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I

(Legislative acts)

DIRECTIVES

DIRECTIVE 2014/27/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 26 February 2014

amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 153(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having consulted the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Pursuant to Article 153 of the Treaty, the European Parliament and the Council may adopt, by means of directives, minimum requirements for encouraging improvements, in particular in the working environment, to ensure a better level of protection of the health and safety of workers. Such directives should avoid holding back the creation and development of small and medium-sized undertakings and their potential to create jobs. Good health and safety standards should not be considered as constraints, since they are fundamental rights and are to be applied without exception to all sectors of the labour market and all types of undertakings regardless of their size.

- (2) Article 31(1) of the Charter of Fundamental Rights of the European Union provides that every worker has the right to working conditions which respect his or her health, safety and dignity.

- (3) Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽³⁾ established a new system for the classification and labelling of substances and mixtures within the Union, based on the Globally Harmonised System of Classification and Labelling of Chemicals (GHS) at international level, within the framework of the United Nations Economic Commission for Europe.

- (4) Council Directives 92/58/EEC ⁽⁴⁾, 92/85/EEC ⁽⁵⁾, 94/33/EC ⁽⁶⁾ and 98/24/EC ⁽⁷⁾, and Directive 2004/37/EC of the European Parliament and of the Council ⁽⁸⁾ contain references to the previous classification and labelling system. Those Directives should therefore be amended in order to align them to the new system laid down in Regulation (EC) No 1272/2008.

⁽³⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽⁴⁾ Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 245, 26.8.1992, p. 23).

⁽⁵⁾ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 1).

⁽⁶⁾ Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994, p. 12).

⁽⁷⁾ Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 5.5.1998, p. 11).

⁽⁸⁾ Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).

⁽¹⁾ OJ C 204, 9.8.2008, p. 47.

⁽²⁾ Position of the European Parliament of 4 February 2014 (not yet published in the Official Journal) and decision of the Council of 20 February 2014.

- (5) The amendments are necessary to ensure the continued effectiveness of those Directives. The aim of this Directive is not to change the scope of those Directives. This Directive intends to maintain and not reduce the level of protection of workers that is provided by those Directives. However, in view of on-going technological progress, those Directives should be subject to periodic review in accordance with Article 17a of Council Directive 89/391/EEC ⁽¹⁾ in order to ensure the coherency of legislation and an appropriate level of health and safety protection when hazardous chemical substances and mixtures are present in the working environment. Particular attention should be paid to employees within professions where there is frequent contact with hazardous substances and mixtures.
- (6) The amendments to Directive 92/85/EEC do not address the issue of hazardous substances and mixtures which can adversely affect fertility of pregnant workers or workers who have recently given birth or who are breast-feeding, since the aim of this Directive is only to update references and terminology set out in that Directive. However, taking account of the evolving scientific evidence regarding this issue together with the increased sophistication of classification of these effects, the Commission should consider the most appropriate means for addressing such effects.
- (7) The amendments to Directives 92/85/EEC and 94/33/EC should align the approach taken in those Directives to the wording adopted under Directive 98/24/EC in so far as the words 'substances labelled', in Section A point 3(a) of Annex I to Directive 92/85/EEC and 'substances and preparations classified' in Section I point 3(a) of the Annex to Directive 94/33/EC are replaced by the wording 'substances and mixtures which meet the criteria for classification'. This Directive does not impose obligations on employers as regards classification, labelling and packaging of substances and mixtures covered by Regulation (EC) No 1272/2008. Regardless of whether or not the substances or mixtures are placed on the market, the employer needs to carry out an assessment of risk of all hazardous chemical agents in accordance with Directive 98/24/EC.
- (8) Section I point 2 and Section II point 1 of the Annex to Directive 94/33/EC contain references to repealed Council Directives 90/679/EEC ⁽²⁾ and 90/394/EEC ⁽³⁾. Those references should therefore be replaced by

references to the relevant provisions of Directive 2000/54/EC of the European Parliament and of the Council ⁽⁴⁾ and Directive 2004/37/EC.

- (9) In accordance with Article 154 of the Treaty, the Commission consulted the social partners on the possible direction of Union action in this field and the social partners indicated that explanatory guidance in particular for small and medium-sized enterprises is useful.
- (10) Following this consultation, the Commission considered that Union action was desirable and consulted the social partners on the content of the envisaged proposal, in accordance with Article 154 of the Treaty.
- (11) Following this second phase of consultation, the social partners did not wish to initiate the process which could lead to the conclusion of an agreement as set out in Article 155 of the Treaty,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Directive 92/58/EEC

Directive 92/58/EEC is amended as follows:

- (1) In Article 1, paragraph 2 is replaced by the following:

'2. This Directive shall not apply to signs for the placing on the market of hazardous substances and mixtures, products and/or equipment, unless other Union provisions make specific reference thereto.'

- (2) In Annex I, Section 12 is replaced by the following:

'12. Areas, rooms or enclosures used for the storage of significant quantities of hazardous substances or mixtures must be indicated by a suitable warning sign taken from Section 3.2 of Annex II, or marked as provided in Section 1 of Annex III, unless the labelling of the individual packages or containers is adequate for this purpose.'

⁽¹⁾ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1).

⁽²⁾ Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 374, 31.12.1990, p. 1).

⁽³⁾ Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work (Sixth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 196, 26.7.1990, p. 1).

⁽⁴⁾ Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 262, 17.10.2000, p. 21).

If there is no equivalent warning sign in Section 3.2 of Annex II to warn about hazardous chemical substances or mixtures, the relevant hazard pictogram, as laid down in Annex V to Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*), must be used.

(*) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).'

(3) In Annex II, Section 3.2 is amended as follows:

- (a) warning sign 'Harmful or irritant material' is deleted.
- (b) the following footnote linked to warning sign 'General danger' is added:

**** This warning sign shall not be used to warn about hazardous chemical substances or mixtures, except for cases when the warning sign is used in accordance with the second paragraph of Section 5 of Annex III to indicate the stores of hazardous substances or mixtures.'

(4) Annex III is amended as follows:

- (a) Section 1 is replaced by the following:

'1. Containers used at work for chemical substances or mixtures classified as hazardous according to the criteria for any physical or health hazard class in accordance with Regulation (EC) No 1272/2008, and containers used for the storage of such hazardous substances or mixtures, together with the visible pipes containing or transporting such hazardous substances and mixtures, must be labelled with the relevant hazard pictograms in accordance with that Regulation.

The first paragraph does not apply to containers used at work for brief periods nor to containers whose contents change frequently, provided that alternative adequate measures are taken, in particular for information and/or training, which guarantee the same level of protection.

The labels referred to in the first paragraph may be:

- replaced by warning signs set out in Annex II, using the same pictograms or symbols. If there is no equivalent warning sign in Section 3.2 of

Annex II, the relevant hazard pictogram set out in Annex V of Regulation (EC) No 1272/2008 must be used,

- supplemented by additional information, such as the name and/or formula of the hazardous substance or mixture and the details of the hazard,
- for the transporting of containers at the place of work, supplemented or replaced by signs that are applicable throughout the Union for the transport of hazardous substances or mixtures.'

- (b) in first and second paragraph of Section 5 the word 'dangerous' is replaced by 'hazardous' and the word 'preparations' by 'mixtures'.

Article 2

Amendments to Directive 92/85/EEC

Annex I to Directive 92/85/EEC is amended as follows:

(1) Section A is amended as follows:

- (a) point 2 is replaced by the following:

'2. Biological agents

Biological agents of risk groups 2, 3 and 4 within the meaning of points 2, 3 and 4 of second paragraph of Article 2 of Directive 2000/54/EC of the European Parliament and of the Council (*), in so far as it is known that such agents or the therapeutic measures necessitated by them endanger the health of pregnant women and the unborn child, and in so far as they do not yet appear in Annex II.

(*) Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 262, 17.10.2000, p. 21).;

- (b) point 3 is amended as follows:

- (i) point (a) is replaced by the following:

'(a) substances and mixtures which meet the criteria for classification under Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*) in one or more of the following hazard classes and hazard categories with one or more of the following hazard statements, in so far as they do not yet appear in Annex II;

- germ cell mutagenicity, category 1A, 1B or 2 (H340, H341);
- carcinogenicity, category 1A, 1B or 2 (H350, H350i, H351);
- reproductive toxicity, category 1A, 1B or 2 or the additional category for effects on or via lactation (H360, H360D, H360FD, H360Fd, H360Df, H361, H361d, H361fd, H362);
- specific target organ toxicity after single exposure, category 1 or 2 (H370, H371).

(*) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).;

(ii) point (b) is replaced by the following:

‘(b) chemical agents in Annex I to Directive 2004/37/EC of the European Parliament and of the Council (*);

(*) Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).’

(2) Section B is replaced by the following:

‘B. Processes

Industrial processes listed in Annex I to Directive 2004/37/EC.’

Article 3

Amendments to Directive 94/33/EC

The annex to Directive 94/33/EC is amended as follows:

(1) Section I is amended as follows:

(a) in point 2 point (a) is replaced by the following:

‘(a) Biological agents of risk groups 3 and 4 within the meaning of points 3 and 4 of second paragraph of

Article 2 of Directive 2000/54/EC of the European Parliament and of the Council (*).

(*) Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 262, 17.10.2000, p. 21).’

(b) point 3 is amended as follows:

(i) point (a) is replaced by the following:

‘(a) Substances and mixtures which meet the criteria for classification under Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*) in one or more of the following hazard classes and hazard categories with one or more of the following hazard statements:

- acute toxicity, category 1, 2 or 3 (H300, H310, H330, H301, H311, H331);
- skin corrosion, category 1A, 1B or 1C (H314);
- flammable gas, category 1 or 2 (H220, H221);
- flammable aerosols, category 1 (H222);
- flammable liquid, category 1 or 2 (H224, H225);
- explosives, categories ‘Unstable explosive’, or explosives of Divisions 1.1, 1.2, 1.3, 1.4, 1.5 (H200, H201, H202, H203, H204, H205);
- self-reactive substances and mixtures, type A, B, C or D (H240, H241, H242);
- organic peroxides, type A or B (H240, H241);
- specific target organ toxicity after single exposure, category 1 or 2 (H370, H371);
- specific target organ toxicity after repeated exposure, category 1 or 2 (H372, H373);
- respiratory sensitisation, category 1, subcategory 1A or 1B (H334);
- skin sensitisation, category 1, subcategory 1A or 1B (H317);

- carcinogenicity, category 1A, 1B or 2 (H350, H350i, H351);
- germ cell mutagenicity, category 1A, 1B or 2 (H340, H341);
- reproductive toxicity, category 1A or 1B (H360, H360F, H360FD, H360Fd, H360D, H360Df).

(*) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).;

(ii) point (b) is deleted;

(iii) point (c) is deleted;

(iv) point (d) is replaced by the following:

‘(d) Substances and mixtures referred to in point (ii) of point (a) of Article 2 of Directive 2004/37/EC of the European Parliament and of the Council (*);

(*) Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50).’

(2) In Section II, point 1 is replaced by the following:

‘1. Processes at work referred to in Annex I to Directive 2004/37/EC.’

Article 4

Amendments to Directive 98/24/EC

Directive 98/24/EC is amended as follows:

(1) In Article 2, point (b) is amended as follows:

(a) point (i) is replaced by the following:

‘(i) any chemical agent which meets the criteria for classification as hazardous within any physical and/or health hazard classes laid down in Regulation (EC)

No 1272/2008 of the European Parliament and of the Council (*), whether or not that chemical agent is classified under that Regulation;

(*) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).;

(b) point (ii) is deleted;

(c) point (iii) is replaced by the following:

‘(iii) any chemical agent which, whilst not meeting the criteria for classification as hazardous in accordance with point (i) of point (b) of this Article may, because of its physico-chemical, chemical or toxicological properties and the way it is used or is present in the workplace, present a risk to the safety and health of workers, including any chemical agent that is assigned an occupational exposure limit value under Article 3.’

(2) In Article 4(1), the second indent is replaced by the following:

‘— information on safety and health that shall be provided by the supplier (e.g. the relevant safety data sheet in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council (*)),

(*) Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).’

(3) Article 8 is amended as follows:

(a) in paragraph 1, the fourth indent is replaced by the following:

‘— access to any safety data sheet provided by the supplier in accordance with Article 31 of Regulation (EC) No 1907/2006;’

(b) paragraph 3 is replaced by the following:

‘3. Member States may take measures necessary to ensure that employers are able to obtain on request, preferably from the producer or supplier, all information on hazardous chemical agents that is necessary to apply Article 4(1) of this Directive, insofar as neither Regulation (EC) No 1907/2006, nor Regulation (EC) No 1272/2008 include any obligation to provide information.’

Article 5

Amendments to Directive 2004/37/EC

Directive 2004/37/EC is amended as follows:

(1) In Article 1, paragraph 4 is replaced by the following:

‘4. As regards asbestos, which is dealt with by Directive 2009/148/EC of the European Parliament and of the Council (*), the provisions of this Directive shall apply whenever they are more favourable to health and safety at work.

(*) Directive 2009/148/EC of the European Parliament and of the Council of 30 November 2009 on the protection of workers from the risks related to exposure to asbestos at work (OJ L 330, 16.12.2009, p. 28).’

(2) Article 2 is amended as follows:

(a) point (a) is replaced by the following:

‘(a) “carcinogen” means:

(i) a substance or mixture which meets the criteria for classification as a category 1A or 1B carcinogen set out in Annex I to Regulation (EC) No 1272/2008 of the European Parliament and of the Council (*);

(ii) a substance, mixture or process referred to in Annex I to this Directive as well as a substance or mixture released by a process referred to in that Annex;

(*) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing

Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).’

(b) point (b) is replaced by the following:

‘(b) “mutagen” means:

a substance or mixture which meets the criteria for classification as a category 1A or 1B germ cell mutagen set out in Annex I to Regulation (EC) No 1272/2008;’

(3) In Article 4(1) the word ‘preparation’ is replaced by the word ‘mixture’.

(4) In Article 5(2) the word ‘preparation’ is replaced by the word ‘mixture’.

(5) In point (b) of Article 6, the word ‘preparations’ is replaced by the word ‘mixtures’.

(6) In Annex I, in the heading, the word ‘preparations’ is replaced by the word ‘mixtures’.

Article 6

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 June 2015. They shall immediately inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main measures of national law which they adopt in the field covered by this Directive.

Article 7

Entry into force and application

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

*Article 8***Addressees**

This Directive is addressed to the Member States.

Done at Strasbourg, 26 February 2014.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

D. KOURKOULAS

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 204/2014

of 20 February 2014

entering a name in the register of protected designations of origin and protected geographical indications [Aceituna de Mallorca/Aceituna Mallorquina/Oliva de Mallorca/Oliva Mallorquina (PDO)]

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Spain's application to register the name 'Aceituna de Mallorca'/'Aceituna Mallorquina'/'Oliva de Mallorca'/'Oliva Mallorquina' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Aceituna de Mallorca'/'Aceituna Mallorquina'/'Oliva de Mallorca'/'Oliva Mallorquina' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 February 2014.

