



**European Committee
of the Regions**

The Committee of the Regions has adopted new Rules of Procedure, which entered into force on 31 December 2021.

In order to make the Rules of Procedure easier to read for everybody, this document contains a consolidated version of the applicable rules, together with a guide containing a series of interpretative rules.

MISSION STATEMENT

The Committee of the Regions is the EU's assembly of regional and local representatives.

We are a political assembly of holders of a regional or local electoral mandate serving the cause of European integration.

Through our political legitimacy, we provide institutional representation for all the European Union's territorial areas, regions, cities and municipalities.

Our mission is to involve regional and local authorities in the European decision-making process and thus to encourage greater participation from our fellow citizens

Our political action is based on the belief that cooperation between European, national, regional and local levels is essential if we are to build an ever closer and more mutually supportive union among the people of Europe and respond to the challenges of globalisation.

To this end, we work closely together with the European Commission, the European Parliament and the Council of the European Union, and in the Member States with the various tiers of authority, in order also to promote multi-level governance.

We vote on political recommendations for European strategies and participate in the preparation of Community legislation.

Upstream, at the earliest stages, we propose political lines of approach and action drawn from the experience and expertise of the regional and local authorities, who are most often responsible for implementing legislation.

We want to see Europe, united in diversity in a globalised world, make the very most of its territorial, cultural and linguistic diversity, as this is the source of its strength and guarantee of its people's identity.

We play our part in promoting European democracy and citizenship and their values, and contribute towards the anchoring of fundamental rights and the protection of minorities.

We keep watch to ensure that the principles of subsidiarity and proportionality are upheld so the decisions are taken and applied as close to the citizens as possible and at the most appropriate level.

Thus, we ensure that common policies are implemented more effectively and at greater proximity.

We work to secure harmonious and sustainable development across all European territorial areas.

In this way, we champion the objectives of economic, social and territorial cohesion in the European Union in the interests of the principles of equity and solidarity.

We claim autonomy for regional and local authorities and their right to secure appropriate financial resources to enable them to carry out their duties.

We therefore promote the principles and mechanisms of good governance and encourage the process of decentralisation.

We encourage cooperation between the regional and local authorities of the Member States, but also, as part of enlargement strategy, neighbourhood policy and development policy, with those of candidate countries, potential candidate countries, neighbouring countries and third countries.

We set up platforms and networks, organise forums so as to facilitate cooperation and the pooling of experience between regions, cities and municipalities, and develop partnerships with their representative organisations.

We are ambassadors of Europe in the regions, cities and municipalities and speak for them in the European debate.

We have a direct dialogue with our fellow citizens on Europe's achievements and future challenges and we help to explain and expound the implementation and territorial impact of Community policies.

Let's build Europe in partnership!

Brussels, 21 April 2009

EUROPEAN COMMITTEE OF THE REGIONS

RULES OF PROCEDURE AND GUIDE

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INTRODUCTION

On 12 October 2021 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

Italicised text contains interpretations of the provisions of the Rules of Procedure, additional information on the implementing arrangements for the Rules of Procedure or references to implementing texts adopted by the CoR Bureau.

Italicised text has been adopted by the Secretary-General

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.

Rule 2 - Gender diversity

1. The gender diversity of the European Committee of the Regions should be reflected as much as possible in the composition of its constituent bodies.
2. The Bureau shall adopt a gender action plan aimed at incorporating a gender perspective in all the Committee's activities. The gender action plan shall be annually monitored and reviewed at least every five years.

CHAPTER 2

MEMBERS OF THE COMMITTEE

Rule 3 - 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.

Where CoR members hold more than one regional or local office, the only one which is relevant to their membership of the CoR is that which is indicated in the Council's appointment decision, as published in the Official Journal of the European Union.

Rule 4 - Term of office

1. The term of office of a member or alternate shall commence on the date on which their 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 they were appointed, or death.
3. A resigning member or alternate must notify the President of the Committee of their intention in writing, specifying the date on which the 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 they were appointed, expires shall immediately inform the President of the Committee of the fact in writing.
5. In the cases referred to in Rule 4(2), a replacement shall be appointed by the Council for the remainder of the term.

A member's term of office ends automatically, even in the absence of notification, at the end, or upon loss of, the member's electoral mandate on the basis of which they were proposed for membership.

Legal clarifications concerning the position of members after the loss of, or a change in, the mandate on the basis of which they were proposed and appointed, are provided for on the Members' Portal.

Practical information is also available in the "Handbook for members" issued by the Secretariat-General.

Rule 5 - 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.

CoR members benefit in the performance of their duties from the privileges and immunities specified in Article 10 of the Protocol on Privileges and Immunities (PPI), in particular:

- a) Personal inviolability in the sense that CoR members may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties.*
- b) Immunity protects members against acts by the authorities of the Member States relating to acts carried out by CoR members on their national territory or that of another Member State. This relates to acts carried out by members not covered by inviolability.*
- c) Freedom of movement means the freedom of CoR members to travel to their place of work. The term "place of work" should be given the broadest possible legal interpretation.*

The PPI does not confer any general exemption from national taxes on CoR members. However, Union law prohibits sums paid by the CoR to its members in the form of reimbursement of travel expenses or meeting and travel allowances from being subject to national tax. If these amounts were to be subject to national tax, provided that these do not constitute disguised remuneration, this would create a financial obstacle to members' travel, which is prohibited by Union law.

Rule 6 - Attendance of members and alternates

1. Any member prevented from taking part in a Plenary Session may be represented by an alternate from their national delegation; they 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 their national delegation or political 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 61 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.

Delegations of voting rights must be submitted using the electronic system provided by the Secretariat-General.

An alternate whose delegation of voting rights is received within five days of the meeting must take the seat of the member for whom they are alternate.

