. After the group meetings, the Committee bureau or presidency shall hold a meeting with the group presidents to finalize the draft resolution for submission to the assembly.

At the opening of the session the president shall propose that the item be placed on the agenda for the next session sitting.

After having heard, where necessary, a spokesman from each group, the Committee shall vote on the proposed text without being able to amend it. If the resolution receives at least two-thirds of the votes of the members present or represented, it shall be deemed to have adopted and shall be forwarded to the European Union bodies by the Committee president.

Rule 43

Procedure at session sittings

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.

If the president is absent, the vice-presidents shall deputize. If the vice-presidents are absent, the oldest member of the bureau shall deputize.

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

The rapporteur shall introduce the opinion adopted by the section. If the rapporteur cannot attend, he shall, with the agreement of the president of the section concerned, nominate a member to replace him.

A general discussion shall then be held on the question covered by the opinion; those members who have given their names to the president for inclusion on the list of speakers shall be called upon to speak.

The president may limit speaking time.

When it is decided that a debate will be held on a particular agenda item, any member may take part in the general discussion within the set time limits. The president shall read out the list of speakers after the rapporteur or the representative from the institutions has spoken, and shall call on the groups to nominate any other speakers. The final list shall be closed when the general discussion opens and only members whose names have been put down shall have the right to speak.

Where a text has been adopted by a section without votes against, the bureau may, in the light of the information received from the president of that section under Rule 33, propose to the assembly that the text be voted on without discussion. This procedure shall be applied unless a member objects. Such voting without a discussion shall be by show of hands unless a member objects.

Opinions put straight to the vote without a debate shall be voted on at the start of the session.

The assembly thus waives the statements by the section president and the rapporteur, the general discussion and the paragraph-by-paragraph examination. Explanations of voting and statements for the minutes should be dispensed with in order to avoid confusion and indirect discussion.

However, if a debate proves to be necessary, the item in question shall be dealt with at the end of the sitting or the session.

After the general discussion, the Committee shall examine the opinion paragraph-by-paragraph and shall adopt it on the basis of the section's text and the amendment carried.

If no amendments have been tabled, the Committee may likewise use this procedure in which case the president shall call directly for a vote on the text of the opinion as a whole; it may also confine the debate to a general discussion without the paragraph-by-paragraph examination, especially if the section so requests.

If a large number of amendments have been tabled, the Committee may dispense with the general discussion and proceed directly to the paragraph-by-paragraph examination.

These rules shall apply, mutatis mutandis, *to section proceedings, except where provision is made to the contrary.*

In the event of a section opinion being rejected, the president of the Committee may, with the consent of the assembly, refer the opinion back to the competent section for re-examination or appoint a rapporteur-general, who shall submit a new draft opinion at the same or another session.

Rule 44

Amendments

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.

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 five members.

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 take a decision on these compromise proposals.

Proposals for amendments must specify the part of the text to which they refer and be supported by a brief explanatory statement.

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

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

The explanatory statement accompanying an amendment must be concise but sufficient to enable the amendment to be fully understood.

If a proposed amendment relates to several parts of the opinion before the Committee, each part must be the subject of a separate amendment so that the Committee can, in the course of its paragraph-by-paragraph examination, give separate consideration to each of the points that differ from the initial text, and formally decide on each of the changes proposed.

The Committee president may propose that for each amendment the assembly hear the proposer, a member who is against the proposed amendment and the rapporteur.

Amendments that have been duly lodged but are not presented at the plenary session by the proposer or another Committee member shall not be considered by the Committee.

In the case of a counter-opinion, the purpose of which is to set out a generally divergent view in the form of a brief text referring to the first page of the section opinion, it is for the bureau or the Committee president to decide, in consultation with the 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 section for further study under Rule 35. This means that amendments of this kind must be communicated to the secretariat before the bureau meeting.

Rule 45

Closure of discussions

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

Rule 46

Minutes

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

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

The following documents shall be annexed to such minutes: records of the Committee proceedings on opinions, such records to include the texts of all amendments proposed and put to the vote, and a statement of the voting thereon (where a recorded vote is held, the

names of the voters shall be given); the opinions of the competent sections; any other documents which the Committee deems essential for an understanding of the discussions.

Rule 47

Opinions

Opinions of the Committee shall consist of : an introduction, setting out the legal basis of the opinion and the procedure followed in its preparation, and containing an explanatory statement ; and a second part, containing the views of the Committee on the question as a whole and specific comments on aspects thereof.