*For the Commission,
On behalf of the President,
Dacian CIOLOŞ
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 276, 25.9.2013, p. 17.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

SPAIN

Aceituna de Mallorca/Aceituna Mallorquina/Oliva de Mallorca/Oliva Mallorquina (PDO)

COMMISSION IMPLEMENTING REGULATION (EU) No 205/2014

of 4 March 2014

laying down uniformed conditions for the implementation of Regulation (EU) No 1260/2013 of the European Parliament and the Council on European demographic statistics, as regards breakdowns of data, deadlines and data revisions

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1260/2013 of the European Parliament and of the Council of 20 November 2013 on European demographic statistics ⁽¹⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Regulation (EU) No 1260/2013 establishes a common legal framework for the development, production and dissemination of European statistics on population and vital events.
- (2) In order to ensure that data on population and on vital events provided by Member States, as required by Regulation (EU) No 1260/2013, are of high quality, comparable, consistent and in order to allow reliable Union-wide overviews to be drawn up, the data should be broken down.
- (3) Data should be therefore provided to the Commission broken down by territorial units in accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS) ⁽²⁾.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

*Article 1***Subject matter**

This Regulation establishes uniform conditions for the breakdowns of data required by Regulation (EU) No 1260/2013, as well as for deadlines and for revisions of those data.

*Article 2***Definitions**

Definitions laid down in Regulation (EU) No 1260/2013 shall apply. In addition, for the purpose of this Regulation, the following definitions shall also apply:

⁽¹⁾ OJ L 330, 10.12.2013, p. 39.

⁽²⁾ OJ L 154, 21.6.2003, p. 1.

(a) 'age' at a given date (either reference time or date of the event) means the interval of time between the date of birth and the given date, expressed in completed years;

(b) 'country of birth' of an individual means the country of usual residence (in its current borders, if the information is available) of the individual's mother at the time of the delivery, or, failing this, the country (in its current borders, if the information is available) in which the birth took place;

(c) 'country of birth of the mother' means the 'country of birth' of the mother;

(d) 'citizenship' means the particular legal bond between an individual and his or her State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation;

(e) 'live-birth order' means the numerical order of the live birth being recorded in relation to all previous live births of the mother;

(f) 'month of occurrence' means the calendar month of occurrence of the event;

(g) 'year of birth' means the calendar year of occurrence of the birth;

(h) 'Member State' means a country that is a member of the European Union at the end of the reference year.

*Article 3***Breakdowns and statistical tables**

The breakdowns of the data to be provided to the Commission (Eurostat) under Regulation (EU) No 1260/2013 are set out in Annex I.

The statistical tables to be provided to the Commission (Eurostat) are set out in Annex II.

*Article 4***Deadlines**

1. Each year Member States shall provide the Commission (Eurostat) with provisional data on total population, total live births and total deaths at national level, as described in Annex II, point 1, within six months of the end of the reference year.

2. Each year Member States shall provide the Commission (Eurostat) with data at national and regional level as described in Annex II, point 2, and related standard reference metadata (in the metadata structure definition defined for the Euro SDMX Metadata Structure) for the reference year within 12 months of the end of the reference year.

3. Each year Member States shall provide the Commission (Eurostat) with provisional monthly data on total live births and total deaths, as described in Annex II, point 3, each covering at least the first six months of the reference year, by 30 November of the same reference year.

Article 5

Data revisions

1. Member States shall inform the Commission (Eurostat) of any planned revision of the data supplied under Article 4(2) no

later than one week before the release of the revised data in the Member State concerned.

2. Member States shall provide any revised data to the Commission (Eurostat) no later than one week after the release of these data.

3. Member States shall ensure that any revised data provided to the Commission (Eurostat) is consistent with the whole set of data provided under Article 4(2).

Article 6

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 March 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX I

BREAKDOWNS OF DATA

The following breakdowns shall be used for the disaggregation of the statistical data requested under Regulation (EU) No 1260/2013.

The category 'Unknown' shall contain less than 5 % of the cases of the category 'Total' in the same distribution.

1. Age

Age	Low detail breakdown	High detail breakdown
Identification	AGE.L	AGE.H
(0)	Total	Total
(1)	Under 5 years	
(1.1)		Under 1 year
(1.2)		1 year
(1.3)		2 years
(1.4)		3 years
(1.5)		4 years
(2)	5 to 9 years	
(2.1)		5 years
(2.2)		6 years
(2.3)		7 years
(2.4)		8 years
(2.5)		9 years
(3)	10 to 14 years	
(3.1)		10 years
(3.2)		11 years
(3.3)		12 years
(3.4)		13 years
(3.5)		14 years
(4)	15 to 19 years	
(4.1)		15 years
(4.2)		16 years
(4.3)		17 years
(4.4)		18 years
(4.5)		19 years

Age	Low detail breakdown	High detail breakdown
Identification	AGE.L	AGE.H
(5)	20 to 24 years	
(5.1)		20 years
(5.2)		21 years
(5.3)		22 years
(5.4)		23 years
(5.5)		24 years
(6)	25 to 29 years	
(6.1)		25 years
(6.2)		26 years
(6.3)		27 years
(6.4)		28 years
(6.5)		29 years
(7)	30 to 34 years	
(7.1)		30 years
(7.2)		31 years
(7.3)		32 years
(7.4)		33 years
(7.5)		34 years
(8)	35 to 39 years	
(8.1)		35 years
(8.2)		36 years
(8.3)		37 years
(8.4)		38 years
(8.5)		39 years
(9)	40 to 44 years	
(9.1)		40 years
(9.2)		41 years
(9.3)		42 years
(9.4)		43 years
(9.5)		44 years

Age	Low detail breakdown	High detail breakdown
Identification	AGE.L	AGE.H
(10)	45 to 49 years	
(10.1)		45 years
(10.2)		46 years
(10.3)		47 years
(10.4)		48 years
(10.5)		49 years
(11)	50 to 54 years	
(11.1)		50 years
(11.2)		51 years
(11.3)		52 years
(11.4)		53 years
(11.5)		54 years
(12)	55 to 59 years	
(12.1)		55 years
(12.2)		56 years
(12.3)		57 years
(12.4)		58 years
(12.5)		59 years
(13)	60 to 64 years	
(13.1)		60 years
(13.2)		61 years
(13.3)		62 years
(13.4)		63 years
(13.5)		64 years
(14)	65 to 69 years	
(14.1)		65 years
(14.2)		66 years
(14.3)		67 years
(14.4)		68 years
(14.5)		69 years

Age	Low detail breakdown	High detail breakdown
Identification	AGE.L	AGE.H
(15)	70 to 74 years	
(15.1)		70 years
(15.2)		71 years
(15.3)		72 years
(15.4)		73 years
(15.5)		74 years
(16)	75 to 79 years	
(16.1)		75 years
(16.2)		76 years
(16.3)		77 years
(16.4)		78 years
(16.5)		79 years
(17)	80 to 84 years	
(17.1)		80 years
(17.2)		81 years
(17.3)		82 years
(17.4)		83 years
(17.5)		84 years
(18)	85 to 89 years	
(18.1)		85 years
(18.2)		86 years
(18.3)		87 years
(18.4)		88 years
(18.5)		89 years
(19)	90 to 94 years	
(19.1)		90 years
(19.2)		91 years
(19.3)		92 years
(19.4)		93 years
(19.5)		94 years

Age	Low detail breakdown	High detail breakdown
Identification	AGE.L	AGE.H
(20)	95 to 99 years	
(20.1)		95 years
(20.2)		96 years
(20.3)		97 years
(20.4)		98 years
(20.5)		99 years
(21)	100 years and older (*)	
(21.1)		100 years
(21.2)		101 years
(21.3)		102 years
(21.4)		103 years
(21.5)		104 years
(21.6)		105 years
(21.7)		106 years
(21.8)		107 years
(21.9)		108 years
(21.10)		109 years
(21.11)		110 years and older (**)

(*) The breakdown by five-year age groups (AGE.L) is requested up to '100 years and older'; however, Eurostat shall disseminate data by five-year age groups only up to '90 years and older' (NUTS level 3).

(**) The breakdown by single-year age (AGE.H) is requested up to '110 years and older'; however, Eurostat shall disseminate data by single-year age only up to '100 years and older' (national and NUTS level 2).

The category 'Unknown' shall not be used. Cases where 'Age' is unknown shall be redistributed using best national estimates.

2. Age of the mother

Age of the mother	Low detail breakdown	High detail breakdown
Identification	AGM.L	AGM.H
(0)	Total	Total
(1)	14 years or younger	14 years or younger
(2)	15 to 19 years	
(2.1)		15 years
(2.2)		16 years

Age of the mother	Low detail breakdown	High detail breakdown
Identification	AGM.L	AGM.H
(2.3)		17 years
(2.4)		18 years
(2.5)		19 years
(3)	20 to 24 years	
(3.1)		20 years
(3.2)		21 years
(3.3)		22 years
(3.4)		23 years
(3.5)		24 years
(4)	25 to 29 years	
(4.1)		25 years
(4.2)		26 years
(4.3)		27 years
(4.4)		28 years
(4.5)		29 years
(5)	30 to 34 years	
(5.1)		30 years
(5.2)		31 years
(5.3)		32 years
(5.4)		33 years
(5.5)		34 years
(6)	35 to 39 years	
(6.1)		35 years
(6.2)		36 years
(6.3)		37 years
(6.4)		38 years
(6.5)		39 years
(7)	40 to 44 years	
(7.1)		40 years
(7.2)		41 years

Age of the mother	Low detail breakdown	High detail breakdown
Identification	AGM.L	AGM.H
(7.3)		42 years
(7.4)		43 years
(7.5)		44 years
(8)	45 to 49 years	
(8.1)		45 years
(8.2)		46 years
(8.3)		47 years
(8.4)		48 years
(8.5)		49 years
(9)	50 years and older	50 years and older
(99)	Unknown	Unknown

3. Country of birth

Country of birth	Single breakdown
Identification	COB.M
(0)	Total
(1)	Native-born
(2)	Foreign-born
(2.1)	Born in another Member State
(2.2)	Born outside the EU
(9)	Unknown

4. Country of birth of the mother

Country of birth of the mother	Single breakdown
Identification	CBM
(0)	Total
(1)	Native-born
(2)	Foreign-born
(2.1)	Born in another Member State
(2.2)	Born outside the EU
(9)	Unknown

5. Country of citizenship

Country of citizenship	Single breakdown
Identification	COC.M
(0)	Total
(1)	National citizenship
(2)	Non-national citizenship
(2.1)	Citizenship of another Member State
(2.2)	Citizenship of a country not a member of the EU
(3)	Stateless
(9)	Unknown

A person with two or more citizenships shall be allocated to only one country of citizenship, to be determined in the following order of precedence:

- reporting country, or
- if the person does not have the citizenship of the reporting country: other Member State, or
- if the person does not have the citizenship of another Member State: other country outside the EU.

In cases of dual citizenship where both countries are within the EU but neither is the reporting country, Member States shall determine which country of citizenship is to be allocated.

6. Country of citizenship of the mother

Country of citizenship of the mother	Single breakdown
Identification	CCM
(0)	Total
(1)	National citizenship
(2)	Non-national citizenship
(2.1)	Citizenship of another Member State
(2.2)	Citizenship of a country not a member of the EU
(3)	Stateless
(9)	Unknown

Technical specifications as for the topic 'country of citizenship'.

7. Geographical area

Geographical area	Low detail breakdown	Medium detail breakdown	High detail breakdown
Identification	GEO.L	GEO.M	GEO.H
NUTS classification	NUTS level 0 (territory of the country)	All NUTS level 2 geographic denominations or Statistical Region	All NUTS level 3 geographic denominations or Statistical Region
(99999)		Unknown	Unknown

The version of the NUTS classification or Statistical Regions used shall be the version in force at the end of the reference year.

8. Live birth order (biological)

Live-birth order	Single breakdown
Identification	LBO
(0)	Total
(1)	Rank 1
(2)	Rank 2
(3)	Rank 3
(4)	Rank 4 and more
(9)	Unknown

In the case of multiple births, each live-born child shall be counted separately. The count does not include foetal deaths, and is irrespective of whether all live births were in wedlock or out-of-wedlock, or within current or previous legal unions, and regardless of whether the live-born children are alive or dead at the reference date or whether or not they are living with the mother.

9. Month of occurrence

Month of occurrence	Single breakdown
Identification	MOC
(0)	Total
(1)	January
(2)	February
(3)	March
(4)	April
(5)	May
(6)	June
(7)	July
(8)	August
(9)	September
(10)	October
(11)	November
(12)	December
(99)	Unknown

10. Sex

Sex	Single breakdown
Identification	SEX
(0)	Total
(1)	Male
(2)	Female

The category 'Unknown' shall not be used. Cases where 'Sex' is unknown shall be redistributed using best national estimates.

11. Year of birth

Year of birth	Single breakdown
Identification	YOB.H
(0)	Total
(1)	Reference year
(2)	Reference year – 1
(3)	Reference year – 2
(4)	Reference year – 3
(5)	Reference year – 4
(6)	Reference year – 5
(7)	Reference year – 6
(8)	Reference year – 7
(9)	Reference year – 8
(10)	Reference year – 9
(11)	Reference year – 10
(12)	Reference year – 11
(13)	Reference year – 12
(14)	Reference year – 13
(15)	Reference year – 14
(16)	Reference year – 15
(17)	Reference year – 16
(18)	Reference year – 17
(19)	Reference year – 18
(20)	Reference year – 19
(21)	Reference year – 20
(22)	Reference year – 21
(23)	Reference year – 22
(24)	Reference year – 23
(25)	Reference year – 24
(26)	Reference year – 25
(27)	Reference year – 26
(28)	Reference year – 27

Year of birth	Single breakdown
Identification	YOB.H
(29)	Reference year – 28
(30)	Reference year – 29
(31)	Reference year – 30
(32)	Reference year – 31
(33)	Reference year – 32
(34)	Reference year – 33
(35)	Reference year – 34
(36)	Reference year – 35
(37)	Reference year – 36
(38)	Reference year – 37
(39)	Reference year – 38
(40)	Reference year – 39
(41)	Reference year – 40
(42)	Reference year – 41
(43)	Reference year – 42
(44)	Reference year – 43
(45)	Reference year – 44
(46)	Reference year – 45
(47)	Reference year – 46
(48)	Reference year – 47
(49)	Reference year – 48
(50)	Reference year – 49
(51)	Reference year – 50
(52)	Reference year – 51
(53)	Reference year – 52
(54)	Reference year – 53
(55)	Reference year – 54
(56)	Reference year – 55
(57)	Reference year – 56
(58)	Reference year – 57
(59)	Reference year – 58
(60)	Reference year – 59

Year of birth	Single breakdown
Identification	YOB.H
(61)	Reference year – 60
(62)	Reference year – 61
(63)	Reference year – 62
(64)	Reference year – 63
(65)	Reference year – 64
(66)	Reference year – 65
(67)	Reference year – 66
(68)	Reference year – 67
(69)	Reference year – 68
(70)	Reference year – 69
(71)	Reference year – 70
(72)	Reference year – 71
(73)	Reference year – 72
(74)	Reference year – 73
(75)	Reference year – 74
(76)	Reference year – 75
(77)	Reference year – 76
(78)	Reference year – 77
(79)	Reference year – 78
(80)	Reference year – 79
(81)	Reference year – 80
(82)	Reference year – 81
(83)	Reference year – 82
(84)	Reference year – 83
(85)	Reference year – 84
(86)	Reference year – 85
(87)	Reference year – 86
(88)	Reference year – 87
(89)	Reference year – 88
(90)	Reference year – 89
(91)	Reference year – 90
(92)	Reference year – 91

Year of birth	Single breakdown
Identification	YOB.H
(93)	Reference year – 92
(94)	Reference year – 93
(95)	Reference year – 94
(96)	Reference year – 95
(97)	Reference year – 96
(98)	Reference year – 97
(99)	Reference year – 98
(100)	Reference year – 99
(101)	Reference year – 100
(102)	Reference year – 101
(103)	Reference year – 102
(104)	Reference year – 103
(105)	Reference year – 104
(106)	Reference year – 105
(107)	Reference year – 106
(108)	Reference year – 107
(109)	Reference year – 108
(110)	Reference year – 109
(111)	Reference year – 110 or earlier (*)

(*) The breakdown by single year of birth (YOB.H) is requested up to 'Reference year - 110 years or earlier'; however, Eurostat shall disseminate data by single year of birth up to 'Reference year - 100 years or earlier' (national and NUTS level 2).

