II

(Acts whose publication is not obligatory)

ECONOMIC AND SOCIAL COMMITTEE

RULES OF PROCEDURE

(REVISED)

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(86/605/EEC, Euratom)

TITLE I

ORGANIZATION OF THE COMMITTEE

CHAPTER I

INSTALLATION OF THE COMMITTEE IN OFFICE

Article 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. It 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.

Article 2

At the first meeting of the Committee after a four-yearly renewal, the Interim Chairman 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 in office for the new four-year term.

CHAPTER II

BUREAU

Article 3

Election for the first half of a four-year period

At its first meeting, held in pursuance of Article 1 and chaired by the Interim Bureau, the Committee shall elect its Bureau for a term of two years, commencing on the date of the installation of the Committee in office in accordance with Article 2.

The Interim Bureau 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.

Article 4

Election for the second half of a four-year period

The meeting at which the bureau is elected for the last two years of a four-year period shall be convened by the retiring Chairman. 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 Chairman or his deputy.

Article 5

Composition

The Bureau of the Committee shall comprise a Chairman, two Vice-Chairmen and 27 members.

The composition of the Bureau shall reflect the representation within the Committee of the Member States and the various categories of economic and social activity pursuant to the Treaties.

Unless otherwise decided beforehand by the Committee by a majority of three-quarters of its members, the Chairman 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.

The Vice-Chairmen shall be elected from among the members representing the categories of economic and social activity to which the Chairman does not belong.

The offices of Chairman, Vice-Chairman and member of the Bureau shall be incompatible with that of Chairman of a Section.

Except by virtue of a decision as referred to in the third paragraph of this Article, the Chairman and Vice-Chairmen may not be re-elected for the two years immediately following the expiry of their two-year term of office.

Article 6

Election procedure

The Committee may set up a panel, drawn from its members, to prepare lists of candidates for election to the Bureau. The composition of such a panel shall reflect the representation within the Committee of the Member States and the various categories of economic and social activity.

The panel shall carry out a preliminary examination of candidatures. It may propose candidates to the Committee, taking due account of the provisions of Articles 5. It must, however, lay before the Plenary Session all the candidatures which it has received and which have not been withdrawn by the persons concerned.

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

The Committee shall elect its Chairman, holding more than one ballot if necessary. To be elected, a candidate must obtain at least one quarter of the valid votes in the first ballot or an absolute majority of the valid votes in subsequent ballots.

The Committee shall elect its two Vice-Chairmen, holding more than one ballot if necessary. To be elected, a candidate must obtain a least one half of the valid votes in the first ballot or one third of the valid votes in subsequent ballots. In the event of a tied vote between two or more candidates, the oldest 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 tied vote between two or more candidates, the oldest shall be declared elected.

A list setting out the names of the Chairmen, the two Vice-Chairmen 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.

Should there be the same number of candidatures as posts to be filled, the Committee shall vote immediately on the list as a whole in accordance with the previous paragraph.

Voting under this Article shall be by secret ballot. Voting by proxy shall not be permitted.

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

Article 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 Articles 5 and 6 of these Rules.

Article 8

Duties — Convening of meetings

The Bureau shall lay down instructions as to how these Rules are to be applied.

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

It shall prepare, organize and coordinate the work of the Plenary Session and the various bodies of the Committee.

In particular, it shall keep itself informed of the work of the Sections and Sub-Committees, ensure that time limits are met and take note of the results of work before such results are submitted to the Committee.

The Bureau may set up *ad hoc* groups drawn from among its members to examine any questions falling within its competence, particularly budgetary matters.

The Bureau shall hold a joint meeting with the Chairmen of the Groups and the Sections at least twice a year, and more frequently if the need arises. The Section Chairmen may ask to be heard by the Bureau when a item on its agenda is of concern to them.

The Bureau shall examine regularly the action taken on opinions delivered by the Committee. The Chairman, acting on behalf of the Bureau, shall report on his action to the plenary session at least once before the end of his term of office.