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 or she is responsible at the Plenary Session at which the draft opinion is on the agenda. The member may delegate his or her vote to this 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 24(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 7 - Delegation of vote

Except as provided for in Rules 6 and 32, the right to vote may not be delegated.

Rule 8 - 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 9 - 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 chair. 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 individual members to receive information and assistance in their official languages. 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.

The Secretary-General provides the national coordinators with appropriate support, in particular to enable them to make proper use of the Committee's infrastructures and ensures that they are properly informed of all matters of importance to members.

Rule 10 - 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 eighteen 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.

The compliance with the membership requirement is continuously verified by the CoR administration. However, in order to take into account pending nomination procedures in the Member States, the dissolution of a political group can only be pronounced after a period of six months from the moment a political group does not meet any longer the membership requirement.

The condition that at least six Member States must be represented (one fifth of the Member States) should be seen in the light of the requirement that a political group consist of at least 18 members or alternates.

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 president 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 they are representing a member from their 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 11 - 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.

Interregional groups must be formed in accordance with the Decision on interregional groups at the Committee of the Regions. The Bureau shall take a decision based, inter alia, on the compatibility of the establishment and operation of the interregional group with the institutional role and the operation of the Committee of the Regions. When assessing this criterion, which is set out in the corresponding Decision, the Bureau shall take account of the added value of the interregional group for the work of the Committee's bodies.

TITLE II

ORGANISATION AND PROCEDURE OF THE COMMITTEE

CHAPTER 1

INITIAL CONVENING AND INSTALLATION IN OFFICE OF THE COMMITTEE

Rule 12 - 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 their capacity as interim President.

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

The interim president referred to in the first paragraph of this rule must appear on the list of persons newly appointed by the Council in accordance with Article 305 of the Treaty.

Rule 13 - 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 or she 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 or she 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 14 - 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 priorities of the Committee;
- 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) to adopt and revise codes of conduct for members;
- h) having verified that there is a quorum under the first sentence of Rule 22(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 57 and 58, 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.

By virtue of Article 263 of the Treaty on the Functioning of the European Union, the Court of Justice of the European Union is competent to take a decision on actions brought by the Committee of the Regions in defence of its prerogatives and, in accordance with Article 8 of the Protocol to the Treaty on the application of the principles of subsidiarity and proportionality, on actions for infringement of the principle of subsidiarity by a legislative act brought by the Committee of the Regions against legislative acts on which the Treaty on the Functioning of the European Union requires that the Committee be consulted. Such actions may be proposed to the Plenary Assembly either by the President or by the competent commission acting in accordance with Rules 57 and 58. The Plenary Assembly shall, having previously verified that more than half of its members are present, take a decision by a majority of the votes cast in accordance with the provisions of Rule 23(2), (4), (5) and (7).

Rule 15 - 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 first half 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 16 - 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 twenty-one working days before the opening of the Plenary Session.
3. It is the President's responsibility to prepare the draft agenda, after consulting the Conference of Presidents.

Items concerning decisions to be taken in accordance with Rule 14(h) (including decisions to maintain or withdraw actions brought under Rule 37(k)) shall take priority on the agenda over other items concerning draft opinions, reports or resolutions.

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.

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. An adjournment of the vote also opens a new deadline for tabling amendments.

Rule 17 - Opening of the Plenary Session

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

Rule 18 - Admission of the public, guests and guest speakers

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.

The Plenary Sessions shall be open to the public as far as possible.

2. Representatives of the European Parliament, Council and Commission may attend Plenary Sessions. They may be asked to take the floor.
3. Other distinguished guests may also be invited to address the Plenary Assembly by the President, acting on his or her own initiative or at the request of the Bureau.

Rule 19 - 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 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 or her own initiative or at the request of a member, shall arrange for a decision to be taken to limit speaking time.
3. The President 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 speakers exceed their allotted speaking time, the President may withdraw their permission 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 20 - Speakers in the Plenary Assembly

1. The names of members who ask to speak shall be entered on 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 the diversity of speakers.

The diversity mentioned above also includes gender diversity.

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 chair 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 21 - 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 or her ruling immediately after the Rules of Procedure have been invoked. No vote shall be taken on the President's ruling

Rule 22 - 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 sixteen 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 ten 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 sixteen 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 23 - 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.

The President shall establish the result of the vote and announce it.

An opinion may be adopted unanimously with abstentions.

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 sixteen members support 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 24 - Tabling of amendments

1. Only members and duly mandated alternates - and, for his or her 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 the member's duly mandated alternate. If a member delegates all or part of a Plenary Session to an alternate, only one of them can table amendments. If the member tables any amendments to

any part of the Plenary Session, then the alternate cannot do so afterwards. Similarly, if the alternate is delegated for any part of the Plenary Session and tables any amendments to an opinion - before the member has tabled any amendments -, then the member cannot table any amendments to the Plenary Session. 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 28, 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.

Where a political group tables amendments, it shall submit them in the name of its president, following its own internal rules.

3. They must be submitted before 3 p.m. on the eleventh 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 submit 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 rapporteur's amendments should be limited to modifications or deletions of text passages addressed in the amendments to which they refer directly. However, their adoption implies the fall of the initial amendments to which they relate.

When all the original amendments on which the rapporteur's amendment is based are either withdrawn or fall, the rapporteur's amendment shall still be voted on.

The deadline for the submission of amendments can be reduced to a minimum of three working days by the President in cases where Rule 16(4) is applied. The deadline shall also not apply in the case of amendments to urgent matters pursuant to Rule 16(6).

The delegation of the right to table amendments must be submitted at the latest at the time the amendments are tabled, i.e. before 3 p.m. on the eleventh working day before the opening day of the Plenary Session.

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

Amendments must be submitted using the online system for tabling amendments available through the Members' Portal.