The category 'Unknown' shall not be used. Cases where 'Year of birth' is unknown shall be redistributed using best national estimates.

12. Year of birth of the mother

Year of birth of the mother	Single breakdown
Identification	YBM
(0)	Total
(1)	Reference year – 14 or later
(2)	Reference year – 15
(3)	Reference year – 16
(4)	Reference year – 17
(5)	Reference year – 18

Year of birth of the mother	Single breakdown
Identification	YBM
(6)	Reference year – 19
(7)	Reference year – 20
(8)	Reference year – 21
(9)	Reference year – 22
(10)	Reference year – 23
(11)	Reference year – 24
(12)	Reference year – 25
(13)	Reference year – 26
(14)	Reference year – 27
(15)	Reference year – 28
(16)	Reference year – 29
(17)	Reference year – 30
(18)	Reference year – 31
(19)	Reference year – 32
(20)	Reference year – 33
(21)	Reference year – 34
(22)	Reference year – 35
(23)	Reference year – 36
(24)	Reference year – 37
(25)	Reference year – 38
(26)	Reference year – 39
(27)	Reference year – 40
(28)	Reference year – 41
(29)	Reference year – 42
(30)	Reference year – 43
(31)	Reference year – 44
(32)	Reference year – 45
(33)	Reference year – 46
(34)	Reference year – 47
(35)	Reference year – 48
(36)	Reference year – 49
(37)	Reference year – 50 or earlier
(99)	Unknown

ANNEX II

STATISTICAL TABLES

1. Data referred to in Article 4(1)

Table	Title	Breakdowns to be crossed
POPDB	Population	GEO.L
LVBDB	Live births	GEO.L
DTHDB	Deaths	GEO.L

2. Data referred to in Article 4(2)

Table	Title	Breakdowns to be crossed
POP01	Population by age, sex and region (level 2) of residence	GEO.M, AGE.H, SEX
POP02	Population by age, sex and region (level 3) of residence	GEO.H, AGE.L, SEX
LVB01	Live births by month of occurrence	GEO.L, MOC
LVB02	Live births by mother's age, mother's year of birth and mother's region (level 2) of residence	GEO.M, AGM.H, YBM
LVB03	Live births by mother's age and mother's region (level 3) of residence	GEO.H, AGM.L
LVB04	Live births by mother's age, mother's year of birth and mother's country of birth	GEO.L, AGM.H, YBM, CBM
LVB05	Live births by mother's age, mother's year of birth and mother's country of citizenship	GEO.L, AGM.H, YBM, CCM
LVB06	Live births by mother's age, mother's year of birth and live birth order	GEO.L, AGM.H, YBM, LBO
LVB07	Live births by mother's age, mother's year of birth and sex of the new-born	GEO.L, AGM.H, YBM, SEX
DTH01	Deaths by month of occurrence	GEO.L, MOC
DTH02	Deaths by sex, age, year of birth and region (level 2) of residence	GEO.M, SEX, AGE.H, YOB.H
DTH03	Deaths by sex, age and region (level 3) of residence	GEO.H, SEX, AGE.L
DTH04	Deaths by sex, age, year of birth and country of birth	GEO.L, SEX, AGE.H, YOB.H, COB.M
DTH05	Deaths by sex, age, year of birth and country of citizenship	GEO.L, SEX, AGE.H, YOB.H, COC.M

3. Data referred to in Article 4(3)

Table	Title	Breakdowns to be crossed
LVBNC	Live births by month of occurrence	GEO.L, MOC
DTHNC	Deaths by month of occurrence	GEO.L, MOC

COMMISSION REGULATION (EU) No 206/2014**of 4 March 2014****amending Regulation (EU) No 601/2012 as regards global warming potentials for non-CO₂ greenhouse gases****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC⁽¹⁾, and in particular Article 14(1) thereof,

Whereas:

- (1) Annex VI to Commission Regulation (EU) No 601/2012⁽²⁾ determines the global warming potentials (GWP) for non-CO₂ greenhouse gases.
- (2) Decision 15/CP.17⁽³⁾ of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC), in order to implement the use of the 2006 IPCC Guidelines for National Greenhouse Gas Inventories of the Intergovernmental Panel on Climate Change, determines that from 2015 until a further decision by the Conference of the Parties to the UNFCCC the GWP used by the Parties to calculate the carbon dioxide equivalence of anthropogenic emissions by sources and removals by sinks of greenhouse gases should be those listed in Annex III to Decision 15/CP.17.
- (3) In order to ensure consistency of the relevant Union legislation with the methodologies used in the context of the UNFCCC process, Regulation (EU) No 601/2012 should be amended accordingly.

- (4) In accordance with Article 13(1) of Directive 2003/87/EC, allowances issued from 1 January 2013 are to be valid for emissions for an eight-year trading period beginning on that date. The adjustment of the quantity of allowances to be issued from 1 January 2013 pursuant to Article 9a(1) of that Directive is determined taking into account the GWP listed in Annex III to Decision 15/CP.17 of the Conference of the Parties to the UNFCCC. As Regulation (EU) No 601/2012 applies from 1 January 2013, this Regulation should also apply from that date in order to ensure consistency of all greenhouse gas emission data reported throughout the entire eight-year trading period.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VI to Regulation (EU) No 601/2012 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2013.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 March 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 275, 25.10.2003, p. 32.

⁽²⁾ Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 30).

⁽³⁾ FCCC/CP/2011/9/Add.2, p. 23.

ANNEX

Table 6 of Annex VI to Regulation (EU) No 601/2012 is replaced by the following:

Table 6: Global warming potentials

Gas	Global warming potential
N ₂ O	298 t CO _{2(e)} /t N ₂ O
CF ₄	7 390 t CO _{2(e)} /t CF ₄
C ₂ F ₆	12 200 t CO _{2(e)} /t C ₂ F ₆

COMMISSION IMPLEMENTING REGULATION (EU) No 207/2014**of 4 March 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 March 2014.

*For the Commission,
On behalf of the President,*

*Jerzy PLEWA
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	64,0
	TN	96,6
	TR	87,8
	ZZ	82,8
0707 00 05	EG	182,1
	JO	182,1
	MA	176,8
	TR	159,4
	ZZ	175,1
0709 91 00	EG	51,3
	ZZ	51,3
0709 93 10	MA	42,6
	TR	89,7
	ZZ	66,2
0805 10 20	EG	48,3
	IL	66,7
	MA	47,5
	TN	45,8
	TR	72,1
	ZZ	56,1
0805 50 10	TR	69,0
	ZZ	69,0
0808 10 80	CN	115,7
	MK	25,2
	US	150,2
	ZZ	97,0
0808 30 90	AR	99,8
	CL	200,9
	CN	73,6
	TR	156,2
	US	120,7
	ZA	100,0
	ZZ	125,2

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

RECOMMENDATIONS

COMMISSION RECOMMENDATION

of 3 March 2014

on the establishment and implementation of the Production and Marketing Plans pursuant to Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products

(2014/117/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Producer organisations are to submit production and marketing plans under Article 28 of Regulation (EU) No 1379/2013 of the European Parliament and of the Council ⁽¹⁾ (the 'CMO Regulation') to their competent national authorities to contribute to the achievement of the objectives of the common organisation of the markets in fishery and aquaculture products.
- (2) Production and marketing plans constitute a mandatory instrument for producer organisations.
- (3) To foster a homogeneous implementation of production and marketing plans, it is necessary that the Commission provides more detailed recommendations on the structure, format and time limits outlined in Commission Implementing Regulation (EU) No 1418/2013 ⁽²⁾ in providing clear and detailed guidance to Member States and producer organisations.
- (4) To help producer organisations to contribute to the objectives of the common market organisation for fisheries and aquaculture products, the Commission should provide recommendations to producer organisations on how to present their intended strategy to match production and market requirements, in particular in detailing the production programme and marketing strategy to be developed.
- (5) The Commission should also provide examples of the different measures that producer organisations could

implement to illustrate how they could concretely contribute to the different objectives of the producer organisations as set out in Article 7 of Regulation (EU) No 1379/2013 that the production and marketing plans would address.

- (6) To facilitate the monitoring of the production and marketing plans by producer organisations and to allow the competent national authorities to assess the contribution of the different measures of the production and marketing plans to the objectives of the common market organisation and to enable them to verify the compliance by producer organisations with the obligations related to the implementation of the plans, the use of appropriate indicators should be recommended.
- (7) To facilitate the estimation by producer organisations and competent national authorities of the financial needs deriving from the implementation of the measures included in the production and marketing plans, the inclusion of a financial schedule in the production and marketing plan should be recommended.
- (8) To allow competent national authorities to assess the implementation of the production and marketing plans by producer organisations, the Commission should recommend that the annual report submitted by producer organisations includes relevant indicators assessing the implementation of the measures planned and evaluating their contribution to the producer organisations' objectives.
- (9) This recommendation will be amended or revised as necessary and, in particular, following the adoption of a future Union legal act establishing the conditions for the financial support for maritime and fisheries policy for the period 2014-2020,

⁽¹⁾ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

⁽²⁾ Commission Implementing Regulation (EU) No 1418/2013 of 17 December 2013 concerning production and marketing plans pursuant to Regulation (EU) No 1379/2013 of the European Parliament and of the Council on the common organisation of the markets in fishery and aquaculture products (OJ L 353, 28.12.2013, p. 40).

HAS ADOPTED THIS RECOMMENDATION:

That producer organisations and associations of producer organisations comply with:

- (a) the format and structure set out in Part A of this Recommendation for the production and marketing plans referred to in Article 28(1) of Regulation (EU) No 1379/2013 ('the plans');

- (b) the details set out in Part B of this Recommendation concerning the time limits and procedure for the annual report as referred to in Article 28(5) of Regulation (EU) No 1379/2013 ('the annual report').

Where this recommendation refers to producer organisations it is intended to refer also to associations of producer organisations.

PART A

FORMAT AND STRUCTURE OF THE PRODUCTION AND MARKETING PLANS

Plans submitted to national authorities by fishery and aquaculture producer organisations should include information detailed as follows:

1. General information on the producer organisation

Name

The full name of the producer organisation.

Type

Aquaculture producer organisation or a fishery producer organisation.

Identification code

The national identification code.

Location

The place where the producer organisation is officially registered (such as the city or harbour) as well as its area of competence, using the relevant NUTS (nomenclature of territorial units for statistics) unit.

Number of members

The number of producers officially registered in the producer organisation.

Turnover (detailed by species)

A table indicating the producer organisation's overall turnover for the past three years with a further view expressing turnover for individual species.

The turnover should be calculated either as the average annual value of the marketed production at first sale in the last three years, or as the sum of each producer organisation members' marketed production at first sale in the same period for newly recognised producer organisations.

Volume of catches and harvests (detailed by species)

A table detailing for each species the volume and value of catches or harvests in the last three years, expressed in tons and euros per year.

Identification of the producer organisation's main marketed species [ex 2.1]

It is recommended to use the table described in the previous subsection for the identification of the main marketed species. The main commercial species should represent the main part of each producer organisation's production in terms of turnover and volume of catches and farmed species. The rules set out in Article 2 of the Commission Regulation (EC) No 2508/2000 ⁽¹⁾ should be used as a reference.

2. Production programme and marketing strategy

2.1. Introduction

The producer organisation should explain the overall coherence between the measures it intends to implement and the objectives of the plan.

Based on an assessment of the producer organisation's assets, opportunities, threats and weaknesses, the plans should be introduced by a presentation of the producer organisation's intended strategy to develop and to match its production with markets requirements, in accordance with the objectives assigned to producer organisations in Articles 3 and 7 of the CMO Regulation.

That presentation should clearly establish the link between the production programme and the marketing strategy that the producer organisation will implement.

2.2. Production programme

The production programme should consist of an indicative supply schedule set out across the year and based on seasonal trends (price, production and demand) in the market. It should, in particular, take into account the following elements:

2.2.1. For all producer organisations

- planning of production activities,
- coordination of activities with other producers,

For fishery producer organisations:

- management of fishing rights and access between members of a producer organisation, depending on the production planning,
- implementation and management of the obligation to land all catches.

2.2.2. For aquaculture producer organisations

- developing sustainable aquaculture practices.

⁽¹⁾ Commission Regulation (EC) No 2508/2000 of 15 November 2000 laying down the detailed rules for the application of Council Regulation (EC) No 104/2000 as regards operational programmes in the fisheries sector (OJ L 289, 16.11.2000, p. 8).

2.3. *Marketing strategy*

The marketing strategy should describe how the producer organisation intends to ensure the adequacy of supply with market requirements in terms of quality, quantity and presentation. It should, in particular, take into account the following elements:

- identification of market requirements (quantity, quality, presentation),
- identification of new outlets and other commercial opportunities,
- dialogue and coordination with other operators in the supply chain.

3. **Measures to achieve the objectives laid down in Article 7 of CMO Regulation**

3.1. *For fishery producer organisations*

3.1.1. Promoting sustainable fishing activities⁽¹⁾

Under this heading the plans should include one or more of the following measures:

- collective management of fishing rights and access between members of a producer organisation, based on management rules in force for the different stocks, fisheries and fishing areas,
- coordinating dialogue and cooperation with relevant scientific organisations in fisheries and cooperating in the development of scientific advice to support management decisions on fisheries resources,
- preparation and management of scientific and technical campaigns aimed at improving the knowledge of resources, ecosystem impacts and the development of sustainable fishing techniques,
- conducting impact studies for the application of new management measures,
- identification and collective prevention of risks related to safety at work and safety at sea,
- providing assistance and training to producer organisation's members on fisheries regulation, on promotion of sustainable fishing practices or on board security,

- effective participation in the different relevant bodies for fisheries management at national, regional, European and international levels,

- coordinating dialogue between producer organisations, including with those from different Member States.

3.1.2. Avoiding and reducing unwanted catches⁽²⁾

Under this heading the plans should include one or more of the following measures:

- identification and promotion of fishing practices which help avoid and reduce unwanted catches,
- creation and implementation of plans and collective actions for avoiding and reducing unwanted catches,
- identification of the best uses of such catches⁽³⁾.

3.1.3. Contributing to the traceability of fishery products and access to clear and comprehensive information for consumers

Under this heading the plans should include one or more of the following measures:

- improving techniques for traceability,
- evaluating communication needs and consumer information actions,
- improving product labelling including in conducting certification processes to support mandatory and additional voluntary information as provided for in Articles 38 and 39 of the CMO Regulation,
- preparing and implementing communication and consumer information actions.

3.1.4. Contributing towards the elimination of IUU fishing practices

Under this heading the plans should include one or more of the following measures:

- training for producers and education,
- observation programmes and control of producer organisation members' activity.