Meetings of the Bureau shall be convened by the Chairman, acting either *ex officio* or at the request of ten of the members of the Bureau.

CHAPTER III

CHAIRMAN

Article 9

The Chairman of the Committee shall direct the work of the Committee in accordance with these rules and with the Treaties.

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

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

The Vice-Chairmen, who shall deputize for the Chairman if he is absent, shall be informed by him at regular intervals about questions in hand. Should the Chairman and the Vice-Chairmen be absent, the oldest member of the Bureau shall take the chair.

CHAPTER IV

SECTIONS

Article 10

The Committee may, where necessary, on a proposal from the Bureau or from at least 35 members, set up, in the fields covered by the Treaty establishing the EEC and by the Treaty establishing the EAEC, Sections other than those established by the Treaties.

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

Article 11

Composition

The number of members and the general composition of its Sections shall be decided by the Committee on a proposal from its Bureau, on the basis of fair representation of the Member States and the various categories of economic and social activity represented on the Committee.

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

Article 12

Appointment of Members

Apart from the Chairman, every member of the Committee must be a member of a Section.

No member may belong to more than three Sections. The Bureau of the Committee may, however, allow exceptions where justified by the need to ensure fair representation of the Member States.

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

sponsored by at least five members shall be communicated to the Bureau, which shall submit them to the Committee.

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

Article 13

Bureau

The Bureau of a Section shall, depending on the number of members in that Section, comprise six or nine members including a Chairman and two Vice-Chairmen.

The Chairman, Vice-Chairmen 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, by an absolute majority of the valid votes in the first ballot or a relative majority of the valid votes in the second ballot.

Elections of Section Chairmen and of other members of Section Bureaux shall be subject to confirmation by the Committee.

Section Chairmen and other members of Section Bureaux may be re-elected.

Article 14

Duties — Rapporteurs — Study Groups

It shall be the task of the Sections to draw up opinions and, if necessary, reports, or studies or information reports on questions referred to them in accordance with Articles 22, 23 or 24 of these Rules.

Sections shall appoint a Rapporteur, who may be assisted by Co-Rapporteurs, to study the questions referred to them and prepare the relevant documents.

Where necessary, Sections may, in addition, set up Study Groups drawn from their members; they shall appoint the Chairmen and members of such Study Groups.

Article 15

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 Chairman of the Committee, authorize its Rapporteur and Co-Rapporteurs each 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.

The appointments of experts shall terminate on completion of the relevant work in the Section; the appointment of an expert advising a Rapporteur, however, shall terminate when the plenary session completes its examination of the relevant document.

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

Article 16

Alternates

Any member of the Committee who is unable to participate in the proceedings of the Committee may arrange to be represented by an alternate for the proceedings of the Study Groups to which he belongs.

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

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 of 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 Chairman of the Study Group concerned thereof in accordance with Article 48 of these Rules of Procedure.

He shall carry out the same duties in the Study Groups as the member whom he replaces.

Article 16a

Assistants

Members of Sections or Study Groups may be accompanied at meetings by an assistant, who may take part in the proceedings but not vote in the case of Sections. 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 Chairman of the Section or Study Groups for his approval.

Members of Sections or Study Groups may be accompanied by their alternates as assistants.

CHAPTER V

SUB-COMMITTEES

Article 17

Constitution — Terms of reference — Composition

On the initiative of the Bureau, the Committee may set up Sub-Committees drawn from its members to produce, for submission to the plenary session, draft opinions and the accompanying reports on general questions or on given matters coming within the purview of two or more Sections.

In the periods between plenary sessions the Bureau may set up Sub-Committees, subject to subsequent confirmation by the Committee. In no case may a Sub-Committee be set up for more than one referral. A Sub-Committee shall be automatically dissolved as soon as the opinion which it has prepared is adopted by the Committee.

The composition of Sub-Committees shall reflect the representation within the Committee of the Member States and of the various categories of economic and social activity.

Sub-Committees 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 Sub-Committees.

