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TRANS 69

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Draft DECISION OF THE JOINT COMMITTEE ESTABLISHED UNDER THE PROTOCOL TO THE AGREEMENT ON THE INTERNATIONAL OCCASIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS (INTERBUS AGREEMENT) REGARDING THE INTERNATIONAL REGULAR AND SPECIAL REGULAR CARRIAGE OF PASSENGERS BY COACH AND BUS establishing its Rules of Procedure

DRAFT

**DECISION No .../... OF THE JOINT COMMITTEE
ESTABLISHED UNDER THE PROTOCOL TO THE AGREEMENT
ON THE INTERNATIONAL OCCASIONAL CARRIAGE
OF PASSENGERS BY COACH AND BUS (INTERBUS AGREEMENT)
REGARDING THE INTERNATIONAL REGULAR
AND SPECIAL REGULAR CARRIAGE OF PASSENGERS BY COACH AND BUS**

of ...

establishing its Rules of Procedure

THE JOINT COMMITTEE,

Having regard to the Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus¹, and in particular Article 18 thereof,

¹ OJ L 122, 5.5.2023, p. 3.

Whereas:

- (1) Article 18(1) of the Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus (the ‘Protocol’) establishes a Joint Committee made up of representatives of the Contracting Parties in order to facilitate the management of the Protocol.
- (2) In accordance with Article 18(2) of the Protocol, Articles 23 and 24 of the Interbus Agreement on the international occasional carriage of passengers by coach and bus (the ‘Interbus Agreement’) are to apply *mutatis mutandis* to the Joint Committee established under the Protocol.
- (3) The Joint Committee established under the Protocol should therefore adopt its Rules of Procedure, pursuant to Article 18(2) of the Protocol and Article 23(3) of the Interbus Agreement. The Rules of Procedure of the Joint Committee established under the Protocol should correspond, with the necessary adaptations, to the Rules of Procedure of the Joint Committee established under the Interbus Agreement by Decision No 1/2011 of that committee²,

HAS DECIDED AS FOLLOWS:

² Decision No 1/2011 of the Joint Committee established under the Interbus Agreement on the international occasional carriage of passengers by coach and bus of 11 November 2011 adopting its rules of procedure and adapting Annex 1 to the Agreement regarding the conditions applying to road passenger transport operators, Annex 2 to the Agreement concerning the technical standards applying to buses and coaches and the requirements concerning the social provisions referred to in Article 8 of the Agreement (OJ L 8, 12.1.2012, p. 38, ELI: [http://data.europa.eu/eli/dec/2012/25\(1\)/oj](http://data.europa.eu/eli/dec/2012/25(1)/oj)).

Article 1

The Rules of Procedure of the Joint Committee established under the Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus, as set out in the Annex to this Decision, are hereby adopted.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Joint Committee

The Chairperson

The Secretary

ANNEX

Rules of Procedure of the Joint Committee established under the Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus

Article 1

Name of the Joint Committee

The Joint Committee established under Article 18 of the Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (the 'Interbus Agreement') regarding the international regular and special regular carriage of passengers by coach and bus (the 'Protocol') shall hereinafter be referred to as the 'Committee'.

Article 2

Chairperson

1. The Committee shall be chaired by the head of the Union delegation or, where necessary, his or her deputy (the 'Chairperson'), on behalf of the European Union. The Chairperson shall be a representative of the European Commission (the 'Commission').
2. The Chairperson shall direct the work of the Committee.

Article 3
Delegations

1. The Contracting Parties for which the Protocol has entered into force (the ‘Parties’) shall appoint their representatives to the Committee. The Union delegation shall be made up of representatives of the Commission, assisted by representatives of the Member States.
2. Each Party shall appoint the head and, where necessary, deputy head of its delegation.
3. Each Party may appoint new representatives to the Committee. The Secretary of the Committee (the ‘Secretary’) shall be informed without delay in writing of any such changes.
4. Representatives of the General Secretariat of the Council of the European Union may take part as observers in the meetings of the Committee. The Chairperson, with the agreement of the other heads of delegation, may invite persons who are not members of delegations to attend a meeting of the Committee in order to provide information on specific subjects.
5. At least one week before the meeting of the Committee, the Parties shall notify the Secretary of the composition of their delegation.

Article 4
Secretariat

1. A representative of the Commission shall provide the Secretariat for the Committee. The Secretary shall be appointed by the Chairperson and shall carry out his or her duties until a new Secretary is appointed. The Chairperson shall notify the name and details of the Secretary to the other Parties.
2. The Secretary shall be responsible for communication between the delegations, including the transmission of documents, and shall supervise secretarial duties.