Amendments must be submitted by 3 p.m. (Brussels time) on the eleventh working day before the Plenary Session. The deadline will be indicated on the coversheet of the draft opinion.

All days other than Saturdays, Sundays and public holidays in force at the Committee, shall be counted as working days. Thus, if there are no public holidays, the deadline in respect of a Plenary Session beginning on a Wednesday shall expire at 3 p.m. on a Tuesday.

Amendments must be submitted with the names of the members or duly mandated alternates supporting them.

Rule 25 - 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.

When dealing with opinions on legislative proposals, the reasons proposed for amendments to the draft legislation form part of the final text of the opinion.

2. Principles governing voting:

- a) Compromise Amendments presented during the meeting.

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.

Where possible, the text of a compromise amendment should be forwarded in advance and in writing to the President and to the Secretariat-General before the subject concerned is discussed.

Compromise amendments must be read out clearly to allow a correct interpretation and, when possible, be made visible on screen at the time of 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.

Rapporteurs may draw up a list of amendments tabled to their draft opinion which they recommend 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.

The secretariat of the relevant commission will identify beforehand the links between amendments and will inform the President of the CoR and, where possible, the members of them in writing before the session begins.

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.

The request should be sent in electronic form to the secretariat of the Registry.

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.

Amendments identified as being of linguistic nature are not put to the vote.

Before a vote is taken on an amendment, the rapporteur may ask to present his or her position on it.

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.

If one of these amendments refers to the deletion of the text, this amendment 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.

When the adoption of an amendment renders part of a later amendment incompatible, those parts that remain compatible shall still be voted on.

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:

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

Rule 26 - 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 25(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.

In order to avoid possible delays in the publication of the opinion, only the first author of the relevant amendments will be consulted.

The consolidation of the final opinion will be done in line with the Bureau decision of 5 December 2006 on the layout of opinions.

Rule 27 - 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 28 - Simplified procedures

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 24(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.

For the purposes of this Rule abstentions will not be taken into account.

In the event of a political group tabling an amendment under the simplified procedure, the amendment will be forwarded to the secretariat of the relevant commission on behalf of the president of this political group, specifying the name of a contact person within that group. Before the start of the Plenary, the relevant group will notify the Administration if any of these amendments are to be withdrawn.

Rule 29 - 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 30 - Symbols

1. The Committee recognises and adopts the following Union symbols:
 - a) the flag representing a circle of twelve 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 and encourage members to do likewise.
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 31 - 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) twenty-six other members;
- e) the presidents of the political groups;

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

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

Rule 32 - Replacements at Bureau meetings

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

Rule 33 - Election rules

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

The duration of the two and a half year term of office of members elected to the Bureau shall be calculated by reference to the date of the beginning of the five-year term of office of members of the Committee of the Regions set out in the Council's appointment decision.

2. The election shall be held under the chairmanship of the interim President in accordance with Rules 12 and 13. 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 22, paragraph 1, first sentence.

Rule 34 - 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 35 - Election of the members and replacement 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 33 and 34 (2) to (4).

If one hour before the beginning of the Plenary Session, one or more national delegations have not been able to submit a list of candidates to represent them at the Bureau, the interim Bureau will submit the lists received to the Plenary for approval and the new Bureau will function without the representatives of that national delegation, who will be invited to submit a list of candidates to a future Plenary Session.

2. The same rules shall apply to the election of replacement members, who may be elected at the same time as the Bureau members.
3. The presidents of the political groups elected within each group are ex-officio members of the Bureau.

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 or her replacement shall be replaced for the remainder of their term of office in accordance with the procedures laid down in Rules 31 to 35. The by-election for a vacant Bureau seat or alternate 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) Preparation and submission to the Plenary Assembly of its political priorities 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 political priorities;

- b) Organisation and coordination of the work of the Plenary Assembly and the commissions;
- c) Preparation and submission of a code of conduct to the Plenary Assembly;
- 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 thirteen 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) Monitoring of the follow-up to opinions, reports and resolutions and of the Committee's annual impact assessment, and provision of advice to the President on the implementation of the results;
- g) Engagement of the Secretary-General and the officials and other servants listed in Rule 71;
- h) Submission of the draft estimates of expenditure and revenue to the Plenary Assembly in accordance with Rule 73;
- i) Authorisation of meetings away from the usual place of work;
- j) 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.

The numerical composition and the distribution of members of working groups, joint committees and other political bodies in which members participate by political group is decided by the Bureau. The names of their members and their political affiliations are then noted by the President of the Committee of the Regions.

- k) 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 57 and 58. 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 22(1), the Plenary Assembly takes a decision by the majority required in Rule 14(h) not to bring the action, the President shall withdraw the action.

The Bureau shall vote having previously verified that at least one half of its members are present. The decision shall be taken by a majority of the votes cast. In accordance with Rule 38(3), the provisions of Rule 23(2) shall apply.

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.

When preparing the draft agenda the President will identify, in accordance with the Rules of Procedure, which documents shall be prepared by the Secretary-General and which by the President.

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 23(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 ten days before the opening of the meeting.

For all documents that do not meet this deadline, the Secretary-General will provide an explanation stating the reasons for the delay.

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. Wherever possible, documents prepared for the Bureau shall include various options for the Bureau to select from and be amendable as soon as they are published.

Members shall be informed electronically about the availability of documents and ways of accessing these documents electronically. The format of Bureau documents will facilitate the tabling of amendments, with each paragraph numbered appropriately.

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 to be informed in writing, within three 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.

The President may invoke the written procedure in exceptional circumstances, where, between meetings, it is necessary to proceed with certain decisions that do not, however, justify the holding of an extraordinary Bureau meeting. Decisions adopted by the written procedure between two Bureau meetings shall be communicated to the Bureau's members when it meets again.