CHAPTER IV

RAPPORTEUR-GENERAL

Article 18

The Committee may appoint a Rapporteur-General for any question which it is to examine.

CHAPTER VII

GROUPS

Article 19

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

The role and working procedures of such Groups shall be laid down by the Bureau of the Committee in provisions implementing these Rules.

TITLE II

PROCEDURE OF THE COMMITTEE

CHAPTER I

CONSULTATION OF THE COMMITTEE

Article 20

Convening of the Committee

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

It shall be convened by its Chairman, in consultation with the Bureau, to prepare the study of questions on which the Treaties provide that it must or may be consulted.

It shall be convened by its Chairman, 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 Chairman, 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 Economic Community or the European Atomic Energy Community.

Article 21

Requests for opinions

Requests made by the Council or the Commission for opinions shall be addressed to the Chairman of the Committee. The Chairman, in consultation with the Bureau, shall plan the work of the Committee in the light of the time limits set by the Council or the Commission.

CHAPTER II

ORGANIZATION OF WORK

A. WORK OF THE SECTIONS

Article 22

Referral procedure

When an opinion, study or information report is to be produced, the Chairman, in agreement with the Bureau, shall designate the Section which is to be responsible for preparing the work in question. Where the matter for consideration is clearly within the purview of a given Section, the Chairman shall designate that Section and inform the Bureau of his decision.

The Chairman of the Section which has been designated shall be notified by the Chairman of the subject to be considered and of the time limit for submission of the documents to be drawn up by the Section.

The Chairman 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.

Article 23

Supplementary referral

In exceptional cases or at the request of the Section to which a question has been referred for the main opinion, the Chairman may, in agreement with the Bureau, call upon one or more other Sections to produce a supplementary opinion on an aspect or aspects of the question for which an opinion has been requested.

The Section to which a question has been referred for the main opinion shall retain sole competence to report on that question to the Committee. It must, however, annex to its opinion any supplementary opinions requested from other Sections.

Failing a decision in accordance with the first paragraph of this Article, no Section may request an opinion from another Section on questions referred to it.

Article 24

Information procedure

Without prejudice to the provisions of the fourth paragraph of Article 20, 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 EEC or the EAEC.

The information report drawn up for the members of the Committee may be forwarded to the institutions if the plenary session so decides.

Article 25

Joint meetings

As a general rule, Sections shall not discuss matters jointly. However, the Chairman, 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 or if the Section to which a question has been referred for the main opinion requests joint meetings for the same reason.

Article 26

Convening of meetings

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

Article 27

Preparation of meetings

Section meetings shall be prepared by the Section Chairman in consultation with his 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 Chairman or, if he is absent, by one of the Vice-Chairmen.

If the Chairman and the Vice-Chairmen are absent, the oldest member of the Bureau shall take the chair.

Article 28

Quorum

A quorum shall exist at Section meetings if over half of the members of the Section are present or represented.

If there is not a quorum, the Chairman 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 or represented.

Article 29

Preparation of opinions

Section opinions and, if necessary, reports shall be drawn up with reference to the working documents compiled by the

Rapporteur or the Study Group and to any documents prepared by a Section to which supplementary referral has been made.

Article 30

Opinions and reports

Section opinions shall contain only texts adopted by the Section in accordance with the procedure laid down in Article 45 of these Rules.

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 total votes cast or the amendments constituted a counter-opinion.

Section opinions shall be accompanied by the Section report, if one has been produced, and by the opinions of any other Sections to which supplementary referral has been made. The report shall be drawn up by the Rapporteur in accordance with the decisions taken by the Section and shall set out the views expressed during the proceedings. Conformity with the aforesaid decisions shall be certified by the counter-signature of the Chairman of the Section. If the Chairman refuses to sign, the matter shall be settled by the Bureau of the Section.

Article 31

Forwarding of opinions and reports

Section opinions and reports (if produced), together with all the documents appended thereto in accordance with Article 30, shall be sent by the Chairman of the Section to the Chairman of the Committee and shall be laid before the Committee by its Bureau as soon as possible. They shall be sent to the members of the Committee in good time.

