



COMMISSION OF THE EUROPEAN COMMUNITIES

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2003/0334 (CNS)

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EEC) No 337/75 establishing a European Centre for the  
Development of Vocational Training**

(presented by the Commission)

## EXPLANATORY MEMORANDUM

### 1. INTRODUCTION

The European Centre for the Development of Vocational Training (Cedefop) is an Agency of the European Union. Created in 1975 by Council Regulation 337/75<sup>1</sup>, with a tripartite<sup>2</sup> Management Board and a Bureau<sup>3</sup>, it provides services for the European Commission, the European Union Member States and the social partners as well as for the associated countries of Norway and Iceland. The candidate countries also participate in selected activities. As the European Union's Centre for vocational education and training, Cedefop provides policy makers, researchers and practitioners with information to promote a clearer understanding of developments in vocational training and so enable them to take informed decisions for future action. Cedefop assists the European Commission in encouraging, at Community level, the promotion and development of vocational education and training.

#### **Cedefop as an instrument of the Community's Vocational Training Policy**

In the mid 1990's, the profile of vocational training was raised significantly as a crucial means of responding to accelerating economic and social change and of promoting employment, social cohesion and competitiveness. The conclusions of the European Council of Lisbon in March 2000 gave education and training further impetus. The development of a learning society is now recognised as the means to achieve the strategic goal of a competitive and dynamic knowledge-based economy that combines employment, economic growth and social cohesion.

This development of vocational training at Community level is recognised by all EU Member States, as well as by European organisations of social partners who are committed to closer co-operation in the development of learning and training. This co-operation is a dynamic process which needs to be supported by exchanges of information and good practice to improve mutual understanding of training systems and to facilitate the development of common solutions to problems faced by all Member States, irrespective of their different vocational and training systems. Cedefop provides this support.

Cedefop has considerable capacity to facilitate these exchanges by exploiting information and research carried out in the Member States, not least by the establishment of networks and fora, by identifying innovation and by contributing to the quality of training policy and practice. This is underpinned by the tripartite nature of its Management Board, which brings together representatives of governments and social partners with the Commission who share the major responsibility for the development and implementation of initial and continuing training in both formal and informal arrangements.

The Commission considers that Cedefop's achievements to date demonstrate its ability to

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<sup>1</sup> OJ L39 of 13.02.1975, p.1. Regulation as last amended by Regulation (EC) No 1655/2003 (OJ L 245, 29.9.2003, p. 41)

<sup>2</sup> Tripartite composition of the Board means participation of representatives of governments, employers professional organisations and employees trade union organisations. The Commission is the fourth participant in the Board.

<sup>3</sup> The Rules of Procedure of the Management Board of the European Centre for the Development of Vocational Training were adopted by the Council on 24.11.1976 by 1333/76 (SOC 276) and provide that a Bureau is established, composed by the chairman and the three vice-chairmen of the Board.

make a valuable contribution to the development of the Community's vocational training policy. Cedefop's progress has, in the Commission's view, been fostered by *inter alia* a structured and systematic co-operation with the Commission and with all its other partners.

## **2. CONTEXT**

### **2.1. The external evaluation**

In November 2000, the Commission launched an external evaluation of Cedefop<sup>4</sup>. The main purpose of the evaluation was to assess the internal efficiency and external effectiveness of the Agency compared to its statutory objectives and mission, including an assessment of the functioning of the Management Board and the Bureau taking into account the impact of enlargement.

The Commission welcomed the external evaluation report of Cedefop that provides a comprehensive view of the performance of the Agency since the last external evaluation was completed (1995)<sup>5</sup>. Globally, the evaluation report is positive on the effectiveness and impact of the work of the Agency since its transfer to Thessaloniki and on how it co-operates with other organisations. The Commission, in its response to the evaluation report, shared this view but held that improvements are necessary mainly in terms of the organisation and management of the Agency and the functioning of the Management Board.

Following the previous external evaluation (1995), the Board adopted medium term priorities for Cedefop in order to follow up the recommendation of focussing the Agency's activities in a limited number of thematic areas. This is not currently a requirement of the basic Regulation of Cedefop, even though for all second generation agencies, provisions for the strategic orientation of their work is set out in the legal bases. The recent evaluation concluded that these medium term priorities have proved to be a useful tool for concentrating the activities of Cedefop, redefining its working methods and guiding its activities in a broader perspective. These priorities, closely linked with the Community vocational training priorities, have improved the services and made possible the development of quality products by Cedefop. The Commission in its response and the Board in its Action Plan supported this analysis.

### **2.2. The role and functioning of Cedefop's Management Board and Bureau**

The evaluators considered that the nature (including size) of the Management Board prevents sufficient strategic discussion, given that too much time is spent on administrative questions. The evaluators concluded that this has implications for the efficiency of the Board as a decision-making body and does not permit the active participation of all the members during the Board meetings. The added value, therefore, of the tripartite construction of the Board is partially lost.

