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(Acts whose publication is not obligatory)

COUNCIL

DECISION No 1/2001 OF THE JOINT COUNCIL

established by the framework Cooperation Agreement between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, of 21 June 1996,

of 26 June 2001

RULES OF PROCEDURE OF THE JOINT COUNCIL

(2001/755/EC)

THE JOINT COUNCIL,

Having regard to the framework Cooperation Agreement leading ultimately to the establishment of a political and economic association between the European Community and its Member States of the one part, and the Republic of Chile, of the other part ⁽¹⁾, signed in Florence on 21 June 1996, hereinafter referred to as 'the Agreement' and in particular Articles 33 to 37 thereof,

Whereas:

That Agreement entered into force on 1 February 1999,

HAS ESTABLISHED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Presidency

The Joint Council shall be presided over alternately for periods of 12 months by a member of the Council of the European Union, on behalf of the European Community and its Member States, and a representative of the Republic of Chile. However, the first period of the Presidency shall begin on the date of the first Council meeting and end on 31 December of the same year.

Article 2

Meetings

1. The Joint Council shall meet at ministerial level, at regular intervals and when circumstances require if the Parties so agree.

2. Each session of the Joint Council shall be held in a place mutually agreed on by the Parties.

3. The meetings of the Joint Council shall be jointly convened by the secretaries of the Joint Council.

Article 3

Representation

1. The members of the Joint Council may be represented if they are prevented from attending.

2. A member wishing to be represented shall notify the Chairman of the name of his representative before the meeting at which he is to be so represented. The representative of a member of the Joint Council shall exercise all the rights of that member.

Article 4

Delegations

The members of the Joint Council may be accompanied by officials. Before each meeting, the Chairman of the Joint Council shall be informed of the intended composition and of the head of the delegation of each Party.

Article 5

Secretariat

An official of the General Secretariat of the Council of the European Union and an official of the diplomatic mission to the European Union of the Republic of Chile shall act jointly as secretaries of the Joint Council.

⁽¹⁾ OJ L 209, 19.8.1996, p. 5.

*Article 6***Documents**

When the deliberations of the Joint Council are based on written supporting documents, such documents shall be numbered and circulated as documents of the Joint Council by the two secretaries.

*Article 7***Correspondence**

1. All correspondence addressed to the Joint Council or to the Chairman of the Council shall be forwarded to both secretaries of the Joint Council.

2. The two secretaries shall ensure that correspondence is forwarded to the Chairman of the Joint Council and, where appropriate, circulated as documents referred to in Article 6 to other members of the Joint Council. Correspondence circulated shall be sent to the General Secretariat of the Commission, the Permanent Representations of the EU Member States and the diplomatic mission to the European Union of the Republic of Chile.

3. Correspondence from the Chairman of the Joint Council shall be sent to the recipients by the respective secretary and, where appropriate, circulated as documents referred to in Article 6 to the other members of the Joint Council at the addresses indicated in paragraph 2.

*Article 8***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the secretaries of the Joint Council on the basis of suggestions by the Parties. It shall be forwarded by the corresponding secretary to the addressees referred to in Article 7 not later than 15 days before the beginning of the meeting. The provisional agenda shall include the items in respect of which a request for inclusion in the agenda has been received by either of the two secretaries not later than 21 days before the beginning of the meeting, save that items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of dispatch of the provisional agenda. The agenda shall be adopted by the Joint Council at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

2. In agreement with the Parties, the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

*Article 9***Minutes**

1. Draft minutes of each meeting shall be drawn up as soon as possible jointly by the two secretaries.

2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- (a) the documentation submitted to the Joint Council;
- (b) statements the entry of which has been requested by a member of the Joint Council;
- (c) the proposals made, the recommendations made, the statements agreed on and the conclusions adopted on specific items.

3. The minutes shall also include a list of members of the Joint Council or their representatives who participated at the meeting.

4. The draft minutes shall be submitted to the Joint Council for approval at its next meeting. The draft minutes may also be agreed in writing by both Parties. When approved, two authentic copies of the minutes shall be signed by the two secretaries and be filed by the Parties. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 7.

*Article 10***Recommendations**

1. In the cases provided for in Articles 33 to 36 of the Agreement, the Joint Council shall make recommendations or proposals by common agreement between the Parties. During the inter-session period, the Joint Council may make recommendations or proposals by written procedure if both Parties so agree. A written procedure consists of an exchange of notes between the two secretaries, acting in agreement with the Parties.