A summary of the main decisions adopted is drawn up after the meeting on the instructions of the President and the Secretariat-General. It is made available electronically.

Rule 39 - The President

1. The President shall direct the work of the Committee.

Under the conditions set out in these rules, the President directs all the activities of the Committee and its constituent bodies. He or she presides over the discussions of the Committee and ensures that these are properly conducted. The President makes proposals with regard to the organisation and programming of the Committee's work on the basis of the broadest possible consultation.

2. The President shall be the Committee's representative and may delegate these powers.
3. When absent, the President shall be represented by the first Vice-President; if the first Vice-President is absent, the President shall be represented by one of the other Vice-Presidents.
4. The President is responsible for the security and the inviolability of the premises of the Committee.

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 (CFAA), chaired by a member of the Bureau.
2. The dates of the meeting and their agendas shall be set by the chair acting in agreement with the first vice chair.
3. The CFAA may appoint a rapporteur from among its members to assist the commission in preparing CFAA reports to the Bureau, on the duties assigned to it. The member shall report to the commission and the Bureau, if needed and in agreement with the chair, within the remits of his or her topics. This member can present his or her report to CFAA by written or oral submission.

As part of the implementation of this Rule, the above drafting of a report does not impact the effect of Rule 60 and its implementing provisions.

4. The CFAA shall have the following responsibilities:
 - a) Advising on and adopting, in accordance with Rule 73, 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 Rules 38(4) and 38(5).

- c) Advising on matters 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, in particular by 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. In exceptional circumstances, the President may have recourse to a written procedure for the adoption of a decision. The President shall send members the proposed decision and ask to be informed in writing, within three working days, of any objections they may have. The decision shall be deemed to be adopted unless objections are received from at least three members.
6. The chair of the CFAA 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 next Presidency of the Council;
 - or
 - ii) entirely on its own initiative and, pursuant to Rule 14, on the basis of the Committee's political priorities 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 European Parliament, European Council, Council or Commission to the commission responsible; 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, after having consulted the chairs of the commissions in question, designate a lead commission responsible. The Secretary-General will ensure, prior to the President's consultation with the chairs, a thorough analysis of the objective reasons why the document in question concerns the competences of more than one commission. When the matter falls indissociably within the competences of several commissions, the President may propose the setting up of a temporary working group comprising an equal number of representatives of the commissions concerned. This working group may designate one rapporteur to draft a single opinion or a resolution to be submitted to the plenary session.

3. If a commission does not agree with a decision of the President taken under Rule 42(1) and (2), it may via its chair 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 their 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.

The President will consult the chair of the relevant commission.

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 Rule 41(b)(ii) may be submitted to the Bureau by four of its members, by a commission via its chair 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. Commissions shall decide on applications for own-initiative opinions under Rule 41(b)(ii) by a majority of two thirds of the votes cast. The Bureau shall decide on applications for own-initiative opinions under Rule 41(b)(ii) by a majority 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.

Proposals for own initiatives considered in this Rule are submitted to the Bureau in the form of a document that outlines the following:

- *the political objective and the expected political impact of the own-initiative opinion;*
- *its relevance to the political priorities of the CoR;*
- *the specific local or regional dimension of the proposal;*
- *its strategic relevance;*
- *the name of the candidate for rapporteurship – where relevant the name(s) of the author(s) of the initiative.*

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. They shall be available for the members not later than three days before the Bureau meeting in all languages. Draft amendments can be submitted electronically from the moment of availability of the draft resolution. Upon a positive Bureau decision draft amendments will be automatically submitted as amendments. Upon a negative Bureau decision the draft amendments will be automatically removed from the system.
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 16(1);
 - b) in accordance with the second sentence of Rule 16(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.

Rules governing amendments to opinions apply mutatis mutandis to resolutions. Amendments to draft resolutions referred to in Rules 45(3)(b) and 45(4) must be submitted in electronic form to the secretariat of the Registry at the latest by 4 p.m. on the first day of the Plenary Session.

CHAPTER 4

CONFERENCE OF PRESIDENTS

Rule 46 - Composition

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

Rule 47 - 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 Committee's other constituent bodies.

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

CHAPTER 5

COMMISSIONS

Rule 48 - 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.

In the course of the five-year term of office, a member who replaces an outgoing member will in principle belong to the same commissions as that member. However, members of the same national delegation may, by mutual agreement, exchange seats on commissions in the course of

the five-year term of office. The chair of the national delegation will inform the chairs of the commissions concerned and the Secretary-General of any such changes.

Rule 49 - Chairs and vice-chairs

1. Each commission shall elect from among its members a chair, a first vice-chair and no more than two other vice-chairs. They shall be elected for a period of two and a half years.

Where the two-and-a-half-year term of office expires between two commission meetings, mid-way through the CoR five-year term of office, the replacement elections shall take place at the next possible commission meeting, and the next mandate shall run until the end of the CoR five-year term of office.

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 34(2) to (4) for the election of the Committee President and first Vice-President.
3. If a commission chair or vice-chair terminates their Committee membership or resigns as a commission chair or vice-chair, the vacancy shall be filled in accordance with the provisions of this Rule.

If the chair of a commission is vacant, the first vice-chair, or in their absence/unavailability another vice-chair, will act as interim chair. A new chair will be elected as soon as possible.

Rule 50 - Tasks of commissions

1. In accordance with the powers assigned to them by the Plenary Assembly on the basis of Rule 48, the commissions shall debate Union policies. They shall in particular draw up the draft versions of opinions, reports and resolutions for adoption by the Plenary Assembly.
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 send them to the Bureau for information.

The commissions' work programmes are drawn up on the basis of the CoR's annual political priorities and the European Commission's annual Legislative and Work Programme. A document

annexed to the work programme provides indicative information on the titles and timescale of dossiers.