Article 32

Minutes

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

Article 33

Reference back of opinions to Sections

The Chairman, in agreement with the Bureau or the plenary session, 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

Article 34

The Rapporteur or the Rapporteur and the Study Group, acting in accordance with the instructions given by the Section concerned, shall study the question referred and collect and arrange the basic material for the opinion and the report (if one is to be produced) and shall compile the dossier of working documents, which shall be sent to the Chairman of the Section.

The meetings of a Study Group shall be presided over by a Chairman appointed by the Section in accordance with Article 14. If the Chairman of a Study Group is absent, a Study Group member designated by the Chairman himself or, failing this, by the other members of the Study Group, shall take the chair.

A quorum shall exist at Study Group meetings if at least one third of the members of the Study Group are present or represented by their alternates or by other members of the Committee.

If there is not a quorum, the Chairman 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 whatever the number of members present or represented.

There shall be no voting at Study Group meetings.

Concise minutes of each Study Group meeting shall be drawn up for the Rapporteur. These minutes shall include a list of the members, alternates, experts and assistants who attended the meeting.

C. PROCEEDINGS OF THE FULL COMMITTEE

Article 35

Sessions

The Committee shall sit as full Committee at its sessions.

Sessions of the Committee shall be convened in accordance with Article 20 of these Rules and shall as a general rule be held during the last seven days of the month.

Article 36

Preparation of sessions

Sessions shall be prepared by the Chairman in consultation with the Bureau. The Bureau shall meet before and possibly during each session.

Article 37

Agenda

Without prejudice to Article 46 of these Rules, which lays down the urgency procedure, the draft agenda drawn up by the Bureau shall be sent by the Chairman 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 full Committee for approval at the opening of each session. A draft agenda may be amended by the Committee at the request of the Council or the Commission, or on a proposal from the Bureau. The documents necessary for the Committee's deliberations shall be sent to the members of the Committee in accordance with Article 31.

Article 38

Quorum

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

If there is not a quorum, the Chairman shall close the meeting and arrange for a further meeting to be held at a time he considers appropriate but during the same session; at that further meeting there shall be a quorum whatever the number of members present or represented.

Article 39

Procedure at session meetings

The Chairman shall open session meetings, preside over discussions and ensure that these Rules are observed. The Chairman shall be assisted by the Vice-Chairmen.

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

The Chairman of the Section competent to report to the Committee shall outline the procedure followed by the Section in its work. The Rapporteur shall introduce the opinion adopted by the Section.

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

After closure of the general discussion, the Committee shall draw up its opinion on the basis of the Section opinion and any amendments proposed thereto in accordance with Article 40 of these Rules.

In the event of a Section opinion being rejected, the Chairman of the Committee may, with the consent of the plenary session, refer the matter back to the competent Section for re-examination or appoint a Rapporteur-General, who shall submit a new draft opinion during the same session or at a subsequent session.

Where a text has been adopted by a Section without votes against, the Bureau may, in the light of the information received from the Chairman of that Section under Article 31 of these Rules, propose to the Committee that the text be voted on without a discussion. The Committee shall then apply this procedure unless a member objects.

Such voting without a discussion shall be by show of hands unless a member objects.

Article 40

Amendments

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

The Committee may, however, allow proposals for amendments to be lodged up to the opening of the relevant session meeting, provided such proposals are signed by at least five members.

Except where the relevant Section opinion or study was sent to members under the urgency procedure, proposals for amendments may not be tabled during a session meeting unless they relate to changes made to the text in the course of the discussion and unless they are signed by at least five members.

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

When the Committee examines proposals for amendments, the Chairman of the Committee, in consultation with the Chairman and the Rapporteur of the competent Section, may propose to the Committee any changes needed to ensure that the final text is consistent.

Article 41

Closure of discussions

The Chairman, 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 meeting 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 for the purpose by the Chairman.

