

RULES OF PROCEDURE OF THE AS-IF PROGRAMME COMMITTEE FOR DEFENCE RESEARCH

THE AS-IF PROGRAMME COMMITTEE FOR DEFENCE RESEARCH,

In view of the implementation of the Pilot Project and the Preparatory Action on Defence Research and the preparation of a future Research Programme on Defence Research,

Having regard to the creation of the Committee by the Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs ('DG GROW'),

Having regard to the standard rules of procedure of expert groups¹,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the Committee

The Committee shall act at the request of DG GROW.

Point 2

Convening a meeting

1. Meetings of the Committee are convened by the Chair, with the agreement of DG GROW either on its own initiative, or at the request of a simple majority of members after DG GROW has given its agreement.
2. Joint meetings of the Committee with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the Committee shall be held on Commission premises.

Point 3

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the Committee.
2. The agenda shall be adopted by the Committee at the start of the meeting.

Point 4

Documentation to be sent to Committee members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the Committee members no later than fourteen calendar days before the date of the meeting.

¹ C(2016) 3301 (Annex 3).

2. The secretariat shall send documents on which the Committee is consulted to the Committee members no later than fourteen calendar days before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Point 5

Opinions of the Committee

1. As far as possible, the Committee shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

Point 6

Representation

1. Members shall be the competent Member States' authorities. Each member shall decide on the composition of its delegation and inform the chair. With the chair's permission, the delegations may be accompanied by experts who are not part of the delegation.
2. Within a reasonable time and no later than 5 calendar days before the date of a Committee meeting, the following information shall be communicated to the chair:
 - (a) the composition of each delegation, except where such composition is already known to the chair;
 - (b) the names and functions of any experts accompanying the delegations and the reasons for which their presence is required.

If the chair does not object to the participation of an expert in advance of the Committee meeting, the permission referred to in paragraph 1 is considered to be granted.

3. The reimbursement of travel expenses by DG GROW shall be paid in accordance with the applicable rules, subject to budgetary funds provided for this purpose.

Point 7

Sub-groups

1. DG GROW may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG GROW. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert Committees ('the

horizontal rules') and shall report to the Committee. They shall be dissolved as soon as their mandate is fulfilled.

Point 8

Invited experts

1. DG GROW may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the Committee or its sub-groups on an ad hoc basis. These experts shall not have voting rights.

Point 9

Observers

1. The Kingdom of Norway and the European Defence Agency are granted observer status.
2. Other public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
3. Observers shall nominate their representatives.
4. Observers and their representatives may be permitted by the Chair to take part in the discussions of the Committee and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the Committee.

Point 10

Written procedure

1. If necessary, the Committee's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the Committee members the document(s) on which the Committee is being consulted.
2. However, if a simple majority of Committee members asks for the question to be examined at a meeting of the Committee, the written procedure shall be terminated without result and the Chair shall convene a meeting of the Committee as soon as possible.

Point 11

Secretariat

DG GROW shall provide secretarial support for the Committee and any sub-group.

Point 12

Minutes of the meetings

Minutes on the discussion on each point on the agenda and on the opinions delivered by the Committee shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

Point 13

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the Member States' authorities, organisations or other public entities to which the participants belong.

Point 14

Correspondence

1. Correspondence relating to the Committee shall be addressed to DG GROW, for the attention of the Chair.
2. Correspondence for Committee members shall be sent to the e-mail address which they provide for that purpose.

Point 15

Transparency

1. The Committee shall be registered on the Register of expert groups.
2. As concerns the Committee composition, the following data shall be published on the Register of expert groups:
 - (1) the name of the Member States represented;
 - (2) the name of observers.
3. DG GROW shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG GROW shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001^{2,3}.

² Information related to the Committee is treated according to Commission Decision 2015/443 art. 9(5)(a) or art.9(5)(b) as applicable.

Point 16

Access to documents

1. Applications for access to documents held by the Committee shall be handled in accordance with Regulation (EC) No 1049/2001.

Point 17

Deliberations

1. Deliberations are confidential.
2. In agreement with DG GROW, the Committee may, by simple majority of its members, decide that deliberations shall be public.

³ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.