Opinions shall be brief documents giving a reasoned statement of the views of the Committee on the Commission proposal or the question referred to the Committee. They shall set out the arguments essential for an understanding of the line taken. Where necessary, opinions shall contain concrete proposals for dealing with the issue under consideration. References to documents other than those referred to should accordingly be avoided. Opinions may also contain a summary of the main recommendations of the Committee and an appendix containing a brief summary of the Commission proposal.

The result of the voting on the opinion as a whole shall be appended thereto. Where a recorded vote is held, the names of the voters shall be given.

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

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

A recorded vote shall be held on an overall amendment, i.e. a counter-opinion, and on the opinion as a whole unless a secret ballot is held in accordance with the sixth paragraph of Rule 49.

When one of the groups formed within the Committee or one of the categories of economic and social activity represented thereon adopt a divergent but uniform standpoint on a matter submitted to the assembly for examination, their position may be summarized in a brief statement to be appended to the opinion, where the debate on that matter has been concluded by a recorded vote.

It is necessary to avoid a proliferation of entities with the right to express divergent views under this procedure. Since this procedure is specifically designed to allow the joint expression of divergent views, its use should not be subject to the size of the minority wishing to make a statement. The criterion should be whether the members in question are representative of specific interests recognized within the Committee.

That is why use of this procedure is to be confined to identifiable minorities, i.e. on the one hand the groups formed under Rule 22 and on the other hand the categories of economic and social activity which are represented at Community level and on the Committee and whose composition has been made known in advance to the bureau.

The majority required for a joint statement on a vote to be considered as representative of a group or a category shall be three-quarters of the group members present or represented at the vote in the case of the groups and two-thirds in the case of the categories.

Categories may include members from different groups. A member may not belong to more than one category.

So that it does not lose any of its significance, the statement on a vote should be made only for major issues ; it should further be confined to the subject in question and accord with the deliberations that have taken place. Its aim should be to set out a position that has been presented and supported during the Committee's deliberations. It should set out in condensed form the basic reasons why the authors are against the text of the opinion, which distinguishes it from the explanation of voting provided for in Rule 45.

The statement on a vote shall not be followed by any debate. Under no circumstances may it give rise to individual explanations of votes.

Rule 48

Forwarding of opinions and minutes

Opinions adopted by the Committee, section opinions, and minutes of Committee sessions shall be sent to the Council and the Commission.

They shall be forwarded to the European Parliament and, if necessary, to the Committee of the Regions.

Committee opinions and minutes shall also be sent to the members of the Committee as soon as possible after each session. Session minutes shall be despatched to members as early as possible before the next session.

TITLE III

GENERAL PROVISIONS

CHAPTER I

METHODS OF VOTING

Rule 49

The valid forms of votes shall be votes for, votes against and abstentions.

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.

Voting shall be by show of hands, by recorded vote, or by secret ballot.

Voting on a proposed amendment shall be by recorded vote if one-quarter of the members of the Committee so request. The final vote on opinions shall also be a recorded vote if five or more members so wish.

In addition, the president may order a recorded vote to be taken on a matter which has already been voted on by show of hands, where he considers the result of that vote to be doubt.

Without prejudice to Rules 6 and 14, voting shall be by secret ballot where a majority of the members of the Committee so request.

The Committee or section president shall normally not cast a vote. If the vote by the plenary session or section is a tie (an equal number of votes for and against) the Committee or section president shall have a casting vote.

The acceptance by the rapporteur of a proposed amendment shall not constitute a reason for not voting on the proposed amendment in the usual way.

Since abstentions are a neutral form of voting, only the votes for and against are to be taken into consideration when calculating the majority.

CHAPTER II

URGENCY PROCEDURE

Rule 50

Urgency procedure at Committee level

Where the urgency results from a deadline for the submission of its opinion imposed on the Committee by the Council or by the Commission pursuant to the second paragraph of Article 198 of the Treaty, the urgency procedure may be applied if the president finds that this is necessary to enable the Committee to adopt opinions in good time.

In cases of urgency at Committee level the president may, immediately and without consulting the bureau beforehand, take all requisite steps to enable the Committee to carry out its work. He shall, however, inform the members of the bureau of the steps which he takes.

Where the urgency procedure is applied, time limits applicable under the normal procedure may be disregarded.

Arrangements made by the president under the urgency procedure shall be submitted to the following session of the Committee for confirmation.

Rule 51

Urgency procedure at section level

Where the urgency results from the deadlines imposed on a section, the president of that section may, with the agreement of the president of the Committee and in consultation with the section bureau, organize the work of the section otherwise than as provided in these Rules.

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

In urgent cases, the sections may also meet to hold a general, preliminary discussion; the rapporteur shall be instructed to prepare, in the light of this discussion, a draft opinion to be submitted to the following section meeting or direct to the assembly under the rapporteur-general procedure, in accordance with Rule 20.