⁽¹⁾ Promoting sustainable fishing activities of their members by providing opportunities for their development in full compliance with the conservation policy as laid down in Regulation (EU) No 1380/2013 of the European Parliament and of the Council (OJ L 354, 28.12.2013, p. 22) ('Regulation on the Common Fisheries Policy') and environmental legislation, while respecting social policy.

⁽²⁾ Avoiding and reducing as far as possible unwanted catches of commercial stocks and where necessary, making the best use of such catches, without creating a market for such catches that are below the minimum conservation reference size, in accordance with Article 15 of the Regulation on the common fisheries policy.

⁽³⁾ Without creating a market for such catches that are below minimum conservation size.

3.1.5. Improving the conditions for the placing on the market of their members' fisheries products

Under this heading the plans should include one or more of the following measures:

- identifying outlets for marketing the production and channelling the supply of their members,
- developing strategies to better market the production, including for product certification,
- developing certification processes, amongst others in the fields of nutrition and quality,
- supporting additional voluntary information, as per Article 39 of the CMO Regulation,
- designing and developing new methods and new marketing tools,
- providing assistance and training to producer organisation members on marketing techniques,
- participating in trade fairs at national, European and international level to promote producer organisation members' production.

3.1.6. Improving economic returns

Under this heading the plans should include one or more of the following measures:

- preparing and monitoring scientific and technical campaigns aimed at reducing operating costs,
- providing assistance and training to producer organisation members in fishing business management,
- developing services to producer organisation members in cost accounting.

3.1.7. Stabilising the markets

Under this heading the plans should include one or more of the following measures:

- contributing to improved market intelligence,
- improving the knowledge of producer organisation members on the main economic drivers along the supply chain,

- providing practical support to producers to better coordinate information sharing with customers and other actors (in particular processors, retailers and auctions).

3.1.8. Contributing to food supply and promoting high food quality and safety standards, whilst contributing to employment in coastal and rural areas

Under this heading the plans should include one or more of the following measures:

- preparing and running campaigns to promote initiatives on marketing standards (quality, size or weight, packing, presentation and labelling),
- preparing and running campaigns to promote new species that can be sustainably exploited,
- preparing and running campaigns to develop new processes and products,
- preparing and running campaigns to promote fishery products,
- preparing and running campaigns to promote employment in fishery.

3.1.9. Reducing the environmental impact of fishing, including through measures to improve the selectivity of fishing gears

Under this heading the plans should include one or more of the following measures:

- preparing and undertaking scientific surveys and experimental programmes to assess and limit the environmental impacts of fishing practices,
- preparing and running experimental programmes to develop fishing gears reducing environmental impacts,
- providing training and assistance to producers to facilitate the implementation of fishing practices and fishing gears which limit the environmental impact.

3.2. For aquaculture producer organisations

3.2.1. Promoting sustainable aquaculture activities⁽¹⁾

Under this heading the plans should include one or more of the following measures:

- preparing and managing scientific and technical campaigns to improve knowledge of species, impacts of aquaculture activities on the environment, and to foster the development of sustainable aquaculture techniques,
- coordinating dialogue and cooperation with relevant scientific organisations in aquaculture and cooperating in the development of scientific advice to support management decisions on aquaculture,
- providing assistance and training to producer organisation members to promote sustainable aquaculture practices,
- identification and collective prevention of risks related to safety at work,
- effective participation in the different relevant bodies for aquaculture at national, regional, European and international levels,
- coordinating dialogue between producer organisations, including with those from different Member States.

3.2.2. Ascertaining that the activities of their members are consistent with the national strategic plans⁽²⁾

Under this heading the plans should include one or more of the following measures:

- participating to the development of the national strategic plans,
- developing certification schemes on animal feed sustainability.

3.2.3. Endeavouring to ensure that aquaculture feed products of fishery origin come from fisheries that are sustainably managed

Under this heading the plans should include one or more of the following measures:

- participating in the development of traceability procedures,

- developing certification schemes on animal feed sustainability.

3.2.4. Improving the conditions for the placing on the market of their members' aquaculture products

Under this heading the plans should include one or more of the following measures:

- identifying outlets for marketing and/or channelling the production of their members,
- developing strategies to better market the production, including for product certification,
- supporting additional voluntary information, as per Article 39 of the CMO Regulation,
- developing certification processes, including in the fields of nutrition and quality,
- designing and developing new methods and new marketing tools,
- providing assistance and training to producer organisation members on marketing techniques,
- participating in trade fairs at national, European and international level to promote producer organisation members' production.

3.2.5. Improving economic returns

Under this heading the plans should include one or more of the following measures:

- preparing and monitoring scientific and technical campaigns aimed at reducing operating costs,
- providing assistance and training to producer organisation members in aquaculture business management,
- developing services to producer organisation members in cost accounting.

3.2.6. Stabilising the markets

Under this heading the plans should include one or more of the following measures:

- coordinating between different producer organisations the collection, processing, sharing and exploitation of economic information relating to producer organisation members' production, including stocking data and first sales prices,

⁽¹⁾ Promoting sustainable aquaculture activities of their members by providing opportunities for their development in full compliance with the conservation policy as laid down in the Regulation on the common fisheries policy and environmental legislation, while respecting social policy.

⁽²⁾ Referred to in Article 34 of the Regulation on the common fisheries policy.

- contributing to improved market intelligence,
- improving the knowledge of producer organisation members on the main economic drivers along the supply chain,
- providing practical support to producers to better coordinate information sharing with processors.

3.2.7. Contributing to food supply and promoting high food quality and safety standards, whilst contributing to employment in coastal and rural areas

Under this heading the plans should include one or more of the following measures:

- preparing and conducting campaigns developing initiatives on marketing standards (quality, size or weight, packing, presentation and labelling),
- preparing and conducting campaigns to promote employment in aquaculture,
- preparing and conducting campaigns to promote aquaculture products.

4. Measures to adjust the supply of certain species ⁽¹⁾

Under this Section, the plans should include one or more of the following measures:

- identification of fishery products with marketing difficulties at certain periods of the year,
- development of dedicated production and marketing strategies and tools.

5. Penalties and control measures

In accordance with provisions of Article 8(1)(d) of the CMO Regulation, this Section should describe the penalties applicable to members who infringe upon decisions adopted to implement the plans ⁽²⁾ as well as measures that the producer organisation will implement to control the compliance of their members activities with the rules they have established ⁽³⁾. Under this Section the plans should include one or more of the following measures:

- development of a system of sanctions proportional to the infringements committed by producer organisation members,

- development of strategies and programmes for the enforcement of the rules adopted by the producer organisation,

- undertaking risk assessments on the implementation of the rules adopted by the producer organisation,

- preparing and conducting control operations on the enforcement of rules adopted by the producer organisation,

- training of observers and controllers,

- creation and dissemination of guidelines for the implementation of:

(a) the regulations deriving from the common fisheries policy;

(b) the rules and management measures adopted by the producer organisation.

6. Expenditures to be considered

6.1. Financial plan

It is recommended that producer organisations include in their plans a financial plan detailing for each measure they intend to implement, the different costs, expenditures and expected financial resources.

Within the financial plan, the following two types of activities should be distinguished:

(a) preparing, monitoring and steering activities related to the measures planned ('project owner activities'); and

(b) activities linked to the practical realisation of each specific measure planned ('project management activities').

6.2. Project owner activities

Expenditure for project owner activities should include in particular expenditures for market studies, assessment studies, project design, risk analysis and any feasibility study realised in advance of the implementation of a measure linked to the achievement of one of the objectives of the plan. It should also include expenditures linked to monitoring and control activities carried out by the producer organisation in the course of the implementation of a specific measure.

The expenditures considered can cover different categories such as labour, service delivery or supplies.

⁽¹⁾ 'Species which habitually present marketing difficulties during the year' referred to Article 28(2)(d) of the CMO Regulation.

⁽²⁾ Penalties provided in Article 28(2)(e) of the CMO Regulation.

⁽³⁾ Measures provided in Article 8(1)(d) of the CMO Regulation.

6.3. *Project management activities*

Expenditure project management activities should include in particular expenditures for elements of the measures implemented that are not properly linked to the project-owner activities, such as scientific or technical experimentations, advertising campaigns, purchasing and deployment of new technical devices for increasing selectivity, developing traceability, or fostering sustainable aquaculture practices.

7. **Implementing schedule**

The plans should contain a timetable of the planned measures and related expenses, broken down into yearly instalments for multiannual plans.

The timetable should indicate for each measure appropriate output and result indicators as recommended in Section 8.

8. **Indicators**

As recommended in Section 7, output and result indicators should be provided for each measure planned to allow the control of their implementation by producer organisations and competent national authorities. These indicators should be used in the annual report provided for in Article 28(5) of the CMO Regulation. Those indicators should seek to assess the achievement of the strategic objectives of the plans in relation to the initial situation described in the introduction of the plan.

According to their relevance with regard to the different measures planned, the following indicators should be used:

8.1. *Output indicators for the implementation of the planned measures*

8.1.1. *For fishery producer organisations*

Under this heading the plans should include output indicators assessing the conformity with:

- the scheduled vessels activity expressed, inter alia, in terms of days at sea, volumes of targeted species caught,
- a provisional timetable for marketing of products by species and presentation,
- a plan of scheduled actions for the identification of market opportunities,
- a plan of scheduled actions for the certification/labelling of the products,

- a provisional timetable for the management of fishing effort and/or capacity by fishing area,
- a plan of scheduled measures for reducing unwanted by-catch,
- a schedule of training in compliance and rules, awareness and control of producers.

Those output indicators should also highlight:

- predictive identification of the products' sales cycles,
- conformity of the average monthly income of producers with an expected level of incomes.

8.1.2. *For aquaculture producer organisations*

Under this heading the plans should include output indicators assessing the conformity with:

- stocking and harvesting scheduled for farmed species,
- a provisional timetable for marketing of products by species and presentation,
- a plan of scheduled actions for the identification of market opportunities,
- a plan of scheduled actions for the certification/labelling of the products,
- a plan for reducing contamination of ecosystems linked to aquaculture activities,
- a plan for implementing sustainable feeding of farmed species,
- a schedule of training in compliance and rules, awareness, and control.

Those output indicators should also highlight:

- predictive identification of the products' sales cycles,
- conformity of the average monthly income of producers with an expected level of incomes.

8.2. *Result indicators for assessing the contribution of the measures deployed to achieving the objectives of the production and marketing plans*

8.2.1. *For fishery producer organisations*

Under this heading the plans should include result indicators assessing:

- volume and/or value of the species caught, or marketed,
- average size of the species caught, or marketed,

- sales growth by species and/or product compared to an *ex ante* position,
- number and volume and/or value of new products sold compared to the previous year,
- evolution of fishing effort and/or capacity,
- evolution of landings composition and/or volume of unwanted catches,
- evolution 'per capita' of the valuation of landed or harvested production,
- evolution of production costs per unit of production,
- evolution of cost of sales per unit of production,
- evolution of the average monthly income of producers,
- changes in the rate of unsold products in relation to the *ex ante* position,
- changes in the value of sensitive products in relation to the *ex ante* position,
- number of accidents (with injuries and/or fatal casualties),
- changes in the number of offences to the producer organisation rules recorded.

8.2.2. For aquaculture producer organisations

Under this heading the plans should include result indicators assessing:

- volume and/or value of the species harvested or marketed,
- sales growth by species and/or product compared to an *ex ante* position,
- number and volume and/or value of new products sold compared to the previous year,

- evolution 'per capita' of the valuation of harvested production,
- evolution of the proportion of feed used for farmed species coming from sustainable or renewable resources,
- evolution of the quantities of polluted outputs,
- evolution of production costs per unit of production,
- evolution of cost of sales per unit of production,
- evolution of the average monthly income of producers,
- changes in the rate of unsold products in relation to the *ex ante* position,
- changes in the value of sensitive products in relation to the *ex ante* position,
- number of accidents (with injuries and/or fatal casualties),
- changes in the number of offences to the producer organisation rules recorded.

PART B

SUBMISSION AND CONTENT OF THE ANNUAL REPORT

Producer organisations should submit the annual report after completion of the plans. In case of a multiannual plan, a report should be submitted on a yearly basis.

The annual report should include output and result indicators as provided for in the implementing schedule of the plans submitted for approval to the competent national authorities.

Done at Brussels, 3 March 2014.

For the Commission
Maria DAMANAKI
Member of the Commission

COMMISSION RECOMMENDATION
of 3 March 2014
on the monitoring of traces of brominated flame retardants in food

(Text with EEA relevance)

(2014/118/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Brominated flame retardants are organobromine compounds which are applied to products in order to inhibit or slow down the ignition of combustible materials in case of fire. They are commonly used in a wide range of consumer goods for example electronics, cars, furniture and construction materials to reduce the flammability of the product. Brominated flame retardants can leach out or evaporate from the products in which they were used. Since consumer goods are discharged at the end of their life, these substances have over time contaminated the environment and the food chain.
- (2) However, many brominated flame retardants are persistent, bioaccumulative, and toxic to both humans and the environment. They are suspected of causing neurobehavioral effects and endocrine disruption and they have been found in biota in the environment.
- (3) Therefore, the Commission asked the European Food Safety Authority (EFSA) to prepare a scientific opinion on the risks to public health related to the presence of brominated flame retardants in food.
- (4) The Scientific Panel on Contaminants in Food of EFSA adopted six scientific opinions⁽¹⁾ on different classes of brominated flame retardants between September 2010 and September 2012.

(5) EFSA recommended, for a number of those classes, that further data on levels in food and in humans should be gathered.

(6) Levels of brominated flame retardants in food of animal origin could be related to the presence of these substances in animal feed, therefore, based on the first results of the monitoring of food in 2014, a recommendation as regards the monitoring of animal feed could follow in 2015,

HAS ADOPTED THIS RECOMMENDATION:

1. Member States should perform monitoring on the presence of brominated flame retardants in food, during the years 2014 and 2015. The monitoring should include a wide variety of individual foodstuffs reflecting consumption habits in order to give an accurate estimation of exposure and different food commodities should be included for the different classes of brominated flame retardants
2. Member States should follow the sampling procedures laid down in Annex II to Commission Regulation (EU) No 252/2012⁽²⁾ in order to ensure that the samples are representative of the sampled lot.
3. Member States should carry out analysis of the different classes of brominated flame retardants in order to detect the presence of the following substances in the respective food commodities:
 - (a) for the class of polybrominated diphenyl ethers (PBDEs): 2,2',4-tribromodiphenyl ether (BDE-28, CAS No 41318-75-6); 2,2',4,4'-tetrabromodiphenyl ether (BDE-47, CAS No 5436-43-1); 2,2',4,5'-tetrabromodiphenyl ether (BDE-49, CAS No 243982-82-3); 2,2',4,4',5-pentabromodiphenyl ether (BDE-99, CAS No 60348-60-9); 2,2',4,4',6-pentabromodiphenyl ether (BDE-100, CAS No 189084-64-8); 2,2,3,4,4,5-hexabromodiphenyl ether (BDE-138, CAS No 67888-98-6); 2,2',4,4',5,5'-hexabromodiphenyl ether (BDE-153, CAS No 68631-49-2); 2,2',4,4',5,6'-hexabromodiphenyl ether (BDE-154, CAS No 207122-15-4); 2,2',3,4,4',5',6-heptabromodiphenyl

⁽¹⁾ EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on Polybrominated Biphenyls (PBBs) in Food. *EFSA Journal* 2010; 8(10):1789. [151 pp.] doi:10.2903/j.efsa.2010.1789.
Scientific Opinion on Polybrominated Diphenyl Ethers (PBDEs) in Food. *EFSA Journal* 2011; 9(5):2156. [274 pp.] doi:10.2903/j.efsa.2011.2156.
Scientific Opinion on Hexabromocyclododecanes (HBCDDs) in Food. *EFSA Journal* 2011; 9(7):2296. [118 pp.] doi:10.2903/j.efsa.2011.2296.
Scientific Opinion on Tetrabromobisphenol A (TBBPA) and its derivatives in food. *EFSA Journal* 2011; 9(12):2477. [61 pp.] doi:10.2903/j.efsa.2011.2477.
Scientific Opinion on Brominated Flame Retardants (BFRs) in Food: Brominated Phenols and their Derivatives. *EFSA Journal* 2012; 10(4):2634. [42 pp.] doi:10.2903/j.efsa.2012.2634.
Scientific Opinion on Emerging and Novel Brominated Flame Retardants (BFRs) in Food. *EFSA Journal* 2012; 10(10):2908. [125 pp.] doi:10.2903/j.efsa.2012.2908.