Rule 51 - Convening of commissions and their agendas

1. The dates of meetings and their agendas shall be set by the chair of each commission acting in agreement with the first vice-chair.

Meeting dates are set having regard to the interinstitutional calendar and the calendar of the CoR Bureau and Plenary Sessions.

The chair of a commission may convene members to attend a meeting away from headquarters or other activities, in accordance with the provisions of the applicable regulation.

Preparatory meetings between the chair and the coordinators of the political groups shall be held in preparation for the commissions' meetings.

2. A commission shall be convened by its chair. 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 chair 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 fourteen working days before the date of the meeting. In exceptional cases the above time limits may be amended by the chair.
5. Documents shall be submitted to the secretariat by email 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.

See Bureau decision of 5 December 2006 and of 12 February 2015 on the layout of opinions.

Members shall be informed by email about the availability of documents and ways of accessing these documents electronically.

Minutes of commission meetings record the proceedings and the decisions taken at each meeting. They shall be endorsed by the commission at its subsequent meeting. An original copy is signed by the chair and the secretariat and filed in the CoR's archives.

A summary of the main decisions adopted is drawn up after the meeting.

Rule 52 - 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 53 - 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.

Where appropriate, an exchange of views in the presence of the rapporteur and their expert may take place before the first discussion of a draft opinion.

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 54 - Content of opinions

1. A Committee opinion shall set out the Committee's views and recommendations on the question under consideration.
2. Committee opinions on proposals for legal 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 to the application of the subsidiarity and proportionality principles whenever appropriate.

The Committee's view on compliance with the principles of subsidiarity and proportionality should highlight any potential infringement of these principles in the draft legislative act, based on assessment using the Subsidiarity Assessment Grid. Where subsidiarity or proportionality issues have been identified, the opinion should also further explain the potential infringement of these principles and if feasible, propose amendments or other measures to ensure their compliance.

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.

The format of opinions will follow the model endorsed by the Bureau. In accordance with the Cooperation Agreement between the Committee of the Regions and the European Commission, notably when responding to new legislative proposals from the European Commission, the CoR should seek to clearly identify specific changes it wishes to be made in European Commission legislative proposals by the adoption of specific amendments to European Commission texts.

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.

Rule 55 - Follow-up to Committee opinions, reports and resolutions

During the period following the adoption of an opinion, a report or a resolution, the rapporteur and/or the chair of the commission appointed to draw up the draft document in question 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.

Follow-up activities having a financial impact for the Committee are subject to prior financial approval and budgetary availability in accordance with the corresponding Bureau Regulation.

The Secretariat-General shall assist the rapporteur in the communication of the Committee's opinions, in particular to the other institutions, in order to impact the legislative and policy programme of the European Union. The Secretary-General shall allocate the necessary resources to this activity.

The chair and the rapporteur shall, with the assistance of the Secretariat-General, monitor the course of the procedure underlying the Committee's consultation to assist with the task underlined in Rule 59, and shall keep the members of their commission informed.

Rule 56 - Revised opinions

1. If the commission deems it necessary, it may 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 commission to consider the necessity of the revised opinion at one of its regular meetings, the chair may invoke the written procedure for this decision, in accordance with Rule 66.

2. The commission shall meet, where possible, to hold a debate and adopt the 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 chair 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 57 - 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.

Practical and legal information is also available in the "Practical guide on the infringement of the subsidiarity principle", which is intended to serve as:

- *a practical guide to identifying infringements of the subsidiarity principle in a legislative proposal (in its original form or as amended);*
- *a practical guide to preparing opinions that highlight and challenge those infringements, on the basis of well-researched facts and the necessary documentary evidence;*
- *as a reference document, recalling the procedure that the Committee of the Regions (the "CoR") needs to follow in order to adopt a decision to bring an action before the Court of Justice of the European Union (the "Court of Justice") for infringement of the subsidiarity principle, and setting out steps to be taken to prepare and lodge such an action.*

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 63(1). The commission proposal shall be sent for decision to the Plenary Assembly in accordance with Rule 14(h) or to the Bureau in the cases referred to in Rule 37(k). 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(k).

The commission shall proceed to a vote, having previously verified that more than half of its members are present. The decision shall be taken by a majority of the votes cast. Provisions of Rule 23(2) shall apply.

Rule 58 - 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 14(h), or to the Bureau in the cases referred to in Rule 37(k), 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 63(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(k).

The commission shall proceed to a vote, having previously verified that more than half of its members are present. The decision shall be taken by a majority of the votes cast. Provisions of Rule 23(2) shall apply.

Rule 59 - 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.

The report of the Secretariat-General shall form the basis for a political discussion in the Plenary Assembly. The meeting agendas of commission meetings must be organised so as to allow the holding of a debate on the follow-up to opinions drawn up by the commission and which relate to the Committee's political priorities

Rule 60 - Rapporteurs

1. Each commission, acting on a proposal from its chair, 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.

Each political group may designate a shadow rapporteur for an opinion. Their names shall be communicated to the chair.

3. In urgent cases the commission chair may apply a written procedure to appoint a rapporteur. The chair 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 chair and first vice-chair shall decide by mutual agreement.
4. If the chair or one of the vice-chairs of a commission is appointed rapporteur, they shall, during the discussion of their draft opinion, hand over the chairmanship of the meeting to a vice-chair or to another member present.

Rapporteurs are systematically invited to present an account of the follow-up of opinions at commission meetings in order to contribute towards the promotion and monitoring of the CoR's impact.

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.

A new rapporteur can be appointed until the interinstitutional legislative procedure is completed.

Rule 61 - 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 their 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 their political group.
3. Each working group can appoint a chair and a vice-chair from among its members.

