

EUROPEAN CENTRAL BANK

RULES OF PROCEDURE OF THE GENERAL COUNCIL OF THE EUROPEAN CENTRAL BANK

THE GENERAL COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank (hereinafter referred to as the 'Statute') and in particular to Article 46.4 thereof,

HAS DECIDED TO ADOPT THESE RULES OF PROCEDURE:

Article 1

Treaty and Statute

These Rules of Procedure shall supplement the Treaty establishing the European Community (hereinafter referred to as the 'Treaty') and the Statute and the terms in these Rules of Procedure shall have the meaning which they have in the Treaty and the Statute.

Article 2

Date and place of General Council meetings

- 2.1. The date of the meetings shall be decided by the General Council on a proposal from the President.
- 2.2. The President shall convene a meeting of the General Council if at least three members of the General Council so request.
- 2.3. The President may also convene meetings of the General Council whenever he/she deems it necessary.
- 2.4. The General Council shall normally hold its meetings on the premises of the European Central Bank (ECB).
- 2.5. Meetings may also be held by means of teleconferencing unless at least three Governors object.

Article 3

Attendance at General Council meetings

- 3.1. Except as provided hereto, attendance at meetings of the General Council shall be restricted to its members, the other members of the Executive Board, the President of the Council of the European Union, and a member of the Commission of the European Communities. Each Governor may normally be accompanied by one person.
- 3.2. If a member of the General Council is unable to attend a meeting, he/she may appoint an alternate to attend the meeting and vote on his/her behalf. The President shall be notified accordingly.
- 3.3. The General Council may invite other persons to attend its meetings, if it deems it appropriate to do so.

*Article 4***Voting**

- 4.1. In order for the General Council to vote, there shall be a quorum of two-thirds of the members or their alternates.
- 4.2. Unless stated otherwise in the Statute, decisions shall be taken by simple majority.
- 4.3. Decisions may also be taken by written procedure, unless at least three members of the General Council object. Decisions taken by written procedure shall be recorded in the minutes of the next meeting of the General Council.
- 4.4. Whenever the General Council, in its field of competence, provides comments for legal acts to be adopted by the Governing Council or the Executive Board, a dissenting minority shall have the right to forward its differing view to these bodies of the ECB.

*Article 5***Organisation of General Council meetings**

- 5.1. The agenda for each meeting shall be adopted by the General Council. A provisional agenda shall be drawn up by the President and shall be sent, together with the related documents, to the members of the General Council and other authorised participants at least eight days before the meeting, except in emergencies, in which case the President shall act appropriately with a view to the circumstances. The General Council and other authorised participants at least eight days before the meeting, except in emergencies, in which case the President shall act appropriately with a view to the circumstances. The General Council may decide to remove items from or add items to the provisional agenda on a proposal from the President or from a member of the General Council. An item shall be removed from the agenda at the request of at least three members of the General Council if the related documents were not sent to the members in due time.
- 5.2. The minutes of the proceedings of the General Council shall be submitted to its members for approval at the next meeting (or earlier, if necessary, by written procedure) and shall be signed by the President.

*Article 6***Relationship between the General Council, the Governing Council and the Executive Board**

- 6.1. Without prejudice to the General Council's other responsibilities, including those under Article 44 of the Statute, the General Council's contributory functions shall comprise, in particular, those tasks listed in Article 6.2 to 6.8.
- 6.2. The General Council shall contribute to the advisory tasks of the ECB under Articles 4 and 25.1 of the Statute.
- 6.3. The contribution of the General Council to the statistical tasks of the ECB shall consist in:
- strengthening the cooperation between all the national central banks of the European Union with a view to supporting the ECB's tasks in the field of statistics,
 - contributing to the harmonisation, where necessary, of the rules and practices governing the collection, compilation and distribution of statistics by all the national central banks of the European Union, and
 - providing the Governing Council with comments on draft ECB recommendations in the statistical field, under Article 42 of the Statute, prior to their adoption.

- 6.4. The General Council shall contribute to fulfilling the reporting commitments of the ECB under Article 15 of the Statute by providing the Governing Council with comments on the annual report prior to its adoption.
- 6.5. The General Council shall contribute to the standardisation of accounting rules and the reporting of operations under Article 26.4 of the Statute by providing the Governing Council with comments on the draft rules prior to their adoption.
- 6.6. The General Council shall contribute to the adoption of other measures in the context of Article 29.4 of the Statute by providing the Governing Council with comments on such draft measures prior to their adoption.
- 6.7. The General Council shall contribute to laying down the conditions of employment of the staff of the ECB by providing the Governing Council with comments on the draft conditions of employment prior to their adoption.
- 6.8. The General Council shall contribute to the preparations for the irrevocable fixing of exchange rates under Article 47.3 of the Statute by providing the Governing Council with comments on the draft of the ECB's opinion under Article 109l (5) of the Treaty and on any other draft ECB opinions concerning EC legal acts to be adopted when a derogation is abrogated or when the decisions provided for in Article 10 of Protocol No 11 are taken.
- 6.9. Whenever the General Council is to contribute to the tasks of the ECB under the above paragraphs, it shall be given a reasonable period of time within which to do so, which may not be less than 10 working days. In a case of urgency (which must be justified in the request), the period may be reduced to five working days. The President may decide to use written procedure.
- 6.10. The President shall inform the General Council, in accordance with Article 47.4 of the Statute, of decisions adopted by the Governing Council.

Article 7

Legal instruments

Decisions under Articles 46.4 and 48 of the Statute and under these Rules of Procedure, as well as recommendations and opinions adopted by the General Council under Article 44 of the Statute, shall be signed by the President.

Article 8

Confidentiality of and access to ECB documents and archives

- 8.1. The proceedings of the General Council, and of any committee or group dealing with matters falling within its competence, shall be confidential unless the General Council authorises the President to make the outcome of their deliberations public.
- 8.2. All documents drawn up by the General Council, and by any committee or group dealing with matters falling within its competence, shall be confidential unless the General Council decides otherwise. Such documents shall form an integral part of the documentation in the ECB archives and shall be accessible according to the same criteria as shall be specified by the Governing Council for access to the ECB archives.

Article 9

End of applicability

When, in accordance with Article 109k (2) of the Treaty, all derogations are abrogated by the Council of the European Union and when the decisions provided for in Protocol No 11 are taken, the General Council shall be dissolved and these Rules of Procedure will no longer apply.

Article 10

Publication

These Rules of Procedure shall be published in the *Official Journal of the European Communities*.

Done at Frankfurt am Main, 1 September 1998.

For and on behalf of the General Council

The President

Willem F. DUISENBERG