⁽²⁾ Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006 (OJ L 84, 23.3.2012, p. 1).

ether (BDE-183, CAS No 207122-16-5) and 2,2',3,3',4,4',5,5',6,6'-decabromodiphenyl ether (BDE-209, CAS No 1163-19-5), in eggs and egg products, milk and dairy products, meat and meat products, animal and vegetable fats and oils, fish and other seafood, products for specific nutritional uses, and food for infants and small children, using analytical methods with a limit of quantification of 0,01 ng/g wet weight or lower;

- (b) for the class of hexabromocyclododecanes (HBCDDs): (+/-)- α -HBCD (1,2,5,6,9,10-hexabromo-(1R,2R,5S,6R,9R,10S)-rel-cyclododecane, CAS No 134237-50-6); (+/-)- β -HBCD (1,2,5,6,9,10-hexabromo-(1R,2S,5R,6R,9R,10S)-rel-cyclododecane, CAS No 134237-51-7) and (+/-)- γ -HBCD (1,2,5,6,9,10-hexabromo-(1R,2R,5R,6S,9S,10R)-rel-cyclododecane, CAS No 134237-52-8) in fish and other seafood, meat and meat products, milk and dairy products, eggs and egg products, as well as infant and follow-up formula. The analytical methods used for the determination of HBCDDs include the determination of stereoisomers and should have a limit of quantification of 0,01 ng/g wet weight or lower;
- (c) for the class of tetrabromobisphenol A and its derivatives: tetrabromobisphenol A (TBBPA, CAS No 79-94-7) and possibly TBBPA bismethyl ether (TBBPA-bME, CAS No 70156-79-5); TBBPA bis(2-hydroxyethyl) ether (TBBPA-boHEE, CAS No 4162-45-2); TBBPA bisallyl ether (TBBPA-bAE, CAS No 25327-89-3); Tetrabromobisphenol A bis(glycidyl ether) (TBBPA-bGE, CAS No 3072-84-2) and TBBPA bis(2,3-dibromopropyl)ether (TBBPA-bDiBPrE, CAS No 21850-44-2) in fish and other seafood, meat and meat products, milk and dairy products, and eggs and egg products. The analytical methods used for the determination of tetrabromobisphenol A and its derivatives should have a limit of quantification of 0,1 ng/g wet weight or lower;
- (d) for the class of brominated phenols and their derivatives: 2,4,6-tribromophenol (2,4,6-TBP, CAS No 118-79-6); 2,4-dibromophenol (2,4-DBP, CAS No 615-58-7); 4-

bromophenol (4-BP, CAS No 106-41-2); 2,6-dibromophenol (2,6-DBP, CAS No 608-33-3); tetrabrominated bisphenol S (TBBPS, CAS No 39635-79-5); tetrabromobisphenol S bismethyl ether (TBBPS-BME, CAS No 70156-79-5) in fish and other seafood. The analytical methods used for the determination of brominated phenols and their derivatives should have a limit of quantification of 0,1 ng/g wet weight or lower;

- (e) for the emerging and novel brominated flame retardants: tris(2,3-dibromopropyl) phosphate (TDBPP, CAS No 126-72-7); N,N'-ethylenebis(tetrabromophthalimide) (EBTEBPI, CAS No 32588-76-4); hexabromocyclodecane (HBCYD, CAS No 25495-98-1); bis(2-ethylhexyl) tetrabromophthalate (BEH-TEBP, CAS No 26040-51-7); 2-ethylhexyl 2,3,4,5-tetrabromobenzoate (EH-TBB, CAS No 183658-27-7) and dibromoneopentyl glycol (DBNPG, CAS No 3296-90-0) in fish and other seafood, meat and meat products (including edible offal), animal and vegetable fats and oils, milk and dairy products, eggs and egg products and food for infants and small children. The analytical methods used for the determination of emerging and novel brominated flame retardants should have a limit of quantification of 1 ng/g wet weight or lower.
4. Member States should carry out the analysis of brominated flame retardants in accordance with Annex III to Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽¹⁾ using a method of analysis that has been proven to generate reliable results.
5. Member States should provide, on a regular basis to EFSA, the monitoring data expressed on whole weight basis or fat basis with the information and in the electronic reporting format as set out by EFSA for compilation into one database. They should include available data obtained from previous years by using a method of analysis that has been proven to generate reliable results in order to monitor trends in exposure.

Done at Brussels, 3 March 2014.

For the Commission

Tonio BORG

Member of the Commission

⁽¹⁾ Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).

RULES OF PROCEDURE

RULES OF PROCEDURE

INTRODUCTION

On 31 January 2014 the Committee of the Regions adopted the following Rules of Procedure on the basis of Article 306, second paragraph, of the Treaty on the Functioning of the European Union.

PRELIMINARY COMMENT

The terms used in these Rules of Procedure for the various offices are not gender-specific.

TITLE I

MEMBERS AND CONSTITUENT BODIES OF THE COMMITTEE

CHAPTER 1

Constituent bodies

Rule 1

Constituent bodies of the Committee

The constituent bodies of the Committee shall be the Plenary Assembly, the President, the Bureau, the Conference of Presidents and the commissions.

CHAPTER 2

Members of the Committee

Rule 2

Status of members and alternates

Pursuant to Article 300 of the Treaty on the Functioning of the European Union, the members and alternates shall be representatives of regional and local bodies. They shall hold a regional or local authority electoral mandate or shall be politically accountable to an elected assembly. They may not be bound by any mandatory instructions and shall be completely independent in the performance of their duties, in the general interest of the Union.

Rule 3

Term of office

1. The term of office of a member or alternate shall commence on the date on which his appointment by the Council takes effect.
2. The term of office of a member or alternate shall be terminated by resignation, the end of the electoral mandate on the basis of which he was appointed, or death.
3. A resigning member or alternate must notify the President of the Committee of his intention in writing, specifying the date on which his resignation is to take effect. The President shall inform the Council, which shall confirm the vacancy and implement the replacement procedure.
4. A member or alternate whose term of office at the Committee ends because the electoral mandate, on the basis of which he was appointed, expires shall immediately inform the President of the Committee of the fact in writing.
5. In the cases referred to in Rule 3(2), a replacement shall be appointed by the Council for the remainder of the term.

Rule 4

Privileges and immunities

Members and their duly mandated alternates shall enjoy privileges and immunities in accordance with the Protocol on the Privileges and Immunities of the European Union.

*Rule 5***Attendance of members and alternates**

1. Any member prevented from taking part in a Plenary Session may be represented by an alternate from his national delegation; he/she may also be represented for a period limited to individual days of the Plenary Session. All members and their duly mandated alternates shall sign an attendance list.
2. Any member prevented from taking part in a commission meeting or any other meeting which has been approved by the Bureau may be represented by another member or an alternate from his national delegation, political group or interregional group. All members and their duly mandated alternates shall sign an attendance list.
3. A member or alternate appointed to the list of replacements for the members of a working group, established on the basis of Rule 37 or 62 of the Rules of Procedure, may replace any member of that working group belonging to the same political group.
4. An alternate or a member acting as an alternate can stand in for one member only. They shall exercise the same powers as a member at the relevant meeting. The Secretariat-General must be notified in line with notification requirements of the delegation of vote, which must be received no later than the day before the meeting.
5. At a Plenary Session the expenses of only the member or the alternate shall be reimbursed. The detailed provisions shall be laid down by the Bureau in the implementing arrangements regarding travel and subsistence expenses.
6. An alternate who has been appointed rapporteur may present the draft opinion for which he is responsible at the Plenary Session at which the draft opinion is on the agenda. This shall apply even if the member whom he has been designated to replace is also at the meeting. The member may delegate his vote to his alternate while the draft opinion in question is being discussed. The Secretary-General must be notified in writing of the delegation of vote before the relevant meeting.
7. Without prejudice to Rule 23(1), any delegation shall cease to have effect from the moment the member who is unable to attend ceases to be a member of the Committee of the Regions.

*Rule 6***Delegation of vote**

Except as provided for in Rules 5 and 31, the right to vote may not be delegated.

*Rule 7***National delegations and political groups**

National delegations and political groups shall contribute in a balanced way to the organisation of the Committee's work.

*Rule 8***National delegations**

1. The members and alternates from each Member State shall form a national delegation. Each national delegation shall adopt its own internal rules and shall elect a chairman. The Committee President shall be officially informed of the name of the person elected.
2. The Secretary-General shall make arrangements, within the Committee's administration, for national delegations to receive assistance. These arrangements shall also permit each individual member to receive information and assistance in his official language. The arrangements shall form part of a specific service consisting of Committee of the Regions officials or other servants and shall ensure that national delegations can make appropriate use of the Committee's facilities. Specifically, the Secretary-General shall provide the national delegations with suitable means for holding meetings immediately before or during Plenary Sessions.
3. The national delegations shall also be assisted by national coordinators, who are not part of the staff of the Secretariat-General. They contribute to members efficiently executing their responsibilities as members of the Committee.

4. The Secretary-General provides the national coordinators with appropriate support, in particular to enable them to make proper use of the Committee's infrastructures.

Rule 9

Political groups and non-attached members

1. Members and alternates may form groups which reflect their political affinities. The criteria for membership shall be laid down in the internal rules of each political group.
2. At least 18 members/alternates, half of whom at least must be members, representing at least one fifth of the Member States, shall be needed to form a political group. A member/alternate may belong to only one political group. A political group shall be dissolved if its membership falls below the required number.
3. The Committee President shall be notified in a statement when a political group is set up, dissolved or otherwise changed. The statement notifying the formation of a political group shall specify the name of the political group, its members and its bureau.
4. Each political group shall be assisted by a secretariat staffed by Secretariat-General personnel. The political groups may submit proposals to the appointing authority for the selection, appointment and promotion of such staff and for extending their contracts. The appointing authority shall make its decision after consulting the chairman of the political group concerned.
5. The Secretary-General shall provide the political groups and their constituent bodies with adequate resources for meetings, activities and publications and for the work of their secretariats. The resources for each political group shall be earmarked in the budget. The political groups and their secretariats may make appropriate use of the Committee's facilities.
6. The political groups and their bureaux may meet immediately before or during Plenary Sessions. They may hold extraordinary meetings twice a year. An alternate attending these meetings is only entitled to travel and subsistence expenses if he is representing a member from his political group.
7. Non-attached members shall be provided with administrative support. The detailed arrangements shall be laid down by the Bureau on a proposal from the Secretary-General.

Rule 10

Interregional groups

Members and alternates may form interregional groups. They shall inform the Committee President thereof. An interregional group shall be duly formed by decision of the Bureau.

TITLE II

ORGANISATION AND PROCEDURE OF THE COMMITTEE

CHAPTER 1

Initial convening and installation in office of the Committee

Rule 11

Convening the first meeting

The Committee shall be convened, after each five-yearly renewal, by the outgoing President, or failing that, the outgoing first vice-president or, failing that, the oldest outgoing vice-president or, failing that, the oldest member and shall meet not later than one month after the appointment of its members by the Council.

The member acting as interim president under the first paragraph of this rule shall also take on the role of representing the Committee during this period, continue to deal with the current business, and shall chair the first meeting in his capacity as interim president.

He, together with the four youngest members present and the Secretary-General of the Committee, shall constitute the interim bureau.

*Rule 12***Installation in office of the Committee and verification of credentials**

1. At the first meeting, the interim president shall inform the Committee of the communication from the Council concerning the appointment of its members and report on any action he has undertaken to represent the Committee and to deal with the current business. If requested, the interim president may decide to verify the appointment and credentials of members, after which he shall declare the Committee installed in office for the new term.
2. The interim bureau shall remain in office until the results of the elections of the members of the Bureau have been declared.

*CHAPTER 2***Plenary Assembly***Rule 13***Tasks of the Plenary Assembly**

The Committee shall meet as a Plenary Assembly. Its main tasks shall be:

- a) to adopt opinions, reports and resolutions;
- b) to adopt the draft estimates of expenditure and revenue of the Committee;
- c) to adopt the political programme of the Committee at the beginning of every term;
- d) to elect the President, the first Vice-President and the remaining members of the Bureau;
- e) to set up commissions;
- f) to adopt and revise the Rules of Procedure of the Committee;
- g) having verified that there is a quorum under the first sentence of Rule 21(1) of the Rules of Procedure, to take a decision, by a majority of the votes cast, on a proposal by the President of the Committee, or the competent commission acting in accordance with Rules 58 and 59, to bring an action or an application to intervene before the Court of Justice of the European Union. When such a decision is adopted, the action shall be brought by the President on behalf of the Committee.

*Rule 14***Convening the Plenary Assembly**

1. The President of the Committee shall convene the Plenary Assembly at least once every three months. The dates of the Plenary Sessions are to be fixed by the Bureau during the third quarter of the previous year. A Plenary Session can meet on one or more days.
2. At the written request of at least one quarter of the members, the President shall be obliged to convene an extraordinary Plenary Session, which shall take place not sooner than one week and not later than one month after the date of the request. The written request shall state the subject matter which is to be discussed at the extraordinary Plenary Session. No other matter may be dealt with.

*Rule 15***Agenda for the Plenary Session**

1. The preliminary draft agenda containing a provisional list of the draft opinions, reports and resolutions to be discussed at the next but one Plenary Session together with all the other documents requiring a decision shall be prepared by the Bureau.
2. The draft agenda accompanied by all the documents requiring a decision listed therein shall be made available electronically to the members and alternates in each respective official language at least 21 working days before the opening of the Plenary Session.
3. The draft opinions, reports and resolutions shall in principle be put on the agenda in the order in which they were adopted by the commissions or submitted in accordance with the Rules of Procedure. Account shall also be taken of agenda items which deal with related subject matter.

4. In exceptional and duly motivated cases where the deadline referred to in paragraph 2 cannot be met, the President may decide to include a document requiring a decision on the draft agenda provided the relevant document has been received by the members and alternates in their official language not later than one week before the opening of the Plenary Session. The reason for the application of this procedure shall be indicated by the President on the cover page of the document requiring a decision.
5. Written amendments to the draft agenda must be submitted to the Secretary-General not later than three working days before the opening of the Plenary Session.
6. The Bureau shall finalise the draft agenda at its meeting immediately prior to the opening of the Plenary Session. At this meeting the Bureau may decide, by a two-thirds majority of the votes cast, to include on the agenda matters of an urgent or topical nature whose discussion cannot be deferred until the next Plenary Session.
7. On a proposal from the President, a political group or 32 members, the Bureau or the Plenary Assembly, before proceeding to the vote on the amendments, may decide to:
 - defer discussion of a document for decision to a future plenary session,
 - or
 - refer back a document for decision to the relevant commission for review.

