

Rules of Procedure for the UK Domestic Advisory Group under The EU-UK Trade and Cooperation Agreement

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1. Main functions of the UK Domestic Advisory Group (DAG)

- 1.1 The purpose of the UK Domestic Advisory Group (DAG) is to express views and opinions on the UK-EU Trade and Cooperation Agreement (TCA), including implementation issues. The government shall consider and aim to respond to views or recommendations submitted by the DAG. The DAG will expect this to be in a timely manner and, where possible, in advance of making decisions.
- 1.2 The DAG will have plenary meetings at least twice a year. These will complement existing governmental consultation structures, and lead departments will continue to engage with external stakeholders.
- 1.3 The DAG should take forward a work programme that represents the priorities of its members across different sectors.
- 1.4 In the case of a dispute settlement process under Article 409 of the TCA, where the final report of the panel of experts determines that the government has not conformed with its obligations under the relevant Chapter or Chapters, no later than 105 days after the report has been delivered to the Parties, the government shall inform the DAG of its decision on any measures to be implemented.
- 1.5 The DAG may submit observations to the Trade Specialised Committee on Level Playing Field for Open and Fair Competition and Sustainable Development about follow-up by the government to the panel of experts' report (TCA Article 409).
- 1.6 The DAG may engage with and submit its views to any other body established under the TCA.

2. Composition and membership of the UK DAG

- 2.1 DAG members are civil society organisations that can provide relevant expertise to the discussions concerning the implementation of different provisions of the TCA. To be considered for membership the organisation must be independent of government, active in economic, sustainable development, social, labour and human rights, environmental matters and other matters.
- 2.2 The membership of the UK DAG is determined by the Government and can be reviewed on a regular basis, in consultation with the DAG Executive Council.
- 2.3 Membership is held by an organisation, and not an individual person or single business.
- 2.4 Should a member resign, or choose not to engage, an alternate member may be selected, and the appointment should be made having regard to the desirability of maintaining a balanced membership of the UK DAG.

- 2.5 Should a member organisation breach the Rules of Procedure then the organisation may be removed by the Government, or by unanimous decision of the Executive Council, subject to approval by the DAG and with the consent of the Government.

3. Meeting Venues and Location

- 3.1 The location of the UK DAG plenary meetings shall be rotated among the four UK home nations.
- 3.2 It will be for the Secretariat to organise the venue for the plenary meetings, in consultation with the Executive Council.
- 3.3 Plenary UK DAG meetings should aim to be hybrid. Any additional UK DAG meetings may be virtual.

4. Secretariat

- 4.1 The government shall provide an independent Secretariat to the UK DAG. The government shall adequately resource the Secretariat to ensure effective functioning of the DAG. The main tasks of the Secretariat shall be to support the work of the DAG and its Executive Council.
- 4.2 The Secretariat will distribute a list of attendees for each meeting and will send out the official schedule of DAG meetings.
- 4.3 The Secretariat will circulate an agenda and relevant paperwork no less than five working days in advance of DAG meetings.
- 4.4 The Secretariat will draft the minutes and action points and aim to share them with the members within ten working days following the meeting for adoption by the DAG at the next meeting, at the latest.
- 4.5 The Secretariat shall be instructed by the UK DAG on possible agenda items for the Civil Society Forum which will be conveyed to the UK government.

5. Transparency

- 5.1 The agenda and minutes of UK DAG meetings will be published.
- 5.2 Unless otherwise decided, the UK DAG's communications with other bodies, opinions and reports shall be public documents to ensure transparency. However the DAG may decide against publication if it decides that particular circumstances warrant confidentiality.

6. The Executive Council

- 6.1 The Executive Council is drawn from the DAG membership. The Executive Council comprises a Chair and two Vice Chairs.
- 6.2 The length of term for the Chair and Vice Chairs shall be 2.5 years

6.3 Elections to the Executive Council

6.3.1 *Constituencies*

For the purposes of electing the Executive Council and maintaining its composition (but not for any other purpose), the DAG will be treated as divided into three constituencies: business, trade unions, and civil society. DAG members are free to self-identify the constituency into which they wish to fall. Each of the Executive Council members will be drawn from one of the three constituencies, such that each of the three constituencies furnishes one member of the Executive Council, with due regard to the need to rotate positions among the constituencies.

6.3.2 *Conduct of Elections*

Any DAG member-organisation may offer a candidate for election to the Executive Council, subject to respecting the division into constituencies at (1) above and subject to any trade union candidate having the support of at least two trade unions. Election shall be by votes cast by all the members of the DAG and shall be by elimination: the lowest scoring candidate from each round of voting is eliminated until there is a clear majority for a candidate for each of the three positions (Chair and Vice-Chairs).