In addition, the evaluators advised that the relationship between the Board and the Bureau be formalised since, at present, there is a lack of transparency in the decision-making processes. The precise objectives of the Bureau should be specified and a useful flow of information

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<sup>4</sup> The full report of the Cedefop external evaluation can be consulted at:  
[http://europa.eu.int/comm/education/programmes/evaluation/evaluation\\_en.html](http://europa.eu.int/comm/education/programmes/evaluation/evaluation_en.html)

<sup>5</sup> The response of the Commission to the external evaluation of Cedefop and the Action Plan adopted by the Management Board can be consulted at:  
[http://europa.eu.int/comm/education/programmes/evaluation/evaluation\\_en.html](http://europa.eu.int/comm/education/programmes/evaluation/evaluation_en.html)

from the Bureau to the Board assured.

The Commission agreed with the evaluators that a key strength of the Management Board is its tripartite composition and considered that, in the short term, the Board would have to review its tasks and operating modes with a view to devoting more time to strategic decisions. To that end, the Board should examine proposals to delegate a part of its administrative powers and functions to the Bureau. A formal mandate for the Bureau should also be specified in the Regulation since, at present the Bureau is only referred to in the Rules of Procedure<sup>6</sup>.

Furthermore, the Commission suggested in its response to the external evaluation that the Board itself also follows up the external evaluation, addressing and reporting back on its conclusions in an Action Plan concerning the consequences of enlargement on its functioning, including questions such as size, composition, operating modes and cost-effectiveness. This Action Plan provided *inter alia* that the Cedefop Board jointly with those of the two tripartite agencies (Eurofound and EU-OSHA) would report back to the Commission on their considerations concerning the consequences of enlargement; this is the Joint Opinion referred to below.

### **2.3. The Joint Opinion of the tripartite Boards of Cedefop, Eurofound and EU-OSHA<sup>7</sup>**

Three Community agencies (Cedefop, Eurofound and EU-OSHA) have Boards with a tripartite composition, given their aims relevant to social policy issues. The composition of these Boards is clearly stated in their founding/constituent Regulations and provisions are identical.<sup>8</sup> As such, the three basic Regulations have each been amended at previous enlargements to account for each new Member State (hence 3 new members on Board). The three Boards are each thus now composed of 48 members.

While there were some differences between the tasks of the Boards of the so-called first generation agencies (Cedefop, Eurofound) and the second generation one (EU-OSHA) until recently, it is important to note that because of the tripartite nature of the Boards, they all function in a very similar way. Indeed, all three recent external evaluations of these agencies, while rating highly the tripartite structure in itself, drew similar comparable conclusions as to their shortcomings. Each proposes the strengthening of the strategic role of the Boards and the executive role of the Bureaux while leaving the director accountable and responsible for every-day management.

Given the above comparability of the external evaluations' conclusions and in line with the agreed Action Plan for Cedefop, in January 2003 the agencies transmitted to the Commission a Joint Opinion of their Boards on the functioning and governance of their management structures. In this opinion, the Boards stress that their future rules of governance should be based on the following principles: the fundamental value of tripartite governance; the role of the social partners (workers and employers) in these bodies that creates a *specificity* requiring

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<sup>6</sup> Council Decision 1333/76 (SOC 276) of 24/11/1976 on 'Rules of Procedure of the Management Board of the European Centre for the Development of Vocational Training'.

<sup>7</sup> The European Centre for the Development of Vocational Training – Cedefop (Thessaloniki), the European Foundation for the Improvement of Living and Working Conditions – Eurofound (Dublin) and the Agency for Health and Safety at Work – EU-OSHA (Bilbao).

<sup>8</sup> With the exception of Dublin and Bilbao Regulations which provide also for the designation of alternate members.

them to function according to common rules and differently from the other Community agencies; and finally that the maintenance of the *national tripartite representation* from each country is essential for the involvement of all actors, taking account of the diversity of interests and approaches which characterise social issues.

In order to respect these principles, the Joint Opinion suggests that the Boards should remain the decision-making bodies, with responsibility for the major orientations of the Agency (strategy, budget, work programme). On the other hand, they suggest that the Bureaux become executive structures, with well-defined tasks. Their size ought to remain limited to ensure efficient operations but should be sufficient to reflect the spread of views of the tripartite Boards.

The Boards also consider that in terms of efficiency, co-ordination of each group (government, employee, employer) is an important factor: they propose therefore that within each group the function of a co-ordinator be formalised.