This provision shall not apply in cases where a deadline set by the Council, the Commission or the European Parliament makes it impossible to defer the adoption of a document for decision.

A document for decision deferred to a future session of the Plenary Assembly shall be accompanied by all the related duly tabled amendments. Without prejudice to Article 24(2)(a), an adjournment of the vote does not open a new deadline for tabling amendments.

When a document is referred back to the relevant commission, the related amendments shall lapse and the rapporteur shall assess the extent to which their content:

- requires him to undertake a prior revision of the text, taking account of the deadline,
- and/or
- may give rise to the tabling of amendments by the rapporteur, in accordance with the procedure for tabling of amendments in commission.

The document shall be placed on the agenda of the commission for decision.

Rule 16

Opening of the Plenary Session

The President shall open the Plenary Session and call for the adoption of the final draft agenda.

Rule 17

Admission of the public, guests and guest speakers, topical debate slot

1. Plenary Sessions shall be open to the public, unless the Plenary Assembly decides otherwise in respect of the whole meeting or a specific item on the agenda.
2. Representatives of the European Parliament, Council and Commission may attend Plenary Sessions. They may be asked to take the floor.
3. The President, acting on his own initiative or at the request of the Bureau, may also invite other distinguished guests to address the Plenary Assembly. A general debate may follow, during which the general rules on speaking time shall apply.
4. The Bureau may, in accordance with Rule 15(1) and (6), propose to the Plenary Assembly that a general debate be held on topical political issues of regional and local relevance (topical debate slot). The general rules on speaking time shall apply.

*Rule 18***Standards of conduct and speaking time**

1. Without prejudice to the freedom of speech, members' conduct shall be characterised by mutual respect, be based on the values and principles laid down in the basic texts on which the European Union is founded, respect the dignity of the Committee and not compromise the smooth conduct of works of the constituent bodies of the Committee or disturb the peace and quiet of any Committee's premises.
2. The Plenary Assembly shall, at the beginning of its meeting and acting on a proposal from the Bureau, allocate speaking time for every item on the agenda. During a Plenary Session the President, acting on his own initiative or at the request of a member, shall arrange for a decision to be taken to limit speaking time.
3. The President, acting on a proposal from the Bureau, may propose to the Plenary Assembly that when debates are held on general or specific issues, speaking time should be divided among the political groups and national delegations.
4. As a general rule, speaking time shall be limited to one minute for comments on minutes, for points of order and for comments on amendments to the final draft agenda or the agenda.
5. If a speaker exceeds his allotted speaking time, the President may, after an initial call to order, forbid him to speak.
6. Any request by a member that the debate be brought to a close shall be put to the vote by the President.

*Rule 19***List of speakers**

1. The names of members who ask to speak shall be entered in a list in the order in which their requests are received. The President shall call upon members to speak on the basis of this list, ensuring as far as possible that speakers of different political views and from different national delegations are heard in turn.
2. Priority may be given, however, to the rapporteur of the commission concerned and to the representatives of the political groups and national delegations wishing to speak on behalf of their group or delegation.
3. No one may take the floor more than twice on the same subject, except by leave of the President. The chairman and the rapporteur of the commission concerned shall, however, be allowed to speak at their request for a period to be decided by the President.

*Rule 20***Points of order**

1. A member shall be allowed to speak to raise a point of order or to draw the attention of the President to any failure to respect the Rules of Procedure. The point of order must concern the agenda or the subject under discussion.
2. A request to raise a point of order shall take precedence over all other requests to speak.
3. The President shall take an immediate decision on points of order in accordance with the Rules of Procedure and shall announce his ruling immediately after the Rules of Procedure have been invoked. No vote shall be taken on the President's ruling.

*Rule 21***Quorum**

1. A quorum shall exist at a Plenary Session if a majority of the members is present. The quorum shall be verified at the request of a member if at least 15 members vote in favour of the request. If the verification of a quorum is not requested, all votes shall be valid regardless of the number of members present. The President may interrupt the Plenary Session for up to 10 minutes before proceeding with a verification of the quorum. Members who have requested verification of the quorum but are no longer present in the Plenary Session chamber shall be considered to be present for the purposes of the count. If fewer than 15 members are present, the President may rule that there is no quorum.

2. If it is established that there is no quorum, all items on the agenda which require voting shall be postponed until the following meeting day, when the Plenary Assembly may hold a valid vote on these items whatever the number of members present. All decisions or votes taken at the meeting before the verification of the quorum shall remain valid.

Rule 22

Voting

1. The Plenary Assembly shall decide by a majority of the votes cast, save where otherwise provided in these rules.
2. The valid forms of vote shall be 'for', 'against' and 'abstention'. In calculating the majority, only the votes cast for and against shall be taken into account. In the event of a tied vote, the text or proposal shall be deemed rejected.
3. The right to vote shall be a personal right. Members shall only vote in an individual and personal capacity.
4. If the result of the count is queried, a fresh vote may be called for by the President or may take place at the request of a member, provided that at least 15 members vote in favour of the request.
5. At the proposal of the President, a political group or 32 members, submitted before the final agenda is adopted, the Plenary Assembly may decide to hold a roll call vote for one or more agenda items, which shall be recorded in the plenary session minutes. Unless the Plenary Assembly decides otherwise, the use of a roll call vote shall not apply to amendments.
6. At the proposal of the President, a political group or 32 members, a decision may be taken to vote by secret ballot if the decision concerns persons.
7. The President may at any time decide that a vote shall be conducted by electronic means.

The recording of the numerical result of an electronic vote shall be accessible to the public after the Plenary Session.

Rule 23

Tabling of amendments

1. Only members and duly mandated alternates — and, for his own opinion, any non-mandated alternate appointed as rapporteur — may table amendments to documents requiring a decision, in accordance with rules on tabling amendments.

The right to table amendments at a plenary session may be exercised either by a member or by his duly mandated alternate. Amendments validly tabled by a member or alternate who subsequently loses that office, or before the granting or withdrawal of a delegation, shall remain valid.

2. Without prejudice to the provisions of Rule 27(1), amendments to documents requiring a decision must be submitted either by a political group or by at least six members or duly mandated alternates and must bear their names. National delegations with fewer than six members may submit amendments, provided that these amendments are submitted by and bear the names of all the members of the delegation or their duly appointed alternates.
3. They must be submitted before 3 p.m. on the 11th working day before the opening day of the Plenary Session. Amendments must be electronically retrievable as soon as they have been translated, but not later than four working days prior to the Plenary Session.

The amendments shall be translated as a matter of priority and sent to the rapporteur to allow him or her to forward his or her rapporteur's amendments to the Secretariat-General at least three working days before the opening of the plenary session. These rapporteur's amendments must be associated and related to one or more amendments referred to in paragraph 1 which the rapporteur shall identify. The rapporteur's amendments shall be retrievable on the day before the opening day of the plenary session.

The deadline for the submission of amendments can be reduced to a minimum of three working days by the President in cases where Rule 15(4) is applied. The deadline shall also not apply in the case of amendments to urgent matters pursuant to Rule 15(6).

4. All amendments shall be distributed to members before the beginning of the Plenary Session.

Rule 24

Procedure for dealing with amendments

1. The following voting procedure shall apply:

- a) first, voting on any amendments to the draft document. Amendments shall have priority over the text to which they relate;
- b) second, voting on the text as a whole, whether amended or not.

2. Principles governing voting:

- a) Compromise Amendments.

If one or more amendments have been tabled to a part of a text, the President, the rapporteur or the authors of these amendments may in exceptional cases propose compromise amendments. These compromise amendments shall be given priority in voting.

If the rapporteur or any of the authors of the initial amendment raises an objection to the proposed compromise amendment, it shall not be put to the vote.

- b) Joint Votes.

The President may decide, before the adoption or rejection of a particular amendment, that several other amendments of similar content or with similar objectives shall be put to the vote collectively (joint vote). These amendments may relate to different parts of the original text.

- c) Block Votes.

A rapporteur may draw up a list of amendments tabled to his draft opinion which he recommends to be adopted (voting recommendation). If the rapporteur has made a voting recommendation, the President may decide that certain amendments covered by the recommendation are to be voted on together (block vote). Any member may, however, object to the voting recommendation, specifying which amendments should be voted on separately.

- d) Split Votes.

Where the text to be put to the vote contains two or more provisions or references to two or more points, or lends itself to division into two or more parts having a distinct meaning and/or normative value, a split vote may be requested by the rapporteur, a political group, by a national delegation, or by any of the members that submitted the amendment.

The request should be made at least one hour before the beginning of the Plenary Session, unless the President sets a different deadline. The President shall decide on the request.

A split vote shall not be admissible in the case of a compromise amendment or a rapporteur's amendment.

3. Voting on amendments:

Voting on amendments shall follow the order of the points in the text and the following order of priority:

- compromise amendments, unless one of the authors of the original amendments is opposed,
- rapporteur's amendments,
- other amendments.

Once adopted, rapporteur's amendments and compromise amendments replace the amendments from which they derive.

Where two or more identical amendments are tabled by different authors, they shall be put to the vote as one.

4. If two or more mutually exclusive amendments have been tabled to the same part of a text, the amendment that departs furthest from the original text shall have priority and shall be put to the vote first.
5. The President shall announce before the vote is taken whether the adoption of an amendment would negate one or more other amendments, either because these amendments are mutually exclusive if they refer to the same passage, or because they are contradictory. An amendment shall be deemed to fall if it is inconsistent with a prior vote on the same opinion. If the authors of an amendment dispute the President's decision in this regard, the Plenary Assembly shall decide whether or not to put the disputed amendment to a vote.
6. If the text as a whole does not obtain a majority of the votes cast in the final vote, the Plenary Assembly shall then decide whether the draft opinion shall be returned to the competent commission or shall be given up. An opinion shall be deemed lapsed if the interinstitutional calendar does not permit further discussion. The Committee President will inform the institution from which the request emanated.

If the draft opinion is returned to the competent commission, the commission must decide either to:

- resubmit the draft opinion for debate and adoption, as modified by the amendments adopted in Plenary Session,
- appoint a new rapporteur and thus relaunch the process of drafting the opinion,
- or give up the opinion.

Rule 25

Coherence of a final text

If the coherence of the final text has been compromised as a result of the adoption of amendments that have not been declared invalid in accordance with Rule 24(5), or as a result of an adopted amendment that requires other relevant parts of the text to be amended accordingly, the administration shall — having consulted the political groups, the rapporteur and the author of the relevant amendments — introduce modifications to restore the coherence of the final text. Any changes to the text must be kept to the strict minimum necessary to restore coherence. Members will be informed of any changes introduced.

Rule 26

Urgent opinions

In urgent cases where a deadline set by the Council, Commission or European Parliament cannot be met under the normal procedure, and the relevant commission has adopted its draft opinion unanimously, the President shall transmit this draft opinion to the Council, Commission and European Parliament for information. The draft opinion shall be submitted to the following Plenary Session for adoption without amendment. All documents relating to the said opinion must testify to the urgent nature of the opinion.

Rule 27

Simplified procedures

1. Draft opinions or reports adopted unanimously by a commission shall be submitted to the Plenary Assembly for adoption without change unless at least 32 members or duly mandated alternates or a political group table an amendment in accordance with the first sentence of Rule 23(3). In this case, the amendment shall be dealt with by the Plenary Assembly. The draft opinion or report shall be presented by the rapporteur at the Plenary Session and may be the subject of a debate. It shall be forwarded to members together with the draft agenda.
2. If the commission is of the view that the Committee has no reason to comment on or propose changes to a document referred to it by the Bureau, it may propose that no objections be raised to the document. The proposal shall be submitted to the Plenary Assembly for adoption without debate.

Rule 28

Closing of the Plenary Session

Before the closing of the Plenary Session, the President shall announce the time and place of the following Plenary Session together with any items already on the agenda.

Rule 29

Symbols

1. The Committee recognises and adopts the following Union symbols:
 - a) the flag representing a circle of 12 gold stars on a blue background;
 - b) the anthem entitled 'Ode to Joy' from Beethoven's Ninth Symphony;
 - c) the motto 'United in Diversity'.
2. The Committee shall celebrate Europe Day on 9 May.
3. The flag shall be displayed in the buildings of the Committee and to mark official occasions.
4. The anthem shall be played at the opening of every inaugural session at the beginning of a term of office and to mark other commemorative sessions, e.g. when welcoming heads of state or government, or new members following an enlargement.

CHAPTER 3

The Bureau and the President

Rule 30

Composition of the Bureau

The Bureau shall consist of:

- a) the President;
- b) the first Vice-President;
- c) one Vice-President per Member State;
- d) 28 other members;
- e) the chairmen of the political groups.

Seats on the Bureau (excluding the seats of the President, the first Vice-President and the chairmen of the political groups) shall be divided among the national delegations as follows:

- 3 seats: Germany, Spain, France, Italy, Poland, United Kingdom,
- 2 seats: Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Greece, Ireland, Lithuania, Hungary, Netherlands, Austria, Portugal, Romania, Slovakia, Finland, Sweden,
- 1 seat: Estonia, Cyprus, Latvia, Luxembourg, Malta, Slovenia.

Rule 31

Replacements at Bureau meetings

1. The national delegations shall appoint a member or alternate from the delegation as *ad personam* replacement for each of their members of the Bureau, except for the President and the first Vice-President.
2. For each political group chairman, the political group in question shall name one of its members or alternates as *ad personam* replacement.
3. An *ad personam* replacement shall be entitled to participate in meetings with speaking and voting rights only when he is replacing the Bureau member in question. The delegation of vote must be notified to the Secretary-General prior to the relevant meeting in accordance with the required notification procedure.

Rule 32

Election rules

1. The Bureau shall be elected by the Plenary Assembly for two and a half years.

2. The election shall be held under the chairmanship of the interim president in accordance with Rules 11 and 12. All candidatures must be submitted in writing to the Secretary-General at least one hour before the beginning of the Plenary Session. The elections shall take place only after verification of the quorum of presence referred to in Rule 21, paragraph 1, first sentence.

Rule 33

Election of the President and the first Vice-President

1. Before the elections, candidates for the posts of President and first Vice-President may make a short statement before the Plenary Assembly. The speaking time for candidates shall be of equal length and shall be laid down by the interim president.
2. The election of the President and the first Vice-President shall take place separately. They shall be elected by a majority of the votes cast.
3. The valid forms of vote shall be a vote for and an abstention. In calculating the majority, only the votes cast for shall be taken into account.
4. If no candidate obtains a majority in the first ballot, a second ballot shall be held in which the candidate receiving the highest number of votes shall be deemed to be elected. In the event of a tied vote, a decision shall be taken by drawing lots.

Rule 34

Election of the members of the Bureau

1. A joint list may be drawn up for the candidates from those national delegations which nominate only one candidate for each of the seats allocated to them on the Bureau. This list may be adopted in a single ballot if it obtains a majority of the votes cast.

In cases where a joint list of candidates is not adopted, or where the number of candidates exceeds the number of seats allocated to a national delegation on the Bureau, each of these seats shall be decided in separate ballots; in this case the provisions on the election of the President and the first Vice-President shall be applicable in accordance with Rules 32 and 33(2) to (4).

