Advisory Committee on the Conduct of Members - Rules of Procedure

Rule 1 - The Advisory Committee on the Conduct of Members

The Advisory Committee on the Conduct of Members (hereafter "the Advisory Committee") shall exercise the functions laid down for it in Articles 7 and 8 of Annex I of the Rules of Procedure of the European Parliament (Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest - hereafter "Code of Conduct").

Rule 2 - Term of Office

The term of office of members of the Advisory Committee shall be coterminous with the term of office of the President of the European Parliament who appointed them.

Rule 3 - Chair

Each member of the Advisory Committee shall serve as chair-in-office for six months on a rotating basis. Rotation shall, in principle, follow in descending order the size of the political group of the members composing the Advisory Committee.

Rule 4 - Meetings of the Advisory Committee

1. The Advisory Committee shall meet in principle at least once a month.

2. Extraordinary meetings of the Advisory Committee may be called by the chair-in-office or at the request of a majority of the Advisory Committee's members.

3. Meetings of the Advisory Committee shall be held in camera.

4. Only the secretariat of the Advisory Committee and designated support staff and interpreters shall be permitted to attend Advisory Committee meetings.

Rule 5 - Advisory Committee Decisions

1. The Advisory Committee shall take decisions on the basis of consensus. Where this is not possible it shall decide by a majority of its members.

2. A member or members of the Advisory Committee who are not in agreement with a recommendation of the Advisory Committee to the President on an alleged breach of the Code of Conduct may submit a minority recommendation which shall be forwarded to the President together with the Advisory Committee's majority recommendation.

3. For other decisions than a recommendation to the President on an alleged breach of the Code of Conduct the Advisory Committee may decide by written procedure. In such cases the chair-in-office shall circulate to other members of the Advisory Committee a background note presenting the matter at hand, including a draft decision. Members of the Advisory Committee shall have 48 hours to approve or reject the draft text or propose amendments. Decisions by written

1 Adopted by the Advisory Committee on 7 March 2012; revised on 9 October 2012.
procedure shall be recorded in the minutes of the Advisory Committee's next meeting.

4. A quorum shall exist when three Members of the Advisory Committee take part in a decision.

**Rule 6 - Requests for guidance from MEPs**

The Advisory Committee shall reply, within 30 calendar days of the receipt of the request, to all requests from MEPs for guidance on the interpretation and implementation of the provisions of the Code of Conduct by means of a confidential letter signed by the chair-in-office. Requests shall be submitted in written form only and addressed to the Advisory Committee via the Committee's email box.

**Rule 7 - Alleged breaches of the Code of Conduct**

1. Where the President has referred to the Advisory Committee the matter of an alleged breach by an MEP of the Code of Conduct, the Advisory Committee shall appoint one of its members, which may include the chair-in-office, rapporteur on the alleged breach. The rapporteur shall not be from the same political group as the MEP alleged to have breached the Code of Conduct.

2. As part of its examination of an alleged breach of the Code of Conduct only the full Advisory Committee may hear the MEP concerned. In exceptional cases it may mandate the rapporteur to hear the MEP.

3. The rapporteur shall prepare for the Advisory Committee's consideration a draft recommendation to the President on the alleged breach of the Code of Conduct. The draft recommendation shall present the facts of the case, the arguments presented by the MEP concerned, an evaluation of these facts and arguments and a conclusion. The conclusion shall lay down whether the Code of Conduct has been breached or not and shall include advice on possible action to be taken and a recommendation to the President on a possible decision.

4. Where the MEP concerned invokes, pursuant to Rule 154 of the Rules of Procedure, the internal appeal procedure, the chair-in-office and/or the rapporteur may request to participate in the meeting of the Bureau at which the appeal is considered.

**Rule 8 - Outside expertise**

Requests by the Advisory Committee for advice from outside experts shall be limited to advice related to the interpretation and implementation of the provisions of Articles 2, 3, 4 and 5 of the Code of Conduct.

**Rule 9 - Annual Report**

1. The Advisory Committee shall adopt its annual report before the third meeting following the end of the year to which the annual report refers.

2. The annual report shall be sent to all MEPs and published on the website of the European Parliament.