2. The recommendations and proposals of the Joint Council within the meaning of Articles 33 to 36 of the Agreement shall be entitled 'recommendation' or 'proposal' respectively, followed by a serial number, the date of their adoption and a description of their subject.

3. The recommendations and proposals of the Joint Council shall be authenticated by the two secretaries and two authentic copies signed by the heads of delegation of the two Parties.

4. Recommendations and proposals shall be forwarded to each of the addressees referred to in Article 7 as documents of the Joint Council.

*Article 11***Publicity**

1. Unless otherwise decided, the meetings of the Joint Council shall not be public.

2. Each Party may decide on the publication of the recommendations and proposals of the Joint Council in its respective official publication.

*Article 12***Languages**

1. The official languages of the Joint Council shall be the official languages of the Parties.
2. Unless otherwise decided, the Joint Council shall work on the basis of documents established in these languages.

*Article 13***Expenses**

1. Each of the Parties shall defray the expenses they incur by reason of their participation in the meetings of the Joint Council, with regard both to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

2. Expenditure in connection with the organisation of meetings, interpretation at meetings, translation and reproduction of documents shall be borne by the Party which hosts the meeting.

*Article 14***Committee**

The rules of procedure of the Joint Committee are attached as an appendix to these rules of procedure.

Done at Luxembourg, 26 June 2001.

For the Joint Council

The President

L. PAGROTSKY

APPENDIX

RULES OF PROCEDURE OF THE JOINT COMMITTEE BETWEEN THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF CHILE, OF THE OTHER PART*Article 1***Presidency**

The Joint Committee shall be presided over alternately for periods of 12 months by a representative of the Commission of the European Communities, on behalf of the Communities and their Member States, and a representative of the Republic of Chile. The first period of the Presidency shall begin on the date of the first Council meeting and end on 31 December of the same year. For that period and thereafter for each 12-month period, the Joint Committee shall be chaired by the Party which holds the Presidency of the Joint Council.

*Article 2***Meetings**

The Joint Committee shall meet once a year or when circumstances require with the agreement of the Parties. Each meeting of the Joint Committee shall be jointly convened by both secretaries and held alternately in Brussels and Chile at a time agreed by the Parties.

*Article 3***Delegations**

Before each meeting, the Chairman of the Joint Committee shall be informed of the intended composition and the head of the delegation of each Party.

*Article 4***Secretariat**

1. The secretariat of the Joint Committee will be held jointly by a representative of the European Commission and a representative of Chile.
2. All correspondence to and from the chairman of the Joint Committee provided for in these rules of procedure shall be forwarded to the secretaries of the Joint Committee and to the secretaries and the chairman of the Joint Council and, where appropriate, to the members of the Joint Committee.

*Article 5***Publicity**

Unless decided otherwise, the meetings of the Joint Committee shall not be public.

*Article 6***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the secretaries of the Joint Committee. It shall be forwarded to the chairman and secretaries of the Joint Council as well as to the members of the Joint Committee not later than 15 days before the beginning of the meeting. The provisional agenda shall include items in respect of which the chairman has received a request for entry on the agenda not later than 21 days before the beginning of the meeting, save that items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of dispatch of the provisional agenda. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.
2. With the agreement of the Parties the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

*Article 7***Minutes**

Minutes shall be taken for each meeting and shall be based on a summing up by the chairman of the conclusions arrived at by the Joint Committee. On adoption by the Joint Committee, the minutes shall be signed by the chairman and by the secretaries and filed by each of the Parties. A copy of the minutes shall be forwarded to the chairman and secretaries of the Joint Council and to the members of the Joint Committee.

*Article 8***Proposals**

1. Where the Joint Committee is empowered to make proposals in accordance with Article 35(5) of the Agreement, such acts shall be entitled 'proposals', followed by a serial number, the date of their adoption and a description of their subject.
2. Where the Joint Committee makes proposals, the provisions of Articles 10, 11 and 12 of the rules of procedure of the Joint Council shall apply *mutatis mutandis*.
3. The proposals of the Joint Committee shall be forwarded to each of the addressees mentioned in Article 4(2) hereof.

*Article 9***Expenses**

1. Chile and the European Community shall each defray the expenses they incur by reason of their participation in the meetings of the Joint Committee, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.
 2. Expenditure in connection with the material organisation and the interpretation at meetings, translation and reproduction of documents shall be borne by the Party which hosts the meetings.
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