Article 42

Minutes

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

The final version of such minutes shall be signed by the Chairman and the Secretary-General of the Committee.

The following documents shall be annexed to such minutes:

(a) records of the Committee proceedings on opinions or studies, such records to include the texts of all amendments proposed and put to the vote, and a statement of the voting thereon; where voting was by name, the names of the voters shall be given;

(b) the opinions of the competent Sections;

(c) any other documents which the Committee deems essential for an understanding of the discussions.

Article 43

Opinions

Opinions of the Committee shall consist of two parts:

— an introduction, setting out the legal basis of the opinion and the procedure followed in its preparation, and containing an explanatory statement,

— as second part, containing the views of the Committee on the question as a whole and specific comments on aspects thereof.

The result of the voting on the opinion as a whole shall be appended thereto. Where voting was by name, the names of the voters shall be given.

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 plenary session for examination, their position can be summarized in a brief statement to be appended to the opinion, where the debate on that matter has been concluded by a vote by name.

The texts and explanatory statements of proposed amendments rejected by the plenary session shall also be appended to Committee opinions together with the results of the voting on those amendments, if the amendments received at least one quarter of the total cast or the amendments constituted a counter-opinion.

Article 44

Forwarding of opinions and minutes

Opinions adopted by the Committee, Section opinions, Section reports (if produced) and minutes of Committee sessions shall be sent to the Council and the Commission.

Committee opinions and session minutes shall also be sent to the members of the Committee as soon as possible after each session. In the case of minutes this shall be done as early as possible before the next session.

TITLE III

GENERAL PROVISIONS

CHAPTER I

METHODS OF VOTING

Article 45

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

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, excluding abstentions.

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

Voting shall be by name if one quarter of the members present or represented so request. The final vote on opinions shall also be by name unless the members present or represented unanimously decide otherwise.

In addition, the Chairman of a meeting may order a vote by name 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 in doubt, or deems it desirable that the names of the voters be recorded in the minutes.

Without prejudice to Articles 6 and 13, voting shall be by secret ballot where a majority of the members present or represented so request.

CHAPTER II

URGENCY PROCEDURE

Article 46

Urgency procedure at Committee level

Without prejudice to cases 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 EEC Treaty or the second paragraph of Article 170 of the EAEC Treaty, the urgency procedure may be applied if the Chairman finds the procedure necessary to enable the Committee to adopt opinions in good time.

In cases of urgency at Committee level, the Chairman 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 Chairman under the urgency procedure shall be submitted to the next session of the Committee for confirmation.

Article 47

Urgency procedure at Section level

If a situation of urgency arises from the time limits imposed on a Section, the Chairman of that Section may, with the agreement of the Chairman of the Committee and in consultation with the Section Bureau, organize the work of the Section otherwise than as provided in these Rules.

Arrangement made by the Chairman of a Section under the urgency procedure shall be submitted to the next meeting of that Section for confirmation.

CHAPTER III

ABSENCE AND REPRESENTATION

Article 48

Absence

Any member of the Committee who is unable to attend a Committee session or a Section or Study Group meeting must give the Chairman concerned advance notice of his absence.

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 valid reason, the Chairman 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 valid reason, the Chairman 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.

Article 49

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 Chairman concerned, delegate his voting right, in writing, to another member of the Committee or the Section.

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

Article 50

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 Chairman concerned arrange for another member of the Committee to represent him at the relevant meeting.

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

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 Section's work on that question. It may not be revoked.

CHAPTER IV

PUBLICATION — ADMISSION OF THE PUBLIC

Article 51

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 Bureaux and its Sections, and all changes in the composition thereof, shall likewise be published in the *Official Journal of the European Communities*.

Article 52

Admission of the public to meetings

Plenary sessions of the Commissions shall be public.

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

Other meetings shall not be public.

The Chairman of the Committee may issue persons sponsored by one of the Groups of the Committee with a visitor's pass for session meetings; 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 confidential.