CHAPTER III

ABSENCE AND REPRESENTATION

Rule 52

Absence

Any member of the Committee who is unable to attend a Committee session or a section or study group meeting must give the president concerned advance notice of his absence directly or through his group secretariat.

Where a member of the Committee fails to attend more than three consecutive sessions of the Committee without appointing a member to represent him and without a reason recognized as valid, the president may, after consulting the bureau and inviting the member concerned to explain his absence, call upon the Council to remove that member from office.

Where a member of a section fails to attend more than three consecutive meetings of the section without appointing a member to represent him and without a reason recognized as valid, the president of that section may, after inviting the member concerned to explain his absence, call upon him to yield his seat on the section to another member.

Rule 53

Delegation of voting rights

Any member of the Committee who is unable to attend a Committee session or a section meeting may, after notifying the president concerned directly or through his group secretariat, delegate his voting right, in writing, to another member of the Committee or section.

No member may hold more than one delegated voting right at a plenary session or section meeting.

Delegations of voting rights must be in writing and signed personally by the delegator. Use should be made of the special forms for this purpose which are obtainable from the group secretariats.

The relevant forms should be used in accordance with precise instructions given by the delegators.

Voting rights may be delegated only once per sitting; they may be taken back during that sitting. Only a personal voting right may be delegated. In other words, a person to whom a voting right has been delegated may not delegate that right to another person.

Before holding the vote, the president shall call for verification of delegated voting rights.

A member standing in for a member of a section under the first paragraph of Rule 54 can exercise all the rights of the person he is representing. He may therefore, like him, be delegated the voting right of an absent member of the section under Rule 53.

Rule 54

Representation

Any member of a section or a study group who is unable to attend a meeting of that section or study group may, after giving written notice to the president concerned directly or through his group secretariat, arrange for another member of the Committee to represent him at the relevant meeting.

Representatives must be appointed in writing and the instrument must be signed personally by the appointer. Use should be made of the special forms for this purpose which are obtainable from the group secretariats. These forms must reach the secretariat before the meeting.

Such proxies shall be valid solely for the meeting in respect of which they are issued.

This procedure may not be used when the member wishing to be represented is present in person on the same day at the place of the meeting.

At the time of the constitution of a study group, any member designated as a member of that study group may ask to be replaced by another member of the Committee. Such replacement shall apply for a specific question and for the duration of the work of the section on that question. It may not be revoked.

The request for replacement must be made when the study group is set up and must be communicated immediately to the secretary-general in writing.

The Committee member acting as replacement shall participate in the section's work in place of the member who has designated him solely in respect of the subject for which he has been designated. The member who has been replaced may participate fully in the work of the section on any other subject on its agenda.

Use of these various possibilities must not affect the balance, particularly between the groups.

CHAPTER IV

ADMISSION OF THE PUBLIC

Rule 55

Publication

The Committee shall publish its opinions in the *Official Journal of the European Communities* in accordance with the procedure laid down by the Council and the Commission after consultation of the bureau of the Committee.

The names of the members of the Committee, its bureau and its sections, and all changes in the membership thereof, shall likewise be published in the *Official Journal of the European Communities.*

Rule 56

Admission of the public to meetings

Plenary sessions of the Committee shall be public.

Proceedings on particular questions may be declared confidential by the Committee, acting on a request from the institution concerned or a proposal from the bureau.

Section meetings shall be public unless the section president decides otherwise.

Other meetings shall not be public.

To ensure that the assembly, can work effectively, admittance to the session chamber shall be strictly limited to members and officials on duty. Ushers shall be the only officials allowed to move about within the chamber.

Experts and assistants shall sit in the observers' gallery. If necessary, any expert advising a rapporteur may, however, sit beside the rapporteur when the item which concerns him comes up for discussion.

The president of the Committee may issue persons approved by one of the groups with a visitor's pass for plenary sessions; such passes may be issued on a permanent basis or for the duration of one session, but shall not be valid for proceedings which have been declared confidental.

Rule 57

Attendance by members and officals of the Council, the Commission, the European Parliament and the Committee of the Regions

Members of the Council and the Commission may attend meetings of the Committee and its constituent bodies and may speak at such meetings.

Members of the European Parliament and the Committee of the Regions may be invited to attend meetings of the Committee and its constituent bodies and to speak at such meetings.

Duly authorized officials of the Council and the Commission may attend meetings of the Committee and its constituent bodies and may be called upon by the president to answer questions which fall within their purview.

Duly authorized officials of the European Parliament and the Committee of the Regions may also attend meetings.

