



European Commission

TECHNICAL WORKING GROUP ON DETECTION PERFORMANCE REQUIREMENTS

RULES OF PROCEDURE

of the technical working group supporting a voluntary scheme for EU performance requirements of threat-detection equipment used to protect public spaces ('Technical working group on detection performance requirements')

THE TECHNICAL WORKING GROUP ON DETECTION PERFORMANCE REQUIREMENTS,

Having regard to the definition of Commission Special groups,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Objectives

1. The objective of the group is to identify common performance requirements and testing protocols for the threat-detection equipment used to protect public spaces in the EU (and outside of aviation). These efforts will contribute to the security of our citizens, by enhancing the protection of public spaces and the detection and prevention of chemical, biological, radiological, nuclear and explosives incidents.
 - (a) 'Threat-detection equipment', in the context of this group, covers the following: hand-held detectors for explosives and chemicals, conventional x ray, walk through metal detector, hand held metal detector, and/or explosive trace detection equipment.
2. The group's tasks include:
 - (a) Implementing the actions that are necessary for identifying common EU performance requirements;
 - (b) Implementing the actions that are necessary for defining standardised EU testing protocols;
 - (c) Discussing how to accommodate technological innovations.



Article 2

Membership

1. The group members are the EU Member States, the manufacturers of threat-detection equipment, the technical laboratories that are competent in testing this equipment, and the professional associations representing these industries.
 - (a) The EU Member States shall appoint experts via the Counter-Terrorism Focal Points. One expert shall act as the single point of contact between the Member State and the Commission.
 - (b) Manufacturers of threat-detection equipment, technical laboratories, and professional associations may apply for membership in response to public calls for interest that the Commission will publish on the website of the DG Migration and Home Affairs (HOME). Applicants should demonstrate that they are listed in the Transparency Register of the European Commission.¹
 - (c) Manufacturers of threat-detection equipment should demonstrate that they make detection equipment commercially available in the EU market. In addition, they should have an EU-based detection equipment manufacturing site or be a member of an EU-based professional association representing security equipment manufacturers.
 - (d) Technical laboratories and professional associations should be based in the EU.
2. A member wishing to withdraw from the technical working group (“TWG”) should give written notice to the Chair².

Article 3

Convening a meeting

1. The group is chaired by ‘Unit D2 – Counter-terrorism’ of the Commission’s DG HOME.
2. Meetings of the group are convened by the Chair on its own initiative or at the request of a simple majority of members after DG HOME representatives have given their consent.

¹ <http://ec.europa.eu/transparencyregister/>

² HOME-D2-PROTECT@ec.europa.eu.



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3. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
4. Some group meetings may be restricted to Members who have security clearance in order to allow for discussions on sensitive issues. Security clearances granting access to European Union Classified Information up to the level of CONFIDENTIEL UE/EU CONFIDENTIAL (or above) will be necessary in order to attend classified meetings.
5. The Chair reserves the right to terminate the group if they consider that it is not making sufficient progress towards its objectives, or for any other reason, with immediate effect, after notifying its Members of this decision

Article 4

Agenda

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

Article 5

Opinions of the Group

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus. Prior to the adoption of an opinion or a report, a draft shall be circulated among the members of the group sufficiently in advance to allow scrutiny before adoption.
2. In the event of a vote, the consensus is obtained by the simple majority of the members present in person during the adoption. In the case of dissenting views among the members, the dissenter/s may request the Chair to have those views attached as an appendix to the opinion or report. Every opinion or report adopted by the group may include a list of the members who effectively contributed to the elaboration of the opinion or report.

Article 6

Sub-groups

1. With the consent of the Chair, the group may set up sub-groups to examine specific questions on the basis of terms of reference and objectives to be defined by the group; they shall be disbanded as soon as their mandate is fulfilled.



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2. The sub-groups shall report to the group.

Article 7

Admission of third parties

1. The Chair may invite, on an ad hoc basis, participants from outside of the group.
2. Recognising the value of consulting the public and private operators of public spaces, the Chair may give observer status to such operators. They will be invited through the DG HOME's Operators Forum.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

Article 8

Written procedure

1. If necessary, the group's opinion or recommendation on a specific question may be obtained through a written procedure. To this end, the Chair shall send the group members the drafts on which the group is being consulted and any other working documents.
2. However, if a simple majority of the group's 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 as soon as possible.

Article 9

Summary minutes of the meetings

Summary minutes on the discussion on each point on the agenda and the opinions delivered by the Committee shall be drafted by the Chair. The minutes, which shall not mention the individual position of the members during the group's deliberations, shall be adopted by the group.



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Article 10

Attendance list

At each meeting, the Chair shall draw up an attendance list specifying, where appropriate, the authorities, organisations or bodies to which the participants belong.

Article 11

Correspondence

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

Article 12

Confidentiality

1. The group's deliberations and internal working documents, including presentations, shall be confidential.
2. In agreement with the Commission's services, the group may, by a simple majority of its members, decide to open its deliberations to the public.
3. Internal working documents may be made public only upon express consent of their author(s).

Article 13

Protection of personal data

All processing of personal data for the purposes of these rules of procedure shall be in accordance with Regulation (EC) No 45/2001³.

³ Regulation (EC) 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. (OJ L 8, 12.1.2001, p. 1).



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Article 14

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001⁴.

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⁴ 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).