Article 53

Attendance by members and officials of the Council and the Commission

Members of the Council and the Commission may attend meetings of the Committee and its constituent bodies and may 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 chair to answer questions which fall within their purview.

CHAPTER V

TITLE, PRIVILEGES AND IMMUNITIES OF MEMBERS

Article 54

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

The privileges and immunities of the members of the Committee shall be as laid down in Article 10 of the Protocol on the Privileges and Immunities of the European Economic Community, and Article 10 of the Protocol on the Privileges and Immunities of the European Atomic Energy Community.

CHAPTER IV

TERMINATION OF OFFICE OF MEMBERS

Article 55

Membership of the Committee shall expire at the end of the four-year term of office fixed by the Council on renewal of the Committee.

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 Court of Auditors or the Board of Directors of the European Investment Bank, and with the post of official or other servant of the Communities with active status.

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

The circumstances in which members may be removed from office are laid down in Article 48. 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 Chairman 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 all the cases referred to in the second paragraph of this Article, the replacement shall be appointed for the remainder of the current term of office.

CHAPTER VII

ADMINISTRATIVE SERVICES OF THE COMMITTEE

Article 56

General Secretariat

The Committee shall be assisted by a General Secretariat headed by a Secretary-General, who shall discharge his duties under the direction of the Chairman, 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 Bureau or the Chairman in virtue of these Rules.

The Secretary-General may delegate his powers within the limits decided by the Chairman.

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 organize the General Secretariat in such a way that it can ensure the efficient functioning of the Committee and its constituent bodies, and help the members in the performance of their duties.

Article 57

Appointments

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

— for officials in Grades 6 to 8 of Category A and of the Language Service and for officials in Categories B, C and D, by the Secretary-General,

— for officials in Grades 4 and 5 of Category A and of the Language Service, by the Chairman, acting on a proposal from the Secretary-General,

— for other officials and the Secretary-General, by the Council, acting on a proposal from the Bureau with the agreement of the Commission, as regards application of Articles 1, 13, 15 (second paragraph), 16, 22, 29, 30, 31, 32, 38, 40, 41, 49, 50, 51, 78, 87, 88, 89 and 90 of the Staff Regulations; by the Chairman as regards application of the other provisions of the Staff Regulations.

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

— for temporary staff in Grades 6 to 8 of Category A and of the Language Service and for temporary staff in Categories B, C and D, by the Secretary-General; for temporary staff in Grades 4 and 5 of Category A and of the Language Service, by the Chairman, acting on a proposal from the Secretary-General; for other temporary staff, by the Council, acting on a proposal from the Bureau and with the agreement of the Commission,

— for special advisers, by the Chairman, in accordance with Article 82 of the Conditions of Employment of Other Servants,

— for auxiliary staff in Category A, Group I, by the Chairman, acting on a proposal from the Secretary-General, and for all other auxiliary staff, by the Secretary-General,

— for local staff, by the Secretary-General.

Article 58

Secretariat of the Chairman

The Chairman may have a private secretariat.

The members 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 Chairman.

Article 59

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 regulations referred to in Article 209 of the Treaty establishing the European Economic Community and Article 183 of the Treaty establishing the European Atomic Energy Community.

The Chairman of the Committee, acting in accordance with the financial regulations, shall implement or cause to be implemented the statement of the expenditure and revenue of the Economic and Social Committee annexed to Section II of the General Budget of the European Communities.

Article 60

Correspondence

Correspondence to the Committee shall be addressed to the Chairman or the Secretary-General at the headquarters of the Committee.

CHAPTER VIII

REVISION OF THE RULES OF PROCEDURE

Article 61

The Committee may decide by an absolute majority of its members that complete or partial revision of these Rules is called for.

In the event of such a decision the Committee shall instruct a panel which shall be known as the 'Panel for the Rules of Procedure' and shall have a Rapporteur-General in accordance with Article 18 of these Rules, to produce a report and draft a new text. On the basis of these documents the Committee shall decide by an absolute majority of its members whether to adopt new provisions.

Any such new provisions shall enter into force after approval by the Council.