

**RULES OF PROCEDURE OF THE GROUP OF EXPERTS
"FINANCIAL SERVICES USER GROUP"**

THE FINANCIAL SERVICES USER GROUP,

Having regard to Commission Decision C(2017) 359 setting up the Group

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

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the Group

The Group shall act at the request of DG FISMA and JUST or at the request of its chairperson with the agreement of DG FISMA and JUST.

Point 2

Chair

The group shall elect a Chair and up to three vice Chair(s) from amongst its members by simple majority. Subject to confirmation by the Group, the Chair and vice Chairs may agree to rotate the role of chairing the Group on an annual basis. If the members fail to elect a Chair, the group will be chaired by the Commission.

Point 3

Convening a meeting

1. Meetings of the Group are convened by the Chair, or at the request of a simple majority of members, in agreement with the Commission (DG FISMA and JUST).
2. Joint meetings of the Group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the Group shall be held on Commission premises. Upon request of the members of the Group, with the agreement of DG FISMA and JUST, one meeting per year may be held in another location within the EU.

¹ C(2016) 3301 (Annex 3).

Point 4

Agenda

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send a draft agenda to the members of the Group at the earliest convenience, to allow members to comment and make suggestions
2. The agenda shall be adopted by the Group at the start of the meeting.

Point 5

Documentation to be sent to Group members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the Group members no later than ten calendar days before the date of the meeting.
2. The secretariat shall send documents on which the Group is consulted to the Group members no later than seven 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. The Group may refuse to discuss documents sent less than three calendar days before the date of the meeting.

Point 6

Opinions of the Group

1. As far as possible, the Group 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. Members who 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.
3. In order to prepare opinions, recommendations or reports, members may designate a rapporteur who will co-ordinate the drafting.
4. All members of the Group are invited to present the Group's work in external events, but should ensure that they accurately reflect the views of the Group, that they acknowledge divergent views where they exist and that they clearly separate their personal opinions from that of the Group.

Point 7

Sub-groups

1. The Commission may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules') and shall report to the Group. They shall be dissolved as soon as their mandate is fulfilled.

2. The members of sub-groups who are not members of the Group shall be selected via a public call for applications, in compliance with the horizontal rules².

Point 8

Invited experts

The Commission may invite experts with specific expertise on a subject matter on the agenda to take part in the work of the Group or sub-groups on an ad hoc basis.

Point 9

Research budget

1. The Group may ask for external research to be carried out to enable it to fulfil its tasks. If the Commission considers such request(s) justified, it may decide to make available for this purpose up to a maximum of EUR 150 000 per year. This budget shall be managed by the Commission in full compliance with relevant rules and procedures.
2. The purpose of this budget is to finance studies outsourced to external contractors for research on issues closely linked to the Group's mandate which is not possible or practical for the Group members to carry out themselves.
3. Each calendar year, at the latest by September, the Chair, after consulting the members of the Group, shall suggest topic(s) for research to be undertaken during the following calendar year.
4. The secretariat shall be responsible for the technical management of contracts with external contractors and for transmitting the comments of Group members on the work of the contractors.
5. The research programme may be updated during the course of the year to accommodate unforeseen needs.

Point 10

Written procedure

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

Point 11

Secretariat

The Commission (DG FISMA and JUST) shall provide secretarial support for the Group and any sub-groups.

² See Articles 10 and 14.2.

Point 12

Minutes of the meetings

Minutes on the discussion on each point on the agenda and on the opinions delivered by the Group 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 authorities, organisations or other entities to which the participants belong.

Point 14

Conflicts of interest

1. The chair of the Group, as well as the chairs of any sub-groups shall, at the first meeting of each calendar year, remind all members appointed in a personal capacity of their obligation to promptly inform the Commission of any relevant change in the information previously provided, including as regards upcoming activities, in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable the Commission to assess it in due course, in compliance with the horizontal rules.
2. Should a conflict of interest in relation to an expert appointed in a personal capacity arise, the Commission shall take all appropriate measures, in compliance with the horizontal rules³.
3. Conflicts of interest shall be reported in writing, e.g. in the minutes of the Group's meeting. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

Point 15

Annual report

1. The Group shall produce an annual report of its activities. This report shall be prepared by the Group together with the secretariat.

Point 16

Correspondence

1. The e-mail address FISMA-FSUG@ec.europa.eu is provided for correspondence with the Chair, the secretariat and members of the Group.

³ See Article 11.

Point 17

Transparency

1. The group shall be registered on the Register of expert groups.
2. The following data on the Group's members shall be published on the Register of expert groups:
 - (a) the name of individuals appointed in a personal capacity;
 - (b) the name of individuals appointed to represent a common interest; the interest represented shall be disclosed.
3. The Commission 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 a dedicated website shall not be subject to user registration or any other restriction. In particular, the Commission 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° 1049/2001⁴.

Point 18

Access to documents

Applications for access to documents held by the Group shall be handled in accordance with Regulation (EC) No 1049/2001⁵.

Point 19

Deliberations

In agreement with the Commission, the Group may, by simple majority of its members, decide that deliberations shall be public.

⁴ 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.

⁵ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).