



**DOCUMENT I:**

**TERMS OF REFERENCE AND RULES OF  
PROCEDURE OF THE  
SUB-COMMITTEE No. 3 OF THE EDIR FRAMEWORK  
AGREEMENT**

CLASSIFICATION LEVEL

RECORD OF CHANGES		
<i>Date</i>	<i>Issue</i>	<i>Changes</i>
20/07/2009	v. 2.0	New title version
10/01/2002	v. 1.0	Version 1



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## GENERAL SCOPE

1. A Sub-Committee No.3 has been established by the Executive Committee (ExCo) of the EDIR Framework Agreement (EDIR-FA) in accordance with Article 3 paragraph 4 of the EDIR FA. This decision was taken by the ExCo on 1<sup>st</sup> June 2001 in Berlin.
2. The Sub-Committee No.3 is tasked, within the scope of Part 4 of the EDIR FA and its Annex, to
  - recommend to the ExCo additional instruments pursuant to the EDIR FA, according to instructions given by the ExCo;
  - be a forum for mutual information and discussions about national measures to implement the EDIR FA;
  - propose amendments to the EDIR FA and modifications to its Annex concerning security of information related matters to the ExCo.
3. The Committee will report to the ExCo.

## COMPOSITION

4. It comprises nominated representatives of the National Security Authorities / Designated Security Authorities (NSA / DSA) of each Member State. If a Member State appoints more than one representative it will nominate one as the official representative.
5. The Sub-Committee's representatives may be accompanied and advised by experts they deem necessary.
6. For examination of special matters the Sub-Committee may appoint "ad hoc" sub-groups, e.g. IT experts panel, with as many members as it considers necessary to perform the tasks involved. The results of the work of "ad hoc" sub-groups has to be presented to the Sub-Committee for approval or further discussion.

## MEETINGS, CHAIRMANSHIP, VOTES, CO-OPERATION

7. The Sub-Committee meets regularly twice a year, and otherwise as required at the request of the ExCo, the Sub-Committee's Chairman, of the Representative of a Member State or of an applying State with the status of an observer. The regular meeting appointments should take into consideration the meetings scheduled by the ExCo.
8. The Sub-Committee is chaired by a nominated representative of Spain.
9. All decisions of the Committee will be taken by consensus among all its Members.



10. The Sub-Committee will co-operate with other Sub-Committees of the EDIR FA, as requested by the ExCo or otherwise deemed necessary for the efficient fulfilment of its responsibilities.

### **AGENDA, MINUTES AND REPORTS**

11. The ExCo and Member States may submit items for discussion to the chair. The chair will draw up the provisional agenda for each meeting of the Sub-Committee. It will be sent to the other Members at least twenty-one working days before the beginning of the meeting. When an extraordinary meeting is called, the agenda should be forwarded one week prior to the meeting.
12. Items may be included on the provisional agenda only where the documents relating thereto have been sent to the Members not later than the date on which the agenda is sent out.
13. Draft minutes of each meeting of the Sub-Committee may be drawn up by the chair, and should include a list of those present, an outline of the discussions and the decisions adopted by the Sub-Committee.
14. A report for the ExCo about the current status of work of the Sub-Committee will be drafted by the chair and be sent to the members for agreement before submitted to the ExCo. Member's agreement will be assumed if no comments to the draft report will be given within 14 working days. The Sub-Committee's Members may decide another time limit case by case.

### **CORRESPONDENCE**

15. Correspondence addressed to the Sub-Committee will be forwarded to the chair. It should be copied to the other Member States.

### **EXPENSES**

16. The Members of the Sub-Committee and their experts attending meetings shall bear the travel and accommodation expenses.

### **REVISION OF THE TERMS OF REFERENCE AND THE RULES OF PROCEDURE**

17. Revisions of these Terms of Reference may be proposed by the ExCo or Member States. New terms and rules will enter into force on the day following that of their approval by the Sub-Committee.

### **ENTRY INTO FORCE**

18. These terms and rules will enter into force immediately following their approval by the Sub-Committee.