2. The chairmen of the political groups elected within each group are members of the Bureau.

Rule 35

Election of replacements

When a candidate for a seat on the Bureau is elected, his *ad personam* replacement shall also be elected automatically.

Rule 36

By-elections for vacant Bureau seats

In the event of termination of Committee membership or of resignation from the Bureau, a member of the Bureau or his *ad personam* replacement shall be replaced for the remainder of his term of office in accordance with the procedures laid down in Rules 30 to 35. The by-election for a vacant Bureau seat shall take place at a Plenary Session chaired by the President or by his representative, in accordance with Rule 39(3).

Rule 37

Tasks of the Bureau

The Bureau shall have the following tasks:

- a) Establishment and submission to the Plenary Assembly of its policy programme at the beginning of its term, and monitoring of its implementation; at the end of its term, submission to the Plenary Assembly of a report on the implementation of the programme.
- b) Organisation and coordination of the work of the Plenary Assembly and the commissions.
- c) Adoption, on the proposal of the commissions, of their annual work programme.
- d) Overall responsibility for financial, organisational and administrative matters concerning members and alternates; internal organisation of the Committee, its Secretariat-General, including the establishment plan, and its constituent bodies.

- e) The Bureau may:
- set up working groups of Bureau members or of Committee members to advise it in specific areas; such working groups may have up to 12 members,
 - invite other members of the Committee, by virtue of their expertise or mandate, and persons not belonging to the Committee, to attend its meetings.
- f) Engagement of the Secretary-General and the officials and other servants listed in Rule 73.
- g) Submission of the draft estimates of expenditure and revenue to the Plenary Assembly in accordance with Rule 75.
- h) Authorisation of meetings away from the usual place of work.
- i) Drawing-up of provisions for the membership and working methods of working groups, joint committees with applicant countries and other political bodies in which Committee members participate.

The joint consultative committees are set up with local and regional representatives of the applicant countries on the basis of the provisions laid down in the stabilisation and association agreement.

The joint consultative committee's members from the applicant countries are formally appointed by their government in order to represent their local and regional authorities. Decisions within the joint consultative committees are taken jointly with the partner representatives, under a co-chairmanship between the Committee of the Regions and the applicant country.

The joint consultative committees should adopt report and recommendations focused on areas relevant to the local authorities in the enlargement process. Reports can be also addressed to the association council.

- j) Having verified that there is a quorum under the first sentence of Rule 38(2), taking a decision to bring an action or an application to intervene before the Court of Justice of the European Union, when the Plenary Assembly is not able to take a decision within the deadline, by a majority of the votes cast, on a proposal by the President of the Committee or the competent commission acting in accordance with Rules 58 and 59. When such a decision is adopted, the President shall bring the action on behalf of the Committee and shall ask the Plenary Assembly at its next session to decide whether to maintain the action. If, having verified the existence of the quorum referred to in the first sentence of Rule 21(1), the Plenary Assembly takes a decision by the majority required in Rule 13(g) not to bring the action, the President shall withdraw the action.

Rule 38

Convening of the Bureau, quorum and decision

1. The Bureau shall be convened by the President, who shall set the date of the meeting and the agenda in agreement with the first Vice-President. The Bureau shall meet at least once every three months, or within 14 days following receipt of a written request by at least one quarter of its members.
2. A quorum shall exist at a Bureau meeting if at least one half of its members are present. The quorum shall be verified at the request of a member, provided that at least six members vote in favour of the request. If the verification of a quorum is not requested, all votes shall be valid regardless of the number of members present. If it is established that there is no quorum, the Bureau may continue its discussions but voting shall take place at the next meeting.
3. The Bureau shall decide by a majority of the votes cast, save where otherwise provided for in these rules. Rule 22(2) and (6) shall apply.
4. Without prejudice to rule 40(4)(b) in preparation for the Bureau decisions, the President may ask the Secretary-General to draw up discussion documents and recommendations for a decision on each item to be discussed; these documents and recommendations shall be enclosed with the draft agenda.

5. The documents must be made available electronically to members at least 10 days before the opening of the meeting. Amendments to Bureau documents must reach the Secretary-General at least two working days before the opening of the Bureau meeting, in accordance with the applicable rules, and shall be electronically retrievable as soon as they have been translated.
6. In exceptional circumstances, the President may have recourse to a written procedure for the adoption of a decision other than a decision relating to individuals. The President shall send members the proposed decision and ask them to inform him in writing, within five working days, of any objections they may have. The decision shall be deemed to be adopted unless objections are received from at least six members.

Rule 39

The President

1. The President shall direct the work of the Committee.
2. The President shall be the Committee's representative. He may delegate these powers.
3. If the President is absent or unable to attend, he shall be represented by the first Vice-President; if the first Vice-President is absent or unable to attend, the President shall be represented by one of the other Vice-Presidents.

Rule 40

Commission for Financial and Administrative Affairs

1. The Bureau shall, in accordance with Rule 37, set up an advisory Commission for Financial and Administrative Affairs, chaired by a member of the Bureau.
2. The dates of the meeting and their agendas shall be set by the chairman acting in agreement with the first vice-chairman.
3. The Commission for Financial and Administrative Affairs may appoint from among its members a representative to assist its chairman in reporting to the Bureau, on the duties assigned to him.
4. The Commission for Financial and Administrative Affairs shall have the following responsibilities:
 - a) Advising on and adopting, in accordance with Rule 75, the preliminary draft estimates of the Committee's expenditure and revenue submitted by the Secretary-General.
 - b) Drawing up draft Bureau implementing provisions and decisions in the financial, organisational and administrative areas, including those relating to members and alternates.

These documents together with the summary of decisions of CFAA shall be sent to the members of the Bureau in accordance with Rule 38(4) and (5).

- c) Advising on any matter of importance which may compromise the sound management of appropriations or prevent attainment of the set objectives, in particular as regard forecast on the utilisation of appropriations.
 - d) Advising on and assessing the implementation of the current budget, transfers of appropriations, procedures relating to the establishment plans, administrative appropriations and operations concerning buildings related projects.
5. The chairman of the Commission for Financial and Administrative Affairs shall represent the Committee vis-à-vis the budget authorities of the Union.

Opinions, reports and resolutions — Procedure in Bureau

Rule 41

Opinions — Legal bases

The Committee shall adopt its opinions pursuant to Article 307 of the Treaty on the Functioning of the European Union.

- a) when it is consulted by the European Parliament, by the Council or by the Commission where the Treaties so provide and in all other cases, in particular those which concern cross-border cooperation, in which one of these institutions considers it appropriate;

- b) on its own initiative when it considers it appropriate either;
- i) based on a Communication, Report or Legislative proposal from another European Union institution sent to the Committee for information, or based on a request from the Member State that holds the current, or will hold the upcoming, Presidency of the Council;
- or
- ii) entirely on its own initiative in all other cases;
- c) when, in the event of the Economic and Social Committee being consulted under Article 304 of the Treaty on the Functioning of the European Union, it considers that specific regional interests are involved.

Rule 42

Opinions — Designation of commission

1. The President shall assign documents received from the Council, Commission or European Parliament to the responsible commission; the Bureau shall be informed of this at its next meeting.
2. If the subject of an opinion falls within the area of competence of more than one commission, the President shall designate a responsible commission and, where necessary, may propose that the Bureau set up a working group comprising representatives of the commissions concerned.
3. If a commission does not agree with a decision of the President taken under Rule 42(1) and (2), it may via its chairman submit an application for a Bureau decision.

Rule 43

Appointment of a rapporteur-general

1. If the commission concerned cannot draw up a draft opinion by the required deadline the Bureau may propose that the Plenary Assembly appoint a rapporteur-general, who shall submit his draft opinion straight to the Plenary Assembly.
2. When the required deadline does not give the Plenary Assembly time to appoint a rapporteur-general, the rapporteur-general may be appointed by the President; when this is the case, the Plenary Assembly shall be informed at its next meeting.
3. The rapporteur-general shall be a member of the commission concerned.
4. In both cases, the commission concerned shall meet, where possible, to hold a general exploratory debate on the subject.

Rule 44

Own-initiative opinions

1. Applications for own-initiative opinions under the Rule 41(b)(ii) may be submitted to the Bureau by three of its members, by a commission via its chairman or by 32 members of the Committee. These applications must be submitted, with reasons, and together with all the other discussion documents in accordance with Rule 38(4), wherever possible, before the annual work programme is adopted.
2. The Bureau shall decide on applications for own-initiative opinions under the Rule 41(b)(ii) by a majority of three quarters of the votes cast. The opinions shall be referred to the relevant commissions in accordance with Rule 42. The President shall inform the Plenary Assembly of all Bureau decisions approving and allocating these own-initiative opinions.

Rule 45

Tabling of resolutions

1. Resolutions are to be put on the agenda only if they refer to the activities of the European Union, deal with important concerns of regional and local authorities and are of topical interest.

2. Draft resolutions or applications for the drafting of a resolution may be submitted to the Committee by at least 32 members or a political group. All drafts or applications, indicating the names of the members or political group supporting them, shall be submitted to the Bureau in writing. They must reach the Secretary-General not later than five working days before the opening of the Bureau meeting.
3. If the Bureau decides that the Committee is to discuss a draft resolution or an application for the drafting of a resolution, it may
 - a) put the draft resolution on the Plenary Session preliminary draft agenda in accordance with Rule 15(1);
 - b) in accordance with the second sentence of Rule 15(6), place a draft resolution on the agenda for the next Plenary Session. Such draft resolutions shall be dealt with on the second day of the session.
4. Draft resolutions referring to an unforeseeable event occurring after the expiry of the deadline stipulated in Rule 45(2) (urgent resolutions) and complying with the provisions of Rule 45(1) may be submitted at the beginning of the Bureau meeting. If the Bureau decides that the proposal concerns the key tasks of the Committee, the proposal shall be dealt with under Rule 45(3)(b). Amendments to urgent resolutions may be tabled by any member during the Plenary Session.

Rule 46

Promotion of opinions, reports and resolutions

The Bureau shall be responsible for promoting the Committee's opinions, reports and resolutions. It will also adopt guidelines for the procedure of the follow-up of opinions, in line with Rule 56.

CHAPTER 4

Conference of Presidents

Rule 47

Composition

The Conference of Presidents shall consist of the President, the first Vice-President and the chairmen of the political groups. The chairmen of the political groups may be represented by another member of their group.

Rule 48

Powers

The Conference of Presidents debates any question submitted to it by the President with a view to preparing and facilitating the search for a political consensus on decisions to be taken by the other Committee's constituent bodies.

The President, in its communication to the Bureau, should report on the discussions that took place at the meeting of the Conference of Presidents.

CHAPTER 5

Commissions

Rule 49

Composition and powers

1. At the beginning of each five-year term, the Plenary Assembly shall set up commissions to prepare its work. It shall decide on their composition and powers on a proposal from the Bureau.
2. The composition of the commissions shall reflect the national composition of the Committee.
3. Members of the Committee must belong to at least one commission but may not belong to more than two. Exceptions may be made by the Bureau for members belonging to national delegations which have fewer members than the number of commissions.

*Rule 50***Chairman and vice-chairmen**

1. Each commission shall elect from among its members a chairman, a first vice-chairman and no more than two other vice-chairmen. They shall be elected for a period of two and a half years.
2. Where the number of candidates corresponds to the number of seats to be filled, the election may take place by acclamation. Where this is not the case, or one sixth of the members of the commission so request, the election shall be in accordance with the provisions laid down in Rule 33(2) to (4) for the election of the Committee President and first Vice-President.
3. If a commission chairman or vice-chairman terminates his Committee membership or resigns as a commission chairman or vice-chairman, the vacancy shall be filled in accordance with the provisions of this rule.

*Rule 51***Tasks of commissions**

1. In accordance with the powers assigned to them by the Plenary Assembly on the basis of Rule 49, the commissions shall debate Union policies. They shall in particular draw up the draft versions of opinions, reports and resolutions. These drafts shall be submitted to the Plenary Assembly for adoption.
2. The commissions shall decide on the preparation of opinions under:
 - Rule 41(a),
 - Rule 41(b)(i),
 - Rule 41(c).
3. They shall draw up their annual work programmes in accordance with the Committee's political priorities and submit them to the Bureau for adoption.

*Rule 52***Convening of commissions and their agendas**

1. The dates of meetings and their agendas shall be set by the chairman of each commission acting in agreement with the first vice-chairman.
2. A commission shall be convened by its chairman. The convening notice for an ordinary meeting together with the agenda must reach members not later than four weeks before the date of the meeting.
3. At the written request of at least one quarter of its members, the chairman shall be obliged to convene an extraordinary commission meeting, which must be held not later than four weeks after the submission of the request. The agenda for an extraordinary meeting shall be set by the members submitting the request for such a meeting. It shall be forwarded to members together with the convening notice.
4. All draft opinions and other discussion documents requiring translation shall be sent to the secretariat of the commission in question not later than five weeks before the date set for the meeting. They shall then be made available electronically to members at least 12 working days before the date of the meeting. In exceptional cases the above time limits may be amended by the chairman.
5. Documents shall be submitted to the secretariat by e-mail in accordance with the standard format adopted by the Bureau. The political recommendations contained in the document shall not exceed a total of 10 pages (15 000 characters) with an adjustment of not more than 10 % for linguistic reasons. Derogations may however be granted by the chair of the commission for exceptional cases, where the subject matter warrants more extensive consideration.

*Rule 53***Attendance and admission of the public**

1. All members and alternates taking part in the meeting shall sign an attendance list for each meeting day.
2. The proceedings of the commissions shall be open to the public, unless a commission decides otherwise in respect of the whole meeting or of a specific item on the agenda.

3. Representatives of the European Parliament, Council and Commission as well as other visitors may be invited to participate in the meetings of the commissions and to reply to questions from members.

Rule 54

Time limits for drawing up opinions

1. The commissions shall present their draft opinions within the time limits set out in the interinstitutional calendar. The discussion of a draft opinion shall require no more than two meetings, not including the first meeting at which the work shall be organised.
2. In exceptional cases the Bureau may authorise further meetings to discuss a draft opinion, or may extend the time limit for the presentation of the draft.

Rule 55

Content of opinions

1. A Committee opinion shall set out the Committee's views and recommendations on the question under consideration, if appropriate together with specific proposals for changes to the document under consideration.
2. Committee opinions on proposals for legislative acts in areas not falling within the Union's exclusive field of competence shall express a view on the proposal's compliance with the principles of subsidiarity and proportionality.

Other Committee opinions may refer, if necessary, to the application of the subsidiarity and proportionality principles whenever appropriate.

3. These opinions shall also, wherever possible, address the expected impact on administration and regional and local finances.
4. Committee opinions on legislative acts should include recommendations for amendments to the European Commission text.
5. If necessary, an explanatory statement shall be drawn up under the responsibility of the rapporteur and shall not be put to the vote. It must, however, accord with the text of the opinion that was put to the vote.
6. A draft opinion that proposes a new Committee's activity with financial implications must be accompanied by an annex with an estimation of the costs of that activity. The Bureau shall adopt provisions to implement this Rule.

Rule 56

Follow-up to Committee opinions

During the period following the adoption of an opinion, the rapporteur and the chairman of the commission appointed to draw up the draft opinion shall, with the assistance of the Secretariat-General, monitor the course of the procedure underlying the Committee's consultation, and undertake all appropriate activities to promote the Committee's positions as adopted in the opinion taking due note of the institutional calendar.