The numerical composition and the distribution of working group members by political group is decided by the Bureau. The names of their members and their political affiliations are then noted by the President of the Committee of the Regions and forwarded to the chair of the commission concerned.

4. Working groups can adopt conclusions to report back to their commissions.

Rule 62 - 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.

The expert's name shall be communicated to the secretariat at least three weeks before the meeting in order to present a reimbursement request in good time. Experts shall be entitled to travel and subsistence expenses as laid down in the corresponding Regulation.

3. Experts do not represent the Committee, and do not speak on its behalf.

Rule 63 - 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 ten 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 ten 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 ten members are present, the chair 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 64 - 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 chair.

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 6(2), and, for their own opinion, by any non-mandated alternate appointed as rapporteur, or by a political group.

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. If a member delegates all or part of a commission meeting to an alternate, only one of them can table amendments. If the member tables any amendments to any part of the commission meeting, then the alternate cannot do so afterwards. Similarly, if the alternate is delegated for any part of the commission meeting and tables any amendments to an opinion - before the member has tabled any amendments, then the member cannot table any amendments to the commission meeting. 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 or her to submit their rapporteur's amendments to the Secretariat-General in electronic form 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 25(1) to (6) shall apply *mutatis mutandis*.

Where a political group tables amendments, it shall submit them in the name of its political coordinator in the commission and specify the name of a contact person within the political group.

Amendments must be submitted using the online system for tabling amendments available at the Member's' Portal.

Amendments must be submitted before 3 p.m. (Brussels time) on the ninth working day before the date of the meeting. This deadline will be indicated on the coversheet of the draft opinion. The online system does not allow amendments to be submitted after this deadline.

All days other than Saturdays, Sundays and public holidays in force at the Committee shall be counted as working days. Thus, in the case of a commission meeting held on a Friday, the deadline shall, if there are no public holidays, expire at 3 p.m. on a Monday.

2. Voting on amendments shall follow the order of the points in the draft opinion under discussion.

When dealing with opinions on legislative proposals, the reasons proposed for amendments to the draft legislation form part of the final text of the opinion.

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:
 - re-submit the draft opinion for debate and adoption, as modified by the amendments adopted in commission, having regard to provisions of Rule 53;
 - appoint a new rapporteur and thus re-launch 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 chair to the President of the Committee.

Rule 65 - Decision not to draw up an opinion

1. Where the commission responsible 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 commission responsible 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 commission may decide not to issue an opinion. In this case, the Committee may respond to the European Union institutions by means of a motivated renunciation.

Rule 66 - Written procedure

1. In exceptional circumstances, the commission chair may have resort to a written procedure for the adoption of a decision on the operation of their commission.
2. The chair shall send the proposal for a decision to the members and ask to be sent 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.

In exceptional circumstances, when it is necessary for certain decisions to be taken forward in between meetings in particular in view of the cancellation of a meeting or at the end of a mandate, the written procedure may be invoked by the chair. This could involve for example minutes of meetings, endorsement of work programmes and decisions that must be forwarded to an

upcoming Bureau meeting. Commission members are notified of decisions adopted by written procedure between commission meetings at the next meeting.

Rule 67 - Provisions applicable to commissions

Rule 12 - Convening the first meeting,

Rule 13(2) - Installation in office of the Committee and verification of credentials,

Rule 16(7) - Agenda for the Plenary Session,

Rule 18 - Admission of the public, guests and guest speakers,

Rule 21 - Points of order,

Rule 23 – Voting and

Rule 26 - Coherence of a final text

shall apply, *mutatis mutandis*, to the commissions.

CHAPTER 6

ADMINISTRATION OF THE COMMITTEE

Rule 68 - 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 69 - Secretary-General

1. The Secretary-General shall have the administrative responsibility for implementing 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. The Secretary-General shall assist the President in assuring the security and the inviolability of the premises of the Committee.

2. The Secretary-General shall discharge his or her duties under the direction of the President, representing the Bureau. The Secretary-General shall give a solemn undertaking before the Bureau to perform his or her duties conscientiously and with absolute impartiality. He or she must not represent politically the Committee without prior authorisation by the President. Each year, the Secretary-General shall make available to the Bureau the annual activity report setting out the discharge of his or her activities as authorising officer by delegation and shall submit a summary of that report for possible discussion.

Rule 70 - 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 the 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 extended once only for a maximum of five years.

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

Every year, the Secretary-General will submit to the Bureau a report listing all the occasions in the previous twelve months in which he or she has represented the Committee. The report will also list the missions, their location and their purpose.

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 71 - 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 groups AST and AST-SC, 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 groups AST and AST-SC, 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 groups AST and AST-SC, 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 Communities.

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 72 - Meetings in camera

The Bureau shall meet in camera when it takes the decisions concerning persons referred to in Rules 70 and 71.

Rule 73 - 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.

To be valid, a budgetary amendment must give details of its specific impact on the budget headings concerned.

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 or she shall perform these functions in accordance with the provisions of the Financial Regulation applicable to the general budget of the European Union.
4. Pursuant to the Financial Regulation and internal financial rules, the President's powers of budget implementation are delegated to the Secretary-General, who becomes authorising officer by delegation upon appointment.

TITLE III

GENERAL PROVISIONS

CHAPTER 1

COOPERATION FORWARDING AND PUBLICATION

Rule 74 - 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 75 - 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 28 or a decision not to draw up an opinion under Rule 65, 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 76 - 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 Article 15(3) of the Treaty on the Functioning of the European Union, the principles, conditions and limits laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council and 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 77 - Declaration of Members' Financial Interest and Code of Conduct with Respect to Financial Interests and Conflicts of Interests

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. In exercising their duties, members shall also observe the Code of Conduct with respect to financial interests and conflicts of interests.

