

RULES OF PROCEDURE FOR THE INDUSTRIAL EMISSIONS DIRECTIVE
(IED, 2010/75/EU) ARTICLE 13 FORUM

THE FORUM,

Having regard to the Decision establishing a forum for the exchange of information pursuant to Article 13 of the Directive 2010/75/EU on industrial emissions¹ (the Directive), and in particular Article 5(8) thereof,

Having regard to the standard rules of procedure of expert groups²,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Convening a meeting

1. A meeting of the forum shall be convened by the Chair, either on his/her own initiative, or at the request of a simple majority of members of the forum after the Chair has given his/her agreement.
2. Joint meetings of the forum with other groups may be convened to discuss matters falling within their respective areas of responsibility.

Article 2

Agenda

1. The Chair shall draw up the agenda and submit it to the forum.
2. The agenda shall be adopted by the forum at the start of the meeting.

Article 3

Documentation to be sent to members of the forum

1. The Chair shall send the invitation to the meeting and the draft agenda to the forum members no later than thirty calendar days before the date of the meeting.
2. With the exceptions listed in paragraphs 3 and 4, the Chair shall send documents on which the forum is consulted or is required to deliver its opinion no later than fourteen calendar days before the date of the meeting.
3. The Chair shall send the proposed content of BAT reference documents for which the Commission is required to obtain the opinion of the forum under Article 13(4) of the Directive no later than eight weeks before the date of the meeting.

¹ OJ C 146, 17.05.2011, p.3

² SEC(2010) 1360 final

4. 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 meeting.

Article 4

Opinions of the forum

1. As far as possible, the forum shall deliver its opinion by a consensus of its members present at the meeting.
2. Comments of members of the forum which are not consensual shall also be annexed to the opinion.
3. The opinion of the forum will be recorded and made publicly available under the responsibility of the Chair.
4. Members of the forum shall submit comments in writing on the proposed content of BAT reference documents for which the Commission is required to obtain the opinion of the forum under Article 13(4) of the Directive at least two weeks in advance of the meeting.

Article 5

Written procedure

1. If necessary, the forum's opinion may be delivered via a written procedure. To this end, the Chair sends the members of the forum the document(s) on which the forum is being consulted, applying the deadlines set out in paragraphs 2 and 4 of Article 3.
2. If a simple majority of the members of the forum asks for the opinion to be examined at a meeting of the forum, the written procedure shall be terminated without result and the Chair shall convene a meeting of the forum within a reasonable time.
3. The Chair shall inform the members of the forum of the outcome of a written procedure without delay.

Article 6

Minutes of the meetings

1. Minutes on the discussions held under each point on the agenda and on the opinions delivered by the forum shall be drawn up under the responsibility of the Chair. The Chair shall send the draft minutes to the forum members without delay and no later than one month after the meeting.
2. The minutes shall not mention the individual position of the members during the forum's deliberations, unless a forum member asks for its position to be recorded in the minutes.

3. The members of the forum shall send any comments they may have on the minutes to the Chair in writing. If there is any disagreement, the matter shall be discussed by the forum. If the disagreement persists, the relevant comments shall be annexed to the final minutes.

Article 7

Attendance list

At each meeting, the Chair shall draw up an attendance list specifying the members to which the participants belong.

Article 8

Correspondence

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

Article 9

Access to documents

Requests for access to the forum's documents shall be handled in accordance with Regulation (EC) n° 1049/2001³ and Commission Decision 2001/937 setting out the detailed rules for its application⁴.

Article 10

Confidentiality of discussions

1. The forum's discussions shall be confidential.
2. In agreement with the Chair, the forum may, by a simple majority of its members, decide to open its discussions to the public.
3. The participants in forum meetings shall be required to respect the confidentiality obligations set out in this Article. The Chair shall ensure that participants are made aware of the confidentiality requirements imposed upon them.

³ Regulation (EC) n° 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 of 31.5.2001, p.43.

⁴ Commission Decision 2001/937 of 5.12.2001. OJ L 345 of 29.12.2001, p. 94.