Rule 57

Revised opinions

1. If the commission deems it necessary, it may ask the Bureau for permission to draw up a revised draft opinion on the same subject and, where possible, with the same rapporteur, in order to take account of and respond to interinstitutional developments in the related legislative procedure. In the event that progress in the procedure does not allow enough time for the Bureau to decide, the President may authorise the preparation of the revised opinion and inform the Bureau at its next meeting.
2. The commission shall meet, where possible, to hold a debate and adopt the revised draft opinion, which shall be sent to the next plenary session.

3. In the event that progress in the procedure underlying the Committee's consultation does not allow enough time for the commission to adopt the draft revised opinion, the chairman of this commission shall immediately inform the Committee President in order to allow the procedure for appointing a rapporteur-general under Rule 43 to be invoked.

Rule 58

Action for infringement of the subsidiarity principle

1. The President of the Committee or the commission responsible for drawing up the draft opinion may propose bringing an action or an application to intervene before the Court of Justice of the European Union for infringement of the subsidiarity principle by a legislative act on which the Treaty on the Functioning of the European Union provides that the Committee be consulted.
2. The commission shall take its decision by a majority of the votes cast, having verified the existence of the quorum referred to in Rule 64(1). The commission proposal shall be sent for decision to the Plenary Assembly in accordance with Rule 13(g) or to the Bureau in the cases referred to in Rule 37(j). The commission shall state the reasons for its proposal in a detailed report, including, where appropriate, the reasons for the urgency of the decision on the basis of Rule 37(j).

Rule 59

Failure to carry out obligatory consultation of the Committee

1. When the Committee has not been consulted in cases provided for by the Treaty on the Functioning of the European Union, the President of the Committee or a commission may propose to the Plenary Assembly, in accordance with Rule 13(g), or to the Bureau in the cases referred to in Rule 37(j), that an action or an application to intervene be brought before the Court of Justice of the European Union.
2. The commission shall take its decision by a majority of the votes cast, having previously verified that the quorum referred to in Rule 64(1) exists. The commission shall state the reasons for its proposal in a detailed report, including, where appropriate, the reasons for the urgency of the decision on the basis of Rule 37(j).

Rule 60

Report on the impact of opinions

At least once a year the Secretariat-General shall submit to the Plenary Assembly a report on the impact of Committee opinions on the basis, inter alia, of contributions sent to it to this effect by each competent commission and information collected from the institutions concerned.

Rule 61

Rapporteurs

1. Each commission, acting on a proposal from its chairman, shall appoint a rapporteur or, in duly motivated cases, two rapporteurs from among its members or duly mandated alternates to draw up a draft opinion.
2. In appointing rapporteurs each commission ensures a fair and balanced allocation of opinions.
3. In urgent cases the commission chairman may apply a written procedure to appoint a rapporteur. The chairman shall ask the members of the commission to submit any objections to the appointment of the proposed rapporteur in writing within three working days. In the event of objection, the chairman and first vice-chairman shall decide by mutual agreement.
4. If the chairman or one of the vice-chairmen of a commission is appointed rapporteur, he shall, during the discussion of his draft opinion, hand over the chairmanship of the meeting to a vice-chairman or to the oldest member present.
5. If a rapporteur ceases to be a member or alternate of the Committee, a new rapporteur of the same political group shall be appointed within the commission, if necessary by following the procedure provided for in paragraph 3.

*Rule 62***Commission working groups**

1. In duly motivated cases the commissions may set up working groups, with the approval of the Bureau. Working group members may also come from other commissions.
2. A working group member who is unable to attend a meeting may be replaced by a member or alternate from his political group from the list of replacements for the working group. When a replacement is not available from this list, this member can be replaced by any member or alternate from his political group.
3. Each working group can appoint a chairman and a vice-chairman from among its members.
4. Working groups can adopt conclusions to report back to their commissions.

*Rule 63***Rapporteurs' Experts**

1. Each rapporteur may call on the services of an expert.
2. Rapporteurs' experts and experts invited by the commission shall be entitled to travel and subsistence expenses.
3. Experts do not represent the Committee, and do not speak on its behalf.

*Rule 64***Quorum**

1. A quorum shall exist at a commission meeting if more than one half of its members are present.
2. The quorum shall be verified at the request of a member if at least 10 members vote in favour of the request. If the verification of a quorum is not requested, all votes shall be valid regardless of the number of members present. The chair may interrupt the commission meeting for up to 10 minutes before proceeding with a verification of the quorum. Members who have requested verification of the quorum but are no longer present in the commission chamber shall be considered to be present for the purposes of the count. If fewer than 10 members are present, the Chairman may rule that there is no quorum.
3. If it is established that there is no quorum, the commission may address the remaining items on the agenda that do not require a vote, postponing discussion and voting on the suspended agenda items to the next meeting. All decisions or votes taken at the meeting before the verification of the quorum shall remain valid.

*Rule 65***Voting**

Decisions shall be taken by a majority of the votes cast. Rule 22(2) shall apply.

*Rule 66***Amendments**

1. Amendments must be submitted before 3 p.m. on the ninth working day before the date of the meeting. In exceptional cases the above time limit may be amended by the chairman.

Commission amendments may be tabled only by the members of that commission, or members or alternates duly mandated under the conditions set out in Rule 5(2), and, for his own opinion, by any non-mandated alternate appointed as rapporteur.

The right to table commission amendments may only be exercised either by a member of that commission or by another duly mandated member or alternate. Amendments validly tabled by a member or alternate who subsequently loses that office, or before the granting or withdrawal of a delegation, shall remain valid.

The amendments shall be translated as a matter of priority and sent to the rapporteur to allow him to forward his rapporteur's amendments to the Secretariat-General no later than three working days before the date of the meeting. The rapporteur's amendments must be associated and related to one or more amendments referred to in paragraph 1. These rapporteur's amendments shall be electronically retrievable as soon as they have been translated and must be distributed in written form at the latest at the opening of the meeting.

The provisions of Rule 24(1) to (6) shall apply *mutatis mutandis*.

2. Voting on amendments shall follow the order of the points in the draft opinion under discussion.
3. The final vote shall be on the text as a whole, whether amended or not. If an opinion does not obtain a majority of the votes cast, the commission shall decide either to:
 - resubmit the draft opinion for debate and adoption, as modified by the amendments adopted in commission, having regard to provisions of Rule 54,
 - appoint a new rapporteur and thus relaunch the process of drafting the opinion, or
 - give up the opinion.
4. Once a draft opinion has been adopted by a commission, it shall be forwarded by the commission chairman to the President of the Committee.

Rule 67

Decision not to draw up an opinion

1. Where the responsible commission considers that a consultation referred to it under Rule 41(a) has no regional or local interest, or is not of political importance, it may decide not to draw up an opinion. The Secretary-General informs the relevant European institutions about this decision.
2. Where the responsible commission considers that a consultation referred to it under Rule 41(a) is important, but, for reasons of priority and/or because relevant opinions have already been adopted in the recent past, a new opinion is not considered necessary, the responsible commission may decide not to issue an opinion. In this case, the Committee may decide to respond to the European Union institutions by means of a motivated renunciation in the form of a letter signed by the Committee President. The letter shall be prepared by the chairman of the responsible commission in consultation with the rapporteurs of the previous opinions on the same subject.

Rule 68

Written procedure

1. In exceptional circumstances, the commission chairman may have resort to a written procedure for the adoption of a decision on the operation of his commission.
2. The chairman shall send the proposal for a decision to the members and ask them to send him any objections in writing within three working days.
3. The decision shall be deemed to be adopted unless objections are received from at least six members.

Rule 69

Provisions applicable to commissions

Rules 11, 12(2), 17(1) to (3) and 20 shall apply, *mutatis mutandis*, to the commissions.

CHAPTER 6

Administration of the Committee

Rule 70

Secretariat-General

1. The Committee shall be assisted by a Secretariat-General.
2. The Secretariat-General shall be headed by a Secretary-General.

3. The Bureau, acting on a proposal from the Secretary-General, shall organise 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 of the Committee in the performance of their duties. The services to be provided by the Secretariat-General for members, national delegations, political groups and non-attached members shall be determined in the process.
4. The Secretariat-General shall draw up the minutes of the meetings of the Committee's constituent bodies.

Rule 71

Secretary-General

1. The Secretary-General shall be responsible for giving effect to the decisions taken by the Bureau or the President pursuant to these Rules of Procedure and the applicable legal provisions. The Secretary-General shall attend the meetings of the Bureau in an advisory capacity and shall keep the minutes of those meetings.
2. The Secretary-General shall discharge his duties under the direction of the President, representing the Bureau. Each year, the Secretary-General shall make available to the Bureau the annual activity report setting out the discharge of his activities as authorising officer by delegation and shall submit a summary of that report for possible discussion.

Rule 72

Engagement of Secretary-General

1. The Bureau shall engage the Secretary-General on the basis of a decision adopted by a two-thirds majority of the votes cast, the existence of a quorum having been verified in accordance with the first sentence of Rule 38(2).
2. The Secretary-General shall be engaged for five years. The detailed provisions of his contract of employment shall be laid down by the Bureau, pursuant to the provisions of Article 2 and related provisions of the Conditions of Employment of Other Servants of the European Union.

The Secretary-General's term of office may be renewed once only for a maximum of five years.

The functions of the Secretary-General, in case of absence or impediment, are exercised by a Director designated by the Bureau.

3. The powers which the Conditions of Employment of Other Servants of the European Union confer on the authority responsible for concluding contracts shall be exercised, in the case of the Secretary-General, by the Bureau.

Rule 73

Staff Regulations of Officials and Conditions of Employment of Other Servants

1. The powers which the Staff Regulations of Officials of the European Union confer on the appointing authority shall be exercised as follows:
 - for officials in Grades 5 to 12 of function group AD and for officials in function group AST, by the Secretary-General,
 - for other officials, by the Bureau, acting on a proposal from the Secretary-General.
2. The powers which the Conditions of Employment of Other Servants of the European Union confer on the authority competent to conclude contracts of employment shall be exercised as follows:
 - for temporary staff in Grades 5 to 12 of function group AD and for temporary staff in function group AST, by the Secretary-General,
 - for other temporary staff, by the Bureau, acting on a proposal from the Secretary-General,
 - for temporary staff in the private office of the President or the first Vice-President:
 - for grades 5 to 12 of function group AD and function group AST, by the Secretary-General, acting on a proposal from the President,
 - for other grades in function group AD, by the Bureau, acting on a proposal from the President.

Temporary staff employed in the private office of the President or the first Vice-President shall be engaged until the end of the President's or the first Vice-President's term of office:

— for contract staff, special advisers and local staff, by the Secretary-General in accordance with the conditions set out in the Conditions of Employment of Other Servants of the European Union.

3. The Bureau and the Secretary-General may delegate the powers vested in them by this rule.

Decisions to delegate shall specify the scope of the powers delegated, within their limits and period of validity, as well as stating whether they may be subdelegated.

Rule 74

Meetings in camera

The Bureau shall meet in camera when it takes the decisions referred to in Rules 72 and 73.

Rule 75

Budget

1. The Commission for Financial and Administrative Affairs shall submit the preliminary draft estimates of the Committee's expenditure and revenue for the following financial year to the Bureau. The Bureau shall submit the draft to the Plenary Assembly for adoption.

The President, after consulting the Conference of Presidents, will submit to the Bureau the overall strategic guidelines to be presented to the Commission on Financial and Administrative Affairs for the elaboration of the budget for the year $n+2$.

2. The Plenary Assembly shall adopt the estimates of the Committee's expenditure and revenue and forward them to the Commission, Council and European Parliament in good time to ensure that the deadlines laid down in the financial provisions are met.
3. The Committee President, after consulting the Commission for Financial and Administrative Affairs, shall execute, or cause to be executed, the statement of revenue and expenditure, in accordance with the internal financial rules adopted by the Bureau. He shall perform these functions in accordance with the provisions of the Financial Regulation applicable to the general budget of the European Union.

TITLE III

GENERAL PROVISIONS

CHAPTER 1

Cooperation forwarding and publication

Rule 76

Cooperation agreements

The Bureau, acting on a proposal from the Secretary-General, may conclude cooperation agreements aimed at facilitating the exercise of the Committee's powers in connection with the application of the Treaties or in order to improve its political cooperation.

Rule 77

Forwarding and publication of opinions and resolutions

1. The Committee's opinions, as well as any communication relating to the use of a simplified procedure under Rule 27 or a decision not to draw up an opinion under Rule 67, shall be addressed to the Council, Commission and European Parliament. As in the case of resolutions, they shall be forwarded by the President.
2. The opinions and resolutions of the Committee shall be published in the *Official Journal of the European Union*.

CHAPTER 2

Openness to the public, transparency and declaration of member's financial interest

Rule 78

Public Access to Documents

1. Any citizen of the Union and any natural or legal person residing or established in a Member State has a right of access to the documents of the Committee of the Regions in accordance with the provisions of

the Treaty on the Functioning of the European Union, subject to the principles, conditions and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council and to the arrangements laid down by the Committee Bureau. Access to Committee documents shall as far as possible be granted in the same way to other natural or legal persons.

2. The Committee shall establish a register of Committee documents. The Bureau shall adopt the internal rules governing access and shall draw up a list of directly accessible documents.

Rule 79

Declaration of Members' Financial Interest

On taking up their duties at the Committee, members shall complete a declaration of financial interests in accordance with the model adopted by the Bureau, which they shall keep up to date and which shall be accessible to the public.

CHAPTER 3

Use of languages

Rule 80

Interpreting arrangements

The following principles shall as far as possible be observed in relation to interpreting arrangements:

- a) The Committee's debates shall be accessible in the official languages unless the Bureau decides otherwise.
- b) All members shall have the right to address the plenary session in whichever official language they choose. Statements in one of the official languages shall be interpreted into the other official languages and any other language the Bureau considers necessary. This shall also apply to languages for which this possibility has been provided for in administrative agreements between the Committee and various Member States.
- c) At Bureau, commission and working party meetings, interpreting shall be available from and into the languages used by the members that have confirmed they will attend the meeting.

CHAPTER 4

Observers

Rule 81

Observers

1. Where a Treaty on the accession of a State to the European Union has been signed, the President, after obtaining the agreement of the Bureau, may invite the government of the acceding State to appoint a number of observers equal to the number of future seats in the Committee allocated to that State.
2. Those observers shall take part in whole or in part in the proceedings of the Committee pending the entry into force of the Treaty of Accession, and shall have a right to speak in its constituent bodies.

They shall not have the right to vote or to stand for election to positions in the Committee. Their participation shall not have any legal effect on Committee's proceedings.

3. Their treatment shall be assimilated to that of a member as regards the use of Committee's facilities and the reimbursement of expenses incurred in their activities as observers, within the limits of the financial resources allocated to the corresponding budget line to that purpose.

CHAPTER 5

Rules of Procedure

Rule 82

Revision of Rules of Procedure

1. The Plenary Assembly shall decide by a majority of its members if there is a need to amend these Rules of Procedure, either in part or in full.

2. It shall appoint an ad hoc commission to draw up a report and a draft text as a basis for the adoption of new rules by a majority of its members. The new rules shall enter into force the day after their publication in the *Official Journal of the European Union*.

Rule 83

Bureau instructions

The Bureau may give instructions determining the procedure for implementing the provisions of these Rules of Procedure, in compliance with the latter.

Rule 84

Entry into force of Rules of Procedure

These Rules of Procedure shall enter into force the day after their publication in the *Official Journal of the European Union*.

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