CHAPTER V

TITLES, PRIVILEGES AND IMMUNITIES OF MEMBERS

Rule 58

Members of the Committee shall have the title 'member of the Economic and Social Committee'.

Committee members shall enjoy the privileges and immunities laid down in the Protocol to the Treaty (Articles 10 and 11).

CHAPTER VI

TERMINATION OF OFFICE OF MEMBERS

Rule 59

Membership of the Committee shall expire at the end of the four-year term laid down by the Council at the time of the Committee's renewal.

Membership shall cease on an individual basis on resignation, on removal from office, through death, in the case of *force majeure* or in the event of an incompatibility of functions arising.

The functions of a member of the Committee shall be incompatible with those of a member of a national government, a national parliament, a Community institution, the Committee of the Regions or the board of directors of the European Investment Bank, and with the post of official or other servant of the Communities in active employment.

Resignations shall be in writing and shall be addressed to the president of the Committee.

The circumstances in which members may be removed from office are laid down in Rule 52. In such cases the Council shall initiate the replacement procedure, if it decides to terminate membership.

In the case of resignation, death, *force majeure* or incompatibility of functions, the president of the Committee shall notify the Council, which shall verify the vacancy and initiate the replacement procedure. In the case of resignation, however, the resigning member shall remain in office until the date on which the appointment of his replacement takes effect, unless the resigning member indicates otherwise.

In practice members may withdraw their resignation as long as a replacement has not been appointed.

In all the cases referred to in the second paragraph of this Rule, the replacement shall be appointed for the remainder of the current term of office.

CHAPTER VII

ADMINISTRATIVE SERVICES OF THE COMMITTEE

Rule 60

Secretariat-general

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

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

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

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

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

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

The Economic and Social Committee and the Committee of the Regions shall have common services; the organizational and administrative arrangements for these services shall be determined by joint agreement.

The secretaries-general of the Economic and Social Committee and Committee of the Regions shall jointly decide matters relating to the above common services.

Rule 61

Appointments and powers under the Staff Regulations

The powers which the Staff Regulations of Officials of the Communities confer on the appointing authority shall be exercised as follows:

— with respect to the secretary-general, by the bureau,

— with respect to officials in grades 1, 2 and 3 of category A and grade 3 of the language service, 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 respect to officials in grades 4 and 5 of category A and of the language service, by the president, acting on a proposal from the secretary-general,

— with respect to officials in grades 6 to 8 of category A and of the language service and with respect to officials in categories B, C and D, by the secretary-general.

The powers which the Conditions of Employment of Other Servants of the Communities confer on the authority competent to conclude contracts of service shall be exercised as follows:

— with respect to temporary staff in grades 6 to 8 of category A and of the language service and with respect to temporary staff in categories B, C and D, by the secretary-general; with respect to temporary staff in grades 4 and 5 of category A and of the language service, by the president, acting on a proposal from the secretary-general; with respect to other temporary staff, by the bureau, acting on a proposal from the secretary-general,

— with respect to special advisers, by the president, in accordance with Article 82 of the Conditions of Employment of Other Servants,

— with respect to auxiliary staff in category A, group I, by the president, acting on a proposal from the secretary-general, and with respect to all other auxiliary staff, by the secretary-general,

— with respect to local staff, by the secretary-general.

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.

The bureau may delegate to the president the powers vested in it by this Rule.

The secretary-general may delegate the powers vested in him by this Rule.

Rule 62

Secretariat of the president

The president shall have a private secretariat.

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

Rule 63

Estimates of expenditure and revenue

Before 1 June of each year the secretary-general shall submit to the bureau the draft estimates of the expenditure and revenue of the Committee for the next financial year. The bureau shall draw up the estimates of the expenditure and revenue of the Committee. It shall forward these estimates in accordance with the procedure and within the time limits laid down in the Financial Regulation of the European Communities.

Before finalizing the estimates of the expenditure and revenue of the Committee, the bureau, using the president of the budget group as its spokesman, shall make a brief statement to the assembly; comments may be made on this occasion.

The president shall inform the assembly of the budget allocated to the Committee by the budgetary authorities and shall comment on its major features. At the end of each financial year, he shall report to the assembly on the implementation of the budget. These statements shall not be followed by a debate.

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

Rule 64

Correspondence

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

CHAPTER VIII

REVISION OF THE RULES OF PROCEDURE

Rule 65

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

If such a decision is taken, the Committee shall set up a panel, which shall be known as the Rules of Procedure panel. The Committee shall appoint a rapporteur-general, in accordance with Rule 20, to produce a report and a draft text. On the basis of these documents the Community shall decide by an absolute majority of its members whether to adopt new provisions. Concurrently with the proposed amendments to the Rules of Procedure, the panel shall submit the resulting changes in the implementing provisions to the assembly for its approval, this body acting as guarantor of the correct interpretation of the Rules of Procedure.