CHAPTER 3

USE OF LANGUAGES

Rule 78 - 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 79 - 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 the Committee's proceedings.

3. Their treatment shall be assimilated to that of a member as regards the use of the 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.

The mandate of observers shall begin from the time of receipt of the notification of appointment from the government of the acceding State following the signature of the accession treaty and shall end at the time of actual accession, i.e. the date on which, as a result of the entry into force of the accession treaty, observers are replaced by full members, pursuant to Rule 4.

CHAPTER 5

EXCEPTIONAL CIRCUMSTANCES

Rule 80 - Extraordinary measures

1. If the Committee of the Regions is hindered from carrying out its duties and exercising its prerogatives under the Treaties due to exceptional and unforeseeable circumstances beyond its control, a temporary derogation from some of the Committee's rules may be applied to enable the Committee to continue to carry out those duties and to exercise those prerogatives.

Such circumstances shall be considered to exist where the President comes to the conclusion, based on reliable evidence provided by the Secretary general, that for reasons of security or safety, or as a result of the non-availability of technical means, it is or will be impossible or dangerous for the Committee to convene or function in accordance with its usual rules and procedures.

2. Where the conditions set out in paragraph 1 are fulfilled, the President may decide, with the agreement of the Conference of Presidents and after having consulted, where possible, the chairs of the relevant bodies, to apply one or more of the following extraordinary measures:
 - a) cancellation or postponement of a scheduled plenary session, a meeting of another constituent body or any other activity;
 - b) holding of a plenary session, a meeting of another constituent body or any other activity under the remote attendance regime laid down in Rule 81;
 - c) other measures as appropriate and necessary having regard to the specific and exceptional circumstances.
3. Any extraordinary measures adopted in accordance with paragraph 2 shall be limited in time, for a renewable period of up to four months, and scope to the extent necessary to address the specific and exceptional circumstances.

The decision adopting the extraordinary measures shall enter into force upon its publication on the Committee's website or, if circumstances prevent such publication, by the best available means, and shall state the reasons on which it is based. All members shall be informed of the decision without delay.

The President shall revoke any measures adopted under this rule as soon as the exceptional circumstances referred to in paragraph 1 that gave rise to their adoption have ceased to exist.

According to the circumstances, the remote attendance regime can be fully remote, i.e. without the physical presence of any members, or hybrid, i.e. combining remote attendance and physical presence.

Rule 81 - Remote attendance regime

1. Where the President decides in accordance with Rule 80(2)(b) to apply the remote attendance regime, the Committee may conduct its proceedings remotely inter alia by permitting its members to exercise certain of their rights by electronic means.
2. The remote attendance regime shall ensure to the greatest possible extent that members are able to perform their duties including, in particular:
 - the right to speak and listen in plenary sessions and in meetings of other constituent bodies, also in accordance with the provisions of Rule 78;
 - the right to cast their votes individually and to verify that their votes are counted.
3. When taking the decision referred to in paragraph 1, the President shall determine whether that regime applies only to the plenary sessions, or also to the meetings of other constituent bodies and to any other activity of the Committee.
4. For the application of the rules relating to the establishment of a quorum and to voting in constituent bodies, members who are participating remotely shall be deemed to be physically present.

The President shall, where necessary, determine the manner and extent to which the meeting chamber may be accessed by members during the application of the remote attendance regime, and in particular the maximum number of members who may be physically present.

CHAPTER 6

RULES OF PROCEDURE

Rule 82 - Revision of Rules of Procedure

1. The Plenary Assembly shall decide by a majority of the votes cast if there is a need to amend these Rules of Procedure, either in part or in full. The Bureau issues every half term of the Committee's mandate period a recommendation to the Plenary Assembly whether a review of the Rules of Procedure is advisable.
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

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

APPENDICES

A. The Council's reply of 27 May 2005

Mr Peter Straub
President of the Committee of the Regions

Sir,

The Council thanks you for your letter of 1 December 2004, accompanied by a memorandum on difficulties of interpretation concerning the tenure of members and alternate members of the Committee of the Regions (CoR), following the entry into force of the Treaty of Nice.

You seek clarification of:

- (a) the position of CoR members and alternate members *after the loss of or a change in the mandate on the basis of which they were proposed*, and
- (b) *the roles and responsibilities of the various parties involved (members, Member States, Council and CoR) in determining legal status in such situations.*

As you point out, under Article 263 of the EC Treaty (hence Article 305 of the Treaty on the Functioning of the European Union), in order to qualify for a seat on the CoR, members or alternate members must have a "national mandate" (i.e. they "*hold a regional or local authority electoral mandate or are politically accountable to an elected assembly*"). You list the following three cases illustrating the CoR's difficulty in determining when that national mandate is lost and when the consequences of its loss take effect:

- a change in national mandate;
- the effects of any delay in reporting loss of a mandate;
- the point at which a mandate is actually lost.

Cases in which a national mandate is renewed should also be dealt with.

Consideration of those cases, in the light of experience since the Treaty of Nice came into force, leads the Council to the following conclusions, which are of course similarly applicable to alternate members:

(a) **The renewal of a national mandate**

Where a member of the CoR is reappointed under the national mandate under which he was previously appointed to the CoR, without any interruption between the two mandates, the Member State must advise the Council and the CoR of the fact. A new appointment as a member of the CoR by the Council is not necessary.

