

RULES OF PROCEDURE OF THE WISE PERSONS GROUP ON CHALLENGES FACING THE CUSTOMS UNION

THE WISE PERSONS GROUP,

Having regard to the creation of the group by DG TAXUD,

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

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Point 1

Operation of the group

The group shall act at the request of its Chair.

The Vice-Chair assists the Chair and replaces her in her absence.

The working language of the group is English.

Point 2

Convening a meeting

1. Meetings of the group are convened by the Chair, either on its own initiative, or at the request of a simple majority of members. A suggested plan for meetings has been submitted to the group for its consideration.
2. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the group shall be held on Commission premises or online.

Point 3

Agenda

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

Point 4

Documentation to be sent to group members

1. The secretariat shall send the invitation to the meeting and the draft agenda to the group members no later than seven calendar days before the date of the meeting.
2. The secretariat shall send documents on which the group is consulted to the group members no later than seven calendar days before the date of the meeting.

3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to three calendar days before the date of the meeting. In such case, the members would be notified in advance.

Point 5

Opinions of the group

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

Point 7

Invited experts

The group may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group by participating in hearings or on an ad hoc basis.

Point 8

Written procedure

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

Point 9

Secretariat

DG TAXUD shall provide secretarial support for the group.

Point 10

Minutes of the meetings

Minutes on the discussion on each point on the agenda shall be drafted by the secretariat under the responsibility of the Chair.

Point 11

Attendance list

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list.

Point 12

Conflicts of interest

1. The chair of the group shall periodically, remind all members of their obligation to promptly inform DG TAXUD of any relevant change in the information previously provided, including as regards upcoming activities, in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable DG TAXUD to assess it in due course.
2. Should a conflict of interest in relation to a member arise, DG TAXUD shall take all appropriate measures.
3. Conflicts of interest shall be reported in writing, e.g. in the minutes of the group's meeting, without disclosing the identity of the relevant member. Information registered must be adequate, relevant and not go beyond what is necessary for the purpose of the management of the conflict of interest.

Point 13

Correspondence

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

Point 14

Transparency

1. As concerns the group composition, the following data shall be published on the website of DG TAXUD:
 - (a) the name of individuals appointed in a personal capacity; and
 - (b) the name of invited associations and experts.
2. DG TAXUD shall make available all relevant documents, including the agendas, the minutes and the submissions on the DG TAXUD website on a dedicated page. Access to this website shall not be submitted to user registration or any other restriction. In particular, DG TAXUD shall publish the agenda in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen for information that is of a sensitive nature or classified or where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001¹.

¹ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Point 15

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001².

Point 16

Behaviour of the members of the group

The members of the Group shall, in all circumstances:

- carry out their duties impartially and objectively with due respect for the duty of loyalty and discretion with regard to the European Union and be guided solely by the interests of the European Union;
- abstain from taking instructions from any government, authority, organisation or person, in relation to their duties as member of the Group;
- refrain from accepting from any government or any other source any honour, decoration, favour, gift or payment in connection with their duties as members of the Group, outside of those planned for the reimbursement of expenses incurred during the meetings of the Group;
- not use their membership to the group for acquiring any personal benefit.

The group Members shall inform the group of individual outreach meetings they have had. In these meetings, they shall never convey the impression that they represent the Commission or that they are mandated by the group (unless they have received an explicit mandate from the group).

² Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).