The size of the Rules of Procedure panel shall depend on the scale of the work involved.

The new Rules of Procedure shall enter into force immediately after their approval by the assembly.

APPENDIX

LIST AND TERMS OF REFERENCE OF THE SECTIONS OF THE ECONOMIC AND SOCIAL COMMITTEE

Section for agriculture and fisheries

- CAP
- Structures and agricultural production factors
- Prices and markets
- EAGGF
- Fisheries
- Forestry
- Approximation of laws, regulations and administrative provisions concerning:
  - the veterinary and plant health spheres
  - agricultural products (i.e. products of the soil, of stock farming and of fisheries) and products of first-stage processing directly related to these products and listed in Annex II to the Treaty
- Agricultural cooperation.

Section for transport and communications

- Common transport policy and access to markets
- Surface transport (including river transport)
- Sea and air transport
- Rates and conditions of carriage
- Coordination and financing of infrastructure
- Approximation of laws, regulations and administrative provisions concerning transport and technical barriers and social problems in the sector
- Telecommunications

  This includes data transfer activities of public or private-sector communication and telecommunication services. The Section for industry will retain competence for industries that manufacture the equipment in question and contribute to the information market and programme production. The Section for energy will retain competence for research questions in these same sectors.

Section for energy, nuclear questions and research

- Energy policy
- Euratom (safeguards)
- Coal
- Nuclear energy
- Hydrocarbons
- Other primary energy sources, particularly electricity and gas
- Renewable energy sources
- Energy conservation
- Joint Research Centre
- All questions connected with fundamental scientific and technological research, its development and its applications, when these applications do not fall within a specific non-energy sector.

Section for economic, financial and monetary questions

- Economic policy
  - short term
  - medium term
  - long term

— European monetary questions (all institutional matters and European instruments such as the EMS and ECU)
— International monetary problems
— Own resources
— General taxation (direct and indirect), harmonization of tax systems
— Free movement of capital and financial markets
— General statistical questions.

Section for industry, commerce, crafts and services

— Industrial policy and technological development in so far as a specific sector is concerned
  — sectoral policies
— Internal market
  — customs union
  — technical barriers (approximation of laws, regulations and administrative provisions concerning the manufacture of industrial products, including foodstuffs other than those resulting from the initial processing of agricultural products, technologies for the prevention or elimination of pollution)
  — public contracts
  — information market
— Competition problems (agreements, dominant positions and concerted practices)
  — European patent — industrial property (licences, etc.)
  — company law
— Right of establishment and freedom to provide services
  — activities of an industrial nature
  — activities of a commercial nature, including banking and insurance
  — activities of a craft nature
— SMEs.

Section for social, family, educational and cultural affairs

— Social and employment policy
  — European Social Fund
  — social security
— Industrial relations and labour law
  — safety and health at work, occupational medicine
  — social impact of new technologies
— Problems of society
  — family and youth policy
  — demography and immigration policy
  — equal treatment
  — education and vocational training
  — organization of free time, leisure and sport
  — cultural affairs
— The citizens' Europe
  — freedom of movement for persons in general and for workers in particular
  — right of establishment and freedom to provide services, activities of the professions and craft activities (Article 60 of the Treaty)
  — recognition of diplomas.

Section for external relations, trade and development policy

— General international trade policy : GATT
  — tariff negotiations
  — international agreements (GSP, Multifibre Arrangement, etc.)
  — relations with non-EU countries : EFTA, etc.
— Accession policy and association agreements
— Development cooperation
— Lomé Convention.

Section for regional development and town and country planning

— Regional development policy

— Regional policy coordination

— ERDF

— Regional planning objectives and methods

— Regional policy measures

— Integrated operations and IMPs

— Town and country planning

— Tourism, in so far as it involves investment policy and tourist facilities.

Section for protection of the environment, public health and consumer affairs

— Protection of man, animals and the natural environment.

Consideration will be given to referral to the Section if the question to be examined forms the subject of a proposal under the programme of action on the environment.

— Protection of the environment and public health against pollution and nuisances

— General consumer problems

— Protection of the safety and health of consumers

— Tourism problems, in so far as measures for the protection of consumers are involved

— Proposals concerning packaging, inspection, marketing and other specific aspects connected with the consumption of foodstuffs or the use of products, especially cosmetics, household electrical goods, cleaning products, washing powder and toys.