

**DECISION n° 85**

**of the Administrative Board of the European Railway Agency establishing a Sub-Committee of the Board and repealing decision ERA AB n°33 of 23 June 2009**

THE ADMINISTRATIVE BOARD OF THE EUROPEAN RAILWAY AGENCY,

Having regard to Regulation (EC) N° 881/2004 of the European Parliament and of the Council of 29 April 2004 (hereafter 'the Regulation')<sup>1</sup> establishing a European Railway Agency (hereafter the 'Agency') and in particular Articles 25, 38 and 39 thereof,

Whereas:

- (1) A Sub-Committee on financial, budgetary and staff-related issues was established by decision ERA AB n° 33 of the Administrative Board dated 23 June 2009, and subsequent amendments, with the objective to advise the Administrative Board on all issues related to the drafting, the implementation of the budget and staff-related issues within the Agency,
- (2) Following the proposals of the position paper of the Administrative Board agreed on 26 June 2012, the advisory role of the Sub-Committee should be enlarged to include also other matters i.e. work programme and planning, annual reporting in order to properly prepare the meetings of the Board and to advise it in relation to the decisions to be taken,
- (3) The extension of the scope of the Sub-Committee is in line with the legislative proposals of the European Commission on a 'Regulation of the European Union Agency for Railways and repealing regulation (EC) N° 881/2004'<sup>2</sup> which foresee the establishment of an Executive Board to assist the Management Board with the aim to prepare decisions to be adopted by the Board,

HAS DECIDED:

*Article 1*

**Subject matter and scope**

1. A Sub-Committee of the European Railway Agency Administrative Board is established.
2. The Sub-Committee shall prepare decisions to be adopted by the Board, in particular on administrative and budgetary matters, and on the follow-up to the recommendations of internal or external audit reports and evaluations, with a view to reinforcing supervision of administrative and budgetary management of the Agency.

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<sup>1</sup> OJ L 220, 21.6.2004, p.3.

<sup>2</sup> COM(2013) 27 final

*Article 2*

**Composition**

1. The Sub-Committee shall be composed of the Chairperson of the Board, the Deputy-Chairperson, two representatives of the Commission and four other members of the Board including one representative of the stakeholders.
2. The Board shall appoint members of the Sub-Committee and its chairperson.
3. The Board may also appoint alternates of the members of the Sub-Committee and a deputy chairperson.
4. The Commission representatives in the Administrative Board shall propose the two members representing the Commission in the Sub-Committee and their two alternates. They can be also represented by means of proxy by the competent Commission officials depending on the matters to be discussed in the Sub-Committee meetings.

*Article 3*

**Tasks, functions and working methods**

1. The Sub-Committee has a consultative function. It issues its opinions to the Administrative Board on matters on which decisions should be adopted, in particular on administrative and budgetary matters.
2. The opinions of the Sub-Committee do not supersede or replace the opinions of the Administrative Board.
3. The Sub-Committee does not intervene in the general management of the Agency.
4. The Sub-Committee shall adopt its working methods by consensus.
5. The Sub-Committee shall adopt its opinions by consensus. If so requested, a member may have his/her dissenting opinion reflected.

*Article 4*

**Meetings**

The Sub-Committee shall normally meet at least once every three months. The chairperson of the Sub-Committee shall convene additional meetings at the request of its members.

*Article 5*

**Secretariat**

The Executive Director shall assist the work of the Sub-Committee, he shall provide a secretariat and appoint a member of the Agency staff to act as a secretary of the Sub-Committee.

*Article 6*

**Term of office**

1. The term of office of members of the Sub-Committee shall be the same as that of the Board members.

2. The Sub-Committee can be dissolved by the Administrative Board at any time.

*Article 7*

**Reimbursement of expenses**

The members of the Sub-Committee and their alternates are entitled to reimbursement of their costs related to their presence to the meetings in accordance with the relevant rules applicable for the reimbursement of the members of the Administrative Board.

*Article 8*

**Repeals**

Decision n° ERA AB 33 of the Administrative Board dated 23 June 2009 establishing a Sub-Committee on financial, budgetary and staff-related issues and the Terms of Reference thereof and Decision ERA AB n° 65 of the Administrative Board of the European Railway Agency dated 24 June 2011 modifying the Terms of Reference of the Sub-Committee on financial, budgetary and staff-related issues and appointing members, alternate members and Chairperson of the Sub-Committee are repealed.

*Article 9*

**Entry into force**

The present decision shall enter into force on the day following that of its adoption. It will be published on the Agency website.

Done at Lille, 20-03-2013

*For the Administrative Board*

The Chairman

*Christopher IRWIN*