

EUROPEAN
COMMISSION

HIGH REPRESENTATIVE
OF THE UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 13.8.2018
JOIN(2018) 25 final

ANNEXES 1 to 2

ANNEXES

to the

Joint Proposal for a

Council Decision

on the position to be adopted, on behalf of the European Union, in the Joint Committee established by the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part, as regards the adoption of decision of the Joint Committee on the Rules of Procedure of the Joint Committee and on terms of reference of the subcommittees and working groups

ANNEX 1

Decision No 1/2018 of the EU-Australia Joint Committee

of …

adopting its Rules of Procedure

THE EU-AUSTRALIA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part[1] ('the Agreement'), and in particular Article 56 thereof,

Whereas:

(1) Parts of the Agreement have been applied provisionally since […],

(2) The Joint Committee should therefore adopt its rules of procedure,

HAS ADOPTED THIS DECISION:

Article 1

The rules of procedure of the EU-Australia Joint Committee, as set out in the Annex, are hereby adopted.

Article 2

This decision will enter into effect on the date of its adoption.

Signed at …,

For the EU-Australia Joint Committee

The Co-Chairs

[1] OJ EU L ….

Annex to Decision 1

EU-Australia Framework Agreement

RULES OF PROCEDURE OF THE JOINT COMMITTEE

Article 1

Tasks and composition

1. The Joint Committee will perform the tasks provided for in Article 56 of the Agreement.

2. The Joint Committee will be composed of representatives of the Parties at the appropriate level.

Article 2

Chair

The Joint Committee will be co-chaired by the two sides.

Article 3

Meetings

1. The Joint Committee will normally meet once a year, unless otherwise decided by the Parties. The meetings will be convened by the Co-Chairs and held alternately in Brussels and Canberra, on a date fixed by mutual decision. Extraordinary meetings of the Joint Committee may be held at the request of either Party, if the Parties so mutually decide.

2. The Joint Committee will normally meet at the level of senior official but may meet at ministerial level.

Article 4

Publicity

Unless otherwise decided, meetings of the Joint Committee will not be public.

Article 5

Participants

1. Before each meeting, the Co-Chairs will be informed, through the secretaries of the intended composition of their side's delegation.

2. Where appropriate and with the approval of the Parties, experts or representatives of other bodies may be invited to attend Joint Committee meetings as observers or in order to provide information on a particular subject.

Article 6

Secretaries

A representative of the European External Action Service and a representative of the Department of Foreign Affairs and Trade of Australia will act jointly as secretaries of the Joint Committee. All communications to and from the Co-chairs of the Joint Committee will be forwarded to the secretaries. Correspondence to and from the Co-chairs of the Joint Committee may be by any written means, including electronic mail.

Article 7

Agendas for meetings

1. The Co-chairs will draw up a provisional agenda for each meeting. This will be forwarded, together with the relevant documents, to the other Party no later than 15 days before the beginning of the meeting.
2. The provisional agenda will include items submitted to the Co-Chairs no later than 21 days before the beginning of the meeting.
3. The final agenda will be adopted by the Joint Committee at the beginning of each meeting. Items other than those on the provisional agenda may be placed on the agenda if the Parties so mutually decide.
4. With the approval of the Parties to the Agreement, the Co-chairs may shorten the time limits referred to in Article 7(1) and Article 7(2) where required.

Article 8

Minutes

1. The secretaries will jointly produce draft minutes of each meeting, normally within 30 calendar days of the end of the meeting. The draft minutes will be based on a summary by the Co-chairs of the conclusions reached by the Joint Committee.
2. The draft minutes will be approved by both Parties within 45 calendar days of the end of the meeting or by any other date jointly approved by the Parties. Once there is mutual consent on the draft minutes, two original copies will be signed by the Co-Chairs and the secretaries. Each Party will receive one original copy.

Article 9

Decisions and recommendations

1. The Joint Committee may take decisions or recommendations. These will be entitled ‘Decision’ or ‘Recommendation’, followed by a serial number, the date of their adoption and a description of the subject matter. Each decision will state the date of its entry into force.
2. The Joint Committee may decide to adopt decisions or recommendations by means of a written procedure. In such cases, the Parties will mutually decide a time-limit for the duration of the procedure. If at the expiry of that time-limit, no Party has expressed opposition to the proposed decision or recommendation, the Co-chairs of

the Joint Committee will declare the decision or recommendation to have been adopted by mutual consent.