6.4. Role of the Executive Council

6.4.1 The Vice Chairs will support the Chair in the duties outlined below, and shall stand in for the Chair, should they not be able to attend. The Executive Council may agree to delegate activities in Rule 6.4.5 to members of the DAG with appropriate expertise, who will report back to the Executive Council.

6.4.2 The Chair sits independently of the representatives of his/her organisation and should have regard to a broad perspective of the DAG. An organisation holding the position of Chair may nominate an alternative representative to take part in discussions, provided that each DAG member-organisation has only one vote in elections under Rule 6.3.2.

6.4.3 The Chair may propose to invite external speakers with specific knowledge to attend DAG meetings in agreement with the Vice Chairs and with prior notice to the members ahead of a meeting.

6.4.4 The Chair and Vice Chairs may agree by consensus to expand the Executive Council should it be required, while maintaining the balance of constituency representation from across the DAG.

6.4.5 The Executive Council (or the Chair in coordination with the Vice Chairs) has the following rights and responsibilities, to be carried out in coordination among all Executive Council members:

- Convene plenary meetings/any other whole DAG meetings
- Propose agendas and invite speakers
- Act as spokesperson/s for the DAG – this must be independent of their own views as representatives of DAG member-organisations (to that end, DAG member-organisations can nominate alternates to represent them at DAG meetings)
- Maintain relations, and co-ordinate, with the EU DAG
- Enable dialogue among DAG members outside of plenary meetings

- Ensure that DAG members are informed of the Executive Council's activities
- Remove members from the DAG for rule-breaking with the consent of the Government
- Take decisions on policy matters where a DAG consensus could not otherwise be established, co-opting other DAG members with relevant expertise to assist them in this task, provided that the balance between the three constituencies is respected.

7. Frequency of Meetings

- 7.1 In addition to the two plenary meetings per year under Rule 1.2, additional meetings will be called by the Chair if requested by the government and may be called by the Chair at the request of the DAG members themselves in accordance with Rule 7.2.
- 7.2 DAG members requesting an additional meeting may submit an application to the Chair and Vice Chairs, who may permit the meeting if they consider it appropriate. Such additional meetings may be virtual

8. Sub Groups

- 8.1 Any number of DAG members may decide to form subgroups on thematic and/or sectoral issues. The subgroups should report back to the DAG and submit views for consideration of the DAG.
- 8.2 The term of a Sub Group will not exceed a year. A Sub Group may apply to the Executive Council for an extension for a further year.
- 8.3 Sub Group meetings may be organised by the members of the sub group if they wish to discuss specific topics. These groups should report/submit their views to the DAG, on a formal or informal basis.

9. Decision making

- 9.1 The DAG shall strive at all times to reach views by consensus. Reasoned minority/diverging opinions should also be included in the DAG's conclusions, and minuted.
- 9.2 Where no consensus can be established, the matter in question shall be remitted to the Executive Council. The Chair, on behalf of the Executive Council, may alternatively nominate a group of members, balanced across the three constituencies defined in Rule 6.3.1, to find a compromise on the matter on which the Executive Council can make a decision, if necessary by a vote.
- 9.3 Reasoned minority positions or diverging opinions should be included in the minutes/ conclusions, if those expressing divergent opinions so request.

10. Agenda

- 10.1 Agendas of UK DAG meetings shall be drawn up and proposed by the Chair, after consultation with the Vice-Chairs and inviting suggestions from the UK DAG members.

- 10.2 The Chair shall ensure a balanced representation of proposals for the UK DAG's agendas, in order to ensure a fair geographical, and sectoral representation of the different chapters of the TCA.
- 10.3 The Government may make suggestions for the agenda if there is a need to consult the DAG on particular topics.

11. Relations with the UK Government

- 11.1 The government and where appropriate the representatives of the devolved administrations shall be invited to attend DAG meetings with a view to participating in discussions or to make presentations on specific subjects, but shall not be involved in the group's decision-making.
- 11.2 The UK Government will inform the UK DAG in a timely manner on any issue that pertains to the work of the DAG. The government shall consider and aim to respond to views or recommendations submitted by the DAG. The DAG will expect this to be in a timely manner and, where possible, in advance of making decisions.

12. Relations with the EU DAG

- 12.1 The UK DAG will invite the EU DAG to hold at least one joint meeting per year, thereby providing a framework for a structured discussion on implementation of their mandates and for cooperation between the DAGs.

13. Modification of Rules of Procedure

- 13.1 These rules of procedure may be amended following a proposal of one third of the members of the UK DAG. The proposed modification will be adopted by consensus or three-quarters of members if a vote is necessary.