(b) A change in a national mandate

Where a member of the CoR loses the national mandate under which he was appointed, following elections or resignation, but obtains another national mandate, the Member State must notify the Council and the CoR accordingly and

- **should the Member State wish to reappoint him as a member of the CoR**, the Member State must request that he be reappointed a member of the CoR, on the basis of the new mandate, since the fourth sentence in the fourth paragraph of Article 263 (hence Article 305 of the Treaty on the Functioning of the European Union) ("*When the **mandate** referred to in the first paragraph on the basis of which they were proposed comes to an end, the terms of office of members of the Committee shall terminate automatically and they shall then be replaced for the remainder of the said term of office in accordance with the same procedure*" (emphasis added)) requires the Member State to renominate the member whom it wanted to have reappointed;
- **if the Member State does not wish to have the person reappointed** as a member of the CoR, it must submit a new nomination to the Council.

It should be pointed out here that the Council's appointing decision, published in the Official Journal, always gives the national mandate on the basis of which a person has been appointed, as of course stated to the Council by the Member State when the nomination is submitted.

(c) effects of any delay in reporting loss of a mandate:

If the Member State and/or the member himself fails to report the loss of a mandate in time, Article 263 of the EC Treaty (hence Article 305 of the Treaty on the Functioning of the European Union) is applicable. Under that provision: "... *When the mandate referred to in the first paragraph on the basis of which they were proposed comes to an end, the term of office of members of the Committee shall terminate automatically and they shall then be replaced for the remainder of the said term of office in accordance with the same procedure ...*". Legally speaking, the term of office is terminated automatically, even in the event of failure to give notice. However, it is essential that the Member State does give notice, since it is not feasible for the Council and the CoR to keep track of mandates held by 634 members and alternate members from 25 Member States.

As to your question concerning the legal effects of attendance at CoR meetings by anyone no longer fulfilling the requirements in Article 263 of the EC Treaty (hence Article 305 of the Treaty on the Functioning of the European Union), it has to be concluded that such attendance is legally invalid (and that person cannot, for instance, validly play any part in the adoption of an opinion).

(d) point at which a mandate is actually lost:

The term of office of a CoR member is automatically terminated as of the date on which the mandate qualifying him for a seat on the Committee of the Regions is lost. The Member State's notification applies with retroactive effect. The Member State concerned should arrange to give notice as soon as possible. It would also be desirable for Member States to establish internal

procedures ensuring that individuals concerned cannot be left in any doubt as to the loss of their CoR membership. Neither the Council nor the CoR can here be held liable for the consequences, in relation to individuals, of any delay by a Member State in giving such notice.

Adhering to the spirit of cooperation that governs relations between the Council and the Committee of the Regions, the Council intends to examine its internal procedures so as to facilitate the rapid appointment of CoR members. The Council trusts that the above clarifications may help the Committee of the Regions to overcome the difficulties to which you refer in your letter.

Yours faithfully,
Martine Schommer
President of the Committee
of Permanent Representatives

B. The Council General Secretariat position on the procedure for the renewal of the Committee of the Regions for the period 2010-2014 (extract - document 12078/09 - JUR 324, addressed to the Council's Delegations)

1. Article 263 of the EC Treaty (hence Article 305 of the Treaty on the Functioning of the European Union) provides for two possible types of candidate for positions as members of the Committee of the Regions: on the one hand, candidates who hold electoral mandates and, on the other, those who are politically accountable to an elected assembly without being elected themselves. In both cases candidates must represent regional or local bodies.

With regard to the expression "politically accountable to an elected assembly", experience has shown that it is not easy to interpret. It implies a power of control on the part of an elected assembly which ought, theoretically, to include the power to terminate the mandate of the person concerned should that person cease to enjoy the confidence of the assembly. The fact that a person can be "heard" or report to such an assembly ought not to be sufficient as the basis for political accountability to an elected assembly within the meaning of Article 263 of the EC Treaty (hence Article 305 of the Treaty on the Functioning of the European Union).

2. It is for the Council, the decisions of which may be subjected to scrutiny by the Court of Justice, to ensure that it takes appointing decisions in accordance with the Treaty. It must therefore be able to ensure that the candidates meet the relevant criteria. To do so, it must have the necessary information. Only the Member States can provide it with that information, through the Council's General Secretariat".

C. The interpretation of the Legal Service (Council General Secretariat) on the renewal of a national mandate

1. According to the third paragraph of Article 305 TFEU, the term of office of members of the Committee ends automatically when their national mandate comes to an end.
 2. As you are aware, the Council considers that, when a person is re-elected to the national mandate on the basis of which he/she was appointed by the Council as a member or alternate of the Committee of the Regions, this person shall continue to exercise the latter mandate on the basis of the Council's initial decision. On the one hand, a new Council decision is not required, as the mandate is continuing. On the other hand, the Council cannot take a decision appointing another person in his/her place as long as the first person continues to meet the conditions laid down in the third paragraph of Article 305 TFEU.
 3. It is true that in 2005, in reply to a letter from the Committee of the Regions, the Council took the following position on the continuation of the national mandate on the basis of which a member of the Committee of the Regions was appointed: "Where a member of the CoR is reappointed under the national mandate under which he was previously appointed to the CoR, without any interruption between the two mandates, the Member State must advise the Council and the CoR of the fact. A new appointment as a member of the CoR by the Council is not necessary".
 4. However, when events other than the simple continuous transition from one mandate to another occur, for example if the person in question loses or gives up the mandate in question for a certain, even if brief, period, it must be concluded that the two mandates have been interrupted. However, this is not the case of the members of the Committee of the Regions in respect of whom the question has been put to us. Consequently, when the same person is elected to the same seat following the mandate on the basis of which he/she was appointed a member of the Committee of the Regions, it is not possible to speak of an interruption.
 5. Any other interpretation would deprive the idea of continuity of mandates, which the Council has always defended, of any useful effect, as well as depriving members of the Committee of the Regions coming from the assembly in question of the possibility of serving for a complete five-year term of office. This kind of interpretation would also clearly be detrimental to the operation of the Committee of the Regions.
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Arabic numerals refer to Rules and/or the corresponding commentary in the Guide.

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