3. Decisions and recommendations adopted by the Joint Committee will be recorded in two valid copies signed by the Co-Chairs of the Joint Committee.

4. Each Party may decide to publish the Joint Committee's decisions and recommendations in its respective official publication.

Article 10

Correspondence

1. Correspondence addressed to the Joint Committee will be directed to the secretary of the Party to which the author belongs, who will in turn inform the other secretary.

2. The secretaries will ensure that correspondence addressed to the Joint Committee is forwarded to the Co-Chairs and circulated, where appropriate, in line with Article 11.

3. Correspondence from the Co-Chairs will be sent to the Parties by the secretaries and circulated, where appropriate, as documents referred to in Article 11.

4. Correspondence to and from the Co-Chairs may be by any written means, including electronic mail.

Article 11

Documents

Where the deliberations of the Joint Committee are based on documents, those documents will be numbered and circulated by the secretaries to the participants.

Article 12

Expenses

1. Each Party will meet any expenses it incurs as a result of participating in the meetings of the Joint Committee with regard to staff, travel, and subsistence expenditure as well as postal and telecommunications expenditure.

2. Expenditure in connection with the organisation of meetings and the reproduction of documents will be borne by the Party hosting the meeting.

Article 13

Amendment of the rules of procedure

1. The Parties may mutually decide to amend these rules of procedure, in line with Article 9.

2. Joint Committee may decide to set up subcommittees and working groups to assist it in carrying out its tasks.

3. The Joint Committee may decide to abolish any subcommittee or working group that it has established or to determine or amend its terms of reference.

4. The Subcommittees and Working Groups will report to the Joint Committee after each of their meetings.

5. The Working Groups will have no decision-making power, but may submit recommendations to the Joint Committee.

ANNEX 2

Decision No 2/2018 of the EU-Australia Joint Committee

of …

on the adoption of Subcommittees' and Working Groups' terms of reference

THE EU-AUSTRALIA JOINT COMMITTEE,

Having regard to the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part ('the Agreement'), and in particular Article 56 thereof, and to Article 13 of the Joint Committee's rules of procedure,

Whereas:

(1) Pursuant to Article 13(2) of its rules of procedure, the Joint Committee may set up Subcommittees and Working groups to assist it in the performance of its tasks,

HAS ADOPTED THIS DECISION:

Article 1

The terms of reference of the Joint Committee's Subcommittees and Working Groups, as set out in the Annex, are hereby adopted.

Article 2

This decision will enter into effect on the date of its adoption

Signed at …, xxxx.

For the EU-Australia Joint Committee

The Co-Chairs

Annex to Decision 2

Terms of reference

of Subcommittees and Working groups

Article 1

The Subcommittees and Working Groups may discuss the implementation of the Agreement in their areas of responsibility. They may also discuss subjects or specific projects relating to the relevant area of bilateral cooperation.

Article 2

The Subcommittees and Working Groups will work under the authority of the Joint Committee. They will report and transmit their minutes and conclusions to the Co-Chairs of the Joint Committee within 30 calendar days of the end of each meeting.

Article 3

1. The Subcommittees and Working Groups will be composed of representatives of both Parties.

2. The Subcommittees and Working Groups may invite experts to their meetings and may hear them regarding specific points on the agenda.

Article 4

The Subcommittees and Working Groups will be co-chaired by the two sides.

Article 5

A representative of each side will act jointly as secretaries of the Subcommittees and Working Groups.

Article 6

1. The Subcommittees and Working groups will meet whenever circumstances require, on the basis of a written request from either Party each meeting will be held at a place and on a date mutually decided by the Parties

2. Where one Party requests a meeting, the secretary of the other Party will reply within 15 working days of receipt of that request. In cases of particular urgency, Subcommittees' and Working Groups' meetings may be convened at shorter notice, subject to the mutual consent of the Parties.

3. Meetings of the Subcommittees and Working Groups will be jointly convened by the two Secretaries.

Article 7

1. Either Party may request the co-chairs to put an item on the agenda for a meeting. Such requests will be submitted to the Secretaries at least 15 working days, and any supporting documentation at least 10 working days, before the meeting.

2. The secretaries will communicate the draft agenda to the Parties not later than 5 working days before the meeting. In exceptional circumstances, the Parties may mutually decide to add items to the agenda at short notice.

Article 8

1. The secretaries will jointly produce draft minutes of each meeting.

2. Unless the Parties decide otherwise, meetings will not be public.