

**RULES OF PROCEDURE OF THE GROUP OF EXPERTS ON:  
WORKING GROUP ON HIGHER EDUCATION**

The WORKING GROUP ON HIGHER EDUCATION,

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

Having regard to the standard rules of procedure of expert groups<sup>1</sup>,

HAVE ADOPTED THE FOLLOWING RULES OF PROCEDURE:

*Point 1*

**Operation of the group**

The group shall act at the request of DG EAC, in compliance with the Commission's horizontal rules on expert groups<sup>2</sup> ('the horizontal rules').

*Point 2*

**Convening a meeting**

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

*Point 3*

**Agenda**

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

*Point 4*

**Documentation to be sent to group members**

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

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<sup>1</sup> C(2016) 3301 (Annex 3).

<sup>2</sup> C(2016) 3301.

3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meetings.

*Point 5*

**Opinions of the group**

1. The group shall adopt their opinions, recommendations or reports by consensus.

*Point 6*

**Sub-groups**

1. DG EAC may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the DG EAC. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandates are fulfilled.
2. The members of sub-groups that are not members of the groups shall be selected via a public call for applications, in compliance with the horizontal rules<sup>3</sup>.

*Point 7*

**Invited experts**

DG EAC may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

*Point 8*

**Observers**

1. Organisations and public entities other than Member States' authorities may be granted an observer status, in compliance with the horizontal rules, by direct invitation.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers' representatives may be permitted by the Chair to take part in the discussions of the group and sub-groups and provide expertise. However, they shall not participate in the formulation of recommendations or advice of the group and its sub-groups.

*Point 9*

**Written procedure**

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the group's members the document(s) on which the group are being consulted.

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<sup>3</sup> C(2016) 3301, Articles 10 and 14.2.

2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group concerned as soon as possible.

*Point 10*

**Secretariat**

DG EAC shall provide secretarial support for the group and any sub-groups.

*Point 11*

**Minutes of the meetings**

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

*Point 12*

**Attendance list**

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the organisations, Member States' authorities or other public entities to which the participants belong.<sup>4</sup>

*Point 13*

**Correspondence**

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

*Point 14*

**Transparency**

1. The group and its sub-groups shall be registered on the Register of Commission expert groups and other similar entities ('the Register of expert groups').
2. As regards the group and sub-groups composition, the following data shall be published on the Register of expert groups:
  - (a) the name of Member States' authorities;
  - (b) the name of other public entities, including the name of third countries' authorities;
  - (c) the name of member organisations; the interest represented shall be disclosed;

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<sup>4</sup> The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

(d) the name of observers.

3. DG EAC shall make available all relevant documents, including the agendas, the minutes and the participants' submissions on the Register of expert groups. In particular, DG EAC shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>5</sup>.

*Point 15*

**Access to documents**

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001<sup>6</sup>.

*Point 16*

**Deliberations**

In agreement with DG EAC the group may, by simple majority of their members, decide that deliberations shall be public.

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<sup>5</sup> These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

<sup>6</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).