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## **ANNEX 18-A**

### **RULES OF PROCEDURE OF THE JOINT COMMITTEE**

#### **RULE 1**

##### **Role of the Joint Committee**

The Joint Committee established pursuant to Article 18.1(1) [institutional provisions] is responsible for all matters referred to in Article 18.2[institutional provisions].

#### **RULE 2**

##### **Composition and chair**

1. The composition and chair of the Joint Committee is set out in Article 18.1(1) and (4).
2. Each Party shall notify before the first meeting of the Joint Committee to the other Party the name, position and contact details of the designated official who is in charge of co-chairing the Joint Committee for that Party. Each Party shall promptly notify the other Party of any changes in this respect.

#### **RULE 3**

##### **Secretariat**

1. Officials from, for European Union, the Directorate-General of Trade and Economic Security of the European Commission, or its successor, and for India, the Department of Commerce of the

Ministry of Commerce and Industry, or its successor shall act together as Secretariat of the Joint Committee.

2. Each Party shall notify before the first meeting of the Joint Committee to the other Party the name, position and contact details of the official who shall act as the member of the Secretariat of the Joint Committee for that Party. Each Party shall promptly notify the other Party of any changes in this respect.

#### RULE 4

##### Meetings

The meetings of the Joint Committee pursuant to Article 18.1 [of Institutional Provisions] shall be convened by the co-chair of the Party hosting the meeting.

#### RULE 5

##### Delegations

No later than 14 days in advance of a meeting, the member of the Secretariat of the Joint Committee for each Party shall inform the member of the Secretariat of the other Party of the intended composition of the delegation of the European Union and of India, respectively specifying the name and designation of each member of the delegation.

#### RULE 6

##### Agenda for the meetings

1. At least 28 days in advance of a meeting, the member of the Secretariat of the Joint Committee of the Party hosting the meeting shall send a proposal for a provisional agenda to the other Party, with a deadline to provide comments which shall be at least seven days. At least 21 days in advance of the meeting, the Secretariat of the Joint Committee shall draw up the provisional agenda, taking into account the comments.

2. The Joint Committee shall adopt the agenda at the beginning of the meeting. The Joint Committee shall consider only the items of the adopted agenda. Items not appearing on the provisional agenda may be placed on the agenda by mutual agreement of the co-chairs.

## RULE 7

### Invitation of experts

The co-chairs of the Joint Committee may, by mutual agreement, invite experts who are not part of either Party's delegation, in particular persons other than government officials, to attend the meetings of the Joint Committee, on an ad hoc basis, in order to provide information on specific subjects and only for the parts of the meeting where such specific subjects are discussed.

## RULE 8

### Minutes

1. The member of the Secretariat of the Party hosting the meeting shall prepare draft minutes of each meeting within 15 days after the end of the meeting, unless otherwise decided by the co-chairs. The draft minutes shall be transmitted for comments to the member of the Secretariat of the other Party.
2. The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:
  - (a) all documents submitted to the Joint Committee;
  - (b) any statement that one of the co-chairs of the Joint Committee requested to be entered in the minutes; and
  - (c) the decisions and recommendations adopted, statements agreed upon and conclusions adopted on specific items.

3. The minutes shall include in an annex:
  - (a) a list of all decisions of the Joint Committee adopted by written procedure pursuant to Rule 9(2) since the last meeting of the Committee; and
  - (b) a list of the names and designation of all individuals who attended the meeting of the Joint Committee.
  
4. The Secretariat shall adjust the draft minutes on the basis of the comments received. The draft minutes, as revised, shall be approved by agreement of the co-chairs within 30 days after the date of the meeting, or by any other date agreed by the co-chairs. Once approved, two originals of the minutes shall be established by the Secretariat and each Party shall receive one original of the minutes.
  
5. Where the present rules apply to the meetings of specialised committees, the minutes of the meeting shall be made available for any subsequent meetings of the Joint Committee.

## RULE 9

### Decisions and recommendations

1. The Joint Committee may adopt decisions and recommendations in respect of all matters where the Agreement so provides.
  
2. In the period between meetings, the Joint Committee may adopt decisions and recommendations by written procedure. In such cases, the co-chair of the Joint Committee shall send the proposed text of a draft decision or recommendation to the other co-chair in the working language of the Joint Committee, with a time period of at least one month to react. If the other co-chair does not agree or does not react, the proposed decision or recommendation shall be discussed and may be adopted at the next meeting of the Joint Committee. The draft decision or recommendation shall be deemed to be adopted on the date on which the co-chair of the other Party agrees and shall be recorded in the minutes of the Committee meeting pursuant to Rule 8(4).

3. Where the Joint Committee is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled "Decision" or "Recommendation", respectively. The Secretariat of the Joint Committee shall provide any decision or recommendation with a progressive serial number and the date of adoption. Each decision shall provide for the date of its entry into force.
4. The decisions and recommendations adopted by the Joint Committee shall be established in duplicate, authenticated by the co-chairs and transmitted one to each Party.

## RULE 10

### Transparency

1. The Joint Committee may meet in public, if the co-chairs mutually agree.
2. Each Party may decide to publish the decisions and recommendations of the Joint Committee in its respective official publication or online.
3. For the submission of documents to the Joint Committee or to specialised committees, Article 19.4(2) (Exceptions) applies.
4. The Secretariat of the Joint Committee shall make public:
  - (a) the provisional agenda of a meeting of the Joint Committee before the meeting takes place; and
  - (b) the agreed minutes of a meeting of the Joint Committee following their approval in accordance with Rule 8.
5. Publication of any documents pursuant to paragraphs 2 to 4 shall comply with each Party's applicable data protection rules.

## RULE 11

### Languages

1. The working language of the Joint Committee shall be English.
2. The Joint Committee shall adopt decisions concerning the amendment or interpretation of the Agreement pursuant to points (d) and (e) of Article 18.2(2)[Institutional Provisions], in the languages of the authentic texts of the Agreement. All other decisions of the Joint Committee shall be adopted in the working language.
3. Each Party shall be responsible for the translation of decisions and other documents into its own official language(s), where relevant, and shall meet expenditures associated with such translations.

## RULE 12

### Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Joint Committee, in particular staff, travel and subsistence expenses and video, postal or telecommunications expenses.
2. The Party hosting the meeting shall bear any expenses in connection with the organisation of meetings, the reproduction of documents and the provision of interpretation services to and from the working language of the Joint Committee.

## RULE 13

### Specialised committees and other bodies

1. Pursuant to point (d) of Article 18.2(1) [of Institutional Provisions], the Joint Committee shall supervise and coordinate the work of all specialised committees and other bodies established under the Agreement.

2. The Joint Committee shall be informed in writing of any contact points designated by specialised committees or other bodies established under the Agreement. Any relevant correspondence, documents and communications between the contact points of each specialised committee regarding the implementation of the Agreement shall be forwarded to the Secretariat of the Joint Committee simultaneously.