Article 5
Meetings of the Committee

1. The Committee shall meet at the request of at least one Party. It shall be convened by the Chairperson.
2. The Chairperson shall send the notice of the meeting, together with the draft agenda and the meeting documents, to the other heads of delegation at least 15 working days before the beginning of the meeting.
3. A Party may request the Chairperson to shorten the period of notice referred to in paragraph 2 to take account of the urgency of a particular matter.

4. Unless otherwise decided by the heads of delegation, the meetings of the Committee shall not be public.
5. The Committee shall meet in Brussels, unless the Parties agree to meet elsewhere or remotely.

Article 6

Agenda for meetings of the Committee

1. The Chairperson, assisted by the Secretary, shall draw up the draft agenda for each meeting of the Committee and shall fix the date and venue of the meeting after consulting the other heads of delegation. The Chairperson shall send the provisional agenda to the other heads of delegation at least 15 working days before the beginning of the meeting. The provisional agenda shall be accompanied by all the necessary working documents.
2. The period of notice laid down in paragraph 1 of this Article shall not apply to urgent meetings convened in accordance with Article 5(3).
3. Each Party may propose one or more items to be added to the provisional agenda at the latest 24 hours before the beginning of the meeting. Requests to have items added to the agenda shall be sent in writing to the Chairperson, indicating the reason for that request.
4. At the beginning of the meeting, the Committee shall adopt the agenda. The Committee may decide to add to the agenda any item that is not contained in the provisional agenda.

Article 7
Adoption of acts

1. The decisions of the Committee shall be adopted by unanimous vote of the Parties represented, in accordance with Article 23(5) and (6) of the Interbus Agreement. The recommendations, and in particular those referred to in Article 24(2)(g) of the Interbus Agreement, applicable *mutatis mutandis* to the Committee, shall be taken by consensus between the delegations of the Parties represented. The decisions and recommendations of the Committee shall bear the title ‘Decision’ or ‘Recommendation’ followed by a serial number, the date of their adoption and an indication of their content.
2. The decisions and recommendations of the Committee shall bear the signature of the Chairperson and the Secretary. They shall be sent by the Secretary to the other heads of delegation.
3. Each Party may decide to publish any act adopted by the Committee.
4. The acts of the Committee may be adopted by written procedure where use of that procedure has been agreed by the heads of delegation. The Chairperson shall submit the draft act to the other heads of delegation who shall indicate in reply whether or not they accept the draft, whether they propose amendments to the draft or whether they require more time to consider it. If the draft is adopted, the Chairperson shall finalise the decision or recommendation in accordance with paragraphs 1 and 2.

5. The recommendations and decisions shall be drawn up in English, French and German, those texts being equally authentic. Each Party shall be responsible for the correct translation of decisions and recommendations into its official language or languages. Translation into other Union languages shall be carried out by the Commission.

Article 8

Minutes of meetings of the Committee

1. The Secretary shall draw up, under the responsibility of the Chairperson, draft minutes of each meeting of the Committee within 15 working days following the meeting.
2. The minutes, as a general rule, shall indicate in respect of each item on the agenda:
 - (a) details of the documents submitted to the Committee;
 - (b) statements which a Party has asked to be recorded; and
 - (c) decisions taken, recommendations made and conclusions adopted.
3. The draft minutes shall be submitted to the Committee for approval in accordance with the written procedure referred to in Article 7(4). If that procedure is not completed, the minutes shall be adopted by the Committee at its next meeting.

4. Once adopted by the Committee, the minutes shall be signed by the Chairperson and the Secretary and kept by the Secretary. A copy of the minutes shall be sent by the Secretary to the other heads of delegation.

Article 9
Confidentiality

Notwithstanding the provision on the publication of acts laid down in Article 7(3), the deliberations of the meetings and the documents of the Committee shall be governed by professional secrecy.

Article 10
Expenses

1. Each Party shall bear the expenses it incurs in taking part in the meetings of the Committee.
2. The Committee shall decide on the reimbursement of expenses connected with the attendance at meetings of persons invited by the Chairperson pursuant to Article 3(4).

Article 11
Correspondence

All correspondence with or from the Chairperson shall be sent to the Secretary. The Secretary shall send a copy of all correspondence relating to the Protocol to all delegations.

Article 12
Languages

The languages used in meetings of the Committee and in its documents shall be decided by the Committee. There shall be no obligation on the Party hosting the meeting to provide interpretation for other languages.
