

<p style="text-align: center;">RULES OF PROCEDURE FOR THE ACCOUNTING REGULATORY COMMITTEE</p>
--

THE ACCOUNTING REGULATORY COMMITTEE,

Having regard to Regulation EC/1606/2002¹.

HAS DRAWN UP ITS RULES OF PROCEDURE BASED ON THE STANDARD RULES OF PROCEDURE ADOPTED BY THE COMMISSION ON 31 JANUARY 2001²:

Article 1

Convening a meeting

1. A committee meeting is convened by the Chairman, either on his or her own initiative, or at the request of a simple majority of committee members.

2. Joint meetings of the committee with other committees may be convened to discuss issues coming within their respective areas of responsibility.

¹ OJ L243, 11/09/2002, p.001-004

² OJ C38, 06/02/2001, p.003-005

Article 2

Agenda

1. The Chairman shall draw up the agenda and submit it to the committee.

2. The agenda shall make a distinction between:
 - (a) proposed measures about which the committee is asked to give an opinion, in accordance with the regulatory procedure provided for in Article 6 of Regulation EC/1606/2002;
 - (b) other issues put to the committee for information or a simple exchange of views, either on the Chairman's initiative, or at the written request of a committee member.

In accordance with the Commission statements on Regulation EC/1606/2002, when it is the Commission's intention not to make a proposal to adopt an international accounting standards, a mention will feature within this point of the agenda for information of the committee and be reported upon.

Article 3

Documentation to be sent to committee members

- The Chairman shall send to the committee members, in accordance with Article 13(2):
- a) the invitation to the meeting, the agenda and any other working documents, as a general rule, no later than 14 calendar days before the date of the meeting,
 - b) in the languages available, draft implementing measures about which the committee's opinion is required, at least 60 calendar days before the date of the meeting.

Article 4

Informing the European Parliament

1. The Commission shall send the agenda and the proposals submitted to the committees with regard to implementing measures for acts adopted in accordance with the procedure laid down in Article 251 of the Treaty to the European Parliament for information, within the same timeframe and under the same conditions as they are sent to the Permanent Representations.

2. The Commission shall send the overall result of voting, the attendance list referred to in Article 12 and the summary report of the meetings referred to in Article 11(2) to the European Parliament within 14 calendar days of each committee meeting.

Article 5

Opinion of the committee

1. When the committee's opinion is required under the regulatory procedure, this is determined by means of a majority vote, as provided for in Article 205(2) of the Treaty.

2. The Chairman, on his own initiative or at the request of a committee member, may postpone the vote on a particular agenda point until the end of the meeting or a later meeting, if a substantive change is made to the proposal during the meeting.

If there are specific difficulties, the Chairman may extend the meeting until the following day.

3. If a committee member so requests, voting on an issue can be postponed if the documents relating to a specific agenda point have not been sent to the members within the timeframe laid down in Article 3(1). However, at the proposal of the Chairman or the request of a committee member, the committee may decide by a simple majority of members to keep this point on the agenda because of the urgency of the matter.

4. If the committee has not issued an opinion within the timeframe laid down by the Chairman, the latter may extend this period, except in cases of urgency, no longer than the end of the next meeting. If necessary, the written procedure provided for in Article 9 of these rules of procedure may be applied.

Article 6

Representation and quorum

1. Each Member State delegation is considered to be one committee member. Each member cannot be represented by more than one person. However, with the Chairman's permission, the delegations may be accompanied by experts, at the expense of the Member State concerned
2. A Member State delegation may, if necessary, represent a maximum of one other Member State. The Permanent Representation of the Member State that is being represented must inform the Chairman of this in writing.
3. The quorum required for the committee's deliberations about proposed measures, within the meaning of Article 2(2a), to be valid is that permitting a majority opinion to be issued.

Article 7

Working groups

1. The committee may create working groups, chaired by a representative of the Commission, to examine particular issues.
2. The groups must report back to the committee. To this end, they may appoint a rapporteur.

Article 8

Admission of third parties

1. The Chairman may decide to invite experts to talk on particular matters, at the request of a member or on his or her own initiative.
2. In accordance with the Commission statements on Regulation 1606/2002/EC, if an international accounting standard for adoption is of particular importance for banks, insurance companies or regulated markets, the Chairman will invite, as appropriate, a representative of the Banking Advisory Committee, and/or of the Insurance Committee, and/or of the Committee of European Securities Regulators (CESR), as an observer.
3. The representatives of the EFTA States are welcome to attend the committee meetings, in accordance with Article 100 of the Agreement on the European Economic Area .
4. Experts and representatives of third countries or organisations must withdraw when the committee moves to a vote.

Article 9

Written procedure

1. If necessary and justified, the committee's opinion can be obtained by a written procedure. To this end, the Chairman shall send the committee members the proposed measures on which their opinion is sought, in accordance with Article 13(2). Any committee member who does not express his or her opposition or intention to abstain before the deadline laid down in the letter is considered to have given his or her tacit agreement to the proposal; the response period must not be less than 14 calendar days.
2. However, if a committee member requests that the proposed measures be examined at a committee meeting, the written procedure shall be terminated without result; the Chairman shall then call a committee meeting as soon as possible.

Article 10

Secretarial support

The Commission shall provide secretarial support for the committee and, if necessary, the working groups created in accordance with Article 7 above.

Article 11

Minutes and summary report of the meeting

1. The minutes of each meeting shall be drawn up under the auspices of the Chairman. These minutes shall contain, in particular, the opinions expressed on the proposed measures mentioned in Article 2(2a) above and, if necessary, the opinions expressed on issues mentioned in Article 2(2b). The text of the opinions shall be given in a separate annex. The minutes shall be sent to the members of the committee within 15 working days. The committee members shall send any written comments they may have on the minutes to the Chairman. The committee shall be informed of this if there are any disagreements, the proposed amendment shall be discussed by the committee. If the disagreement persists, the proposed amendment shall be annexed to the minutes.

2. A summary report for the European Parliament shall be drawn up under the auspices of the Chairman. This report shall briefly describe each agenda point and the result of the vote on the proposed measures submitted to the committee. It shall not mention the individual position of Member States in the committee's discussions.

Article 12

Attendance list

1. At each meeting, the Chairman shall draw up an attendance list specifying the authorities or bodies to which the persons appointed by the Member States to represent them belong.
2. At the beginning of every meeting, any committee member whose participation in the work of the committee would constitute a conflict of interest with regard to a particular agenda point must inform the Chairman of this situation. Members of delegations who do not belong to a particular authority or organisation of a Member State must sign a declaration stating that their participation does not raise any conflict of interest. In the event of such a conflict of interest, the member concerned must withdraw his or her participation whilst the relevant agenda points are being dealt with, at the request of the Chairman.

Article 13

Correspondence

1. Correspondence relating to the committee shall be addressed to the Commission, for the attention of the committee Chairman.
2. Correspondence for committee members shall be addressed to the Permanent Representations, if possible by e-mail; at the request of a Member State, a copy shall be sent directly to the person designated for this purpose by that Member State.

Article 14

Transparency

1. The principles and conditions concerning public access to the committee's documents shall be the same as those defined in Regulation 1049/2001. It is for the Commission to take a decision on requests for access to these documents. If the request is addressed to a Member State, that Member State shall apply Article 5 of the abovementioned Regulation.
2. The committee's discussions shall be kept confidential.