#### **2.4. The opinion of the European Parliament**

The Commission notes that the European Parliament in its recent discharge procedures has raised a series of issues regarding bodies covered by article 185 of the Financial Regulation, including Cedefop. In this context, the European Parliament underlined the need for rationalisation of Agency boards and invited the Commission to put forward proposals to this end<sup>9</sup>. The points raised regarding Cedefop have been addressed in the Commission's report to the European Parliament and the Council on the follow-up to 2001 Discharges (COM(2003)651 final). The Commission has carefully considered the invitation of the European Parliament to rationalise the functioning of Cedefop. While maintaining the national and tripartite character of the Cedefop Board, which is a key feature of this Agency (as well as for Eurofound and EU-OSHA), the Commission proposes to rationalise the Board's working methods by concentrating on its strategic role and by reducing the frequency of meetings to once a year. This should ensure that the EU enlargement will not impact negatively on the quality and the relevance of the Agency's work and on the commitment of its stakeholders to Community policy, while avoiding adverse financial consequences.

### **3. JUSTIFICATION OF THE COMMISSION'S PROPOSALS**

In the light of the findings of the external evaluators, of practice in recent years and of the above mentioned Joint Opinion delivered by the three relevant Boards, the Commission proposes changes to the basic Regulation of Cedefop, with a view to increasing effectiveness and cost efficiency. Similar changes are proposed for Eurofound and EU-OSHA.

The proposed changes concern mainly co-operation with the ETF, the inclusion of provision for adoption by the Board of medium-term priorities for the Cedefop and the governance and functioning of the Board. For the latter, the Commission proposes to maintain the national tripartite representation in the Board, acknowledging that this is a key element of success. It proposes to formalise the existence of the three groups, namely government, employers and employees representatives and of the function of a co-ordinator within each group.

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<sup>9</sup> EP A5-0079/2003 § 28 [The European Parliament] "takes the view that enlargement offers a good opportunity thoroughly to reconsider the composition and working methods of these administrative Boards, which are already very ponderous as a rule; calls on the Commission to put forward appropriate proposals by 31 July 2003 to amend the founding regulations accordingly".

The Commission proposes that the Board meets in principle once every year and takes all strategic decisions such as the medium-term priorities, the annual work programme and the budget. This shift from administrative to strategic tasks is reflected in the modification of the denomination of the Board from Management Board to Governing Board.

In addition, the Commission's proposal gives formal recognition to the existing Bureau and formalises the relationship between the Board and the Bureau. The Bureau would be composed of eight members, namely the chairman, the three vice-chairmen of the Board, the three co-ordinators, and one more representative of the Commission. It will have powers to supervise the work of Cedefop, monitor the preparation and execution of the medium-term priorities and of the annual work programme, prepare the Board meetings and Board decisions and, upon delegation by the Board, take certain decisions on its behalf. The proposed size and composition of the Bureau will ensure efficiency while reflecting the interests of the different groups represented on the Board. The Bureau would not vote but have a consensus-based decision-making process.

In addition, in accordance with Article 3 of the Treaty, provisions are added to encourage a balanced representation of men and women in the Board of the Centre.

#### **4. SUBSIDIARITY AND PROPORTIONALITY**

The tasks of the Centre are to provide policymakers, researchers and practitioners with information which promotes a clearer understanding of developments and supports a concerted approach to vocational training issues at Community level. It provides data and analysis for informing and supporting the implementation of EU policy on vocational education and training. In this sense, the Agency conforms to the principles of subsidiarity and proportionality.

#### **5. LEGAL BASIS**

Article 235 of the Treaty establishing the European Community (now Article 308) provided the legal base for the existing Regulation; therefore the Commission considers Article 308 to be the legal base for the amendments proposed to this Regulation.

#### **6. EXPLANATION OF THE PROPOSED AMENDMENTS**

The following commentary presents those Articles that the Commission proposes should be modified. In addition, the recitals have been modified where necessary in accordance with the changes proposed to the body of the Regulation.

##### *Article 3, paragraph 2*

A specific reference is added to the need for appropriate cooperation with the European Training Foundation (ETF). This is in line with current practice and with a similar provision in the Regulation for ETF. Both bodies operate in the vocational training area, although they each have distinctive missions, tasks and geographical coverage<sup>10</sup>.

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<sup>10</sup> Cedefop contributes to the Community's vocational training policy through transnational cooperation within the EU, while the ETF supports the Commission in the design and implementation of VET and labour market reform activities in third countries, as part of the Community's external policies' framework.

The Commission, in recent years, has invited the two Agencies to put in place several instruments to facilitate better co-operation and achieve maximum synergy and complementarity – namely in 2001 a framework for co-operation between the two Agencies, the joint annex to each annual work programme, the semi-annual joint reports, an ETF/Cedefop working group and finally in June 2003 the establishment of an exit from ETF and entry to Cedefop strategy for each acceding country in 2004.

The Commission, taking account of the comments of the European Parliament on this issue, considers that it is important to have an explicit reference to this cooperation also in the Cedefop Regulation.

#### Article 4

The amendments to this article, which are relevant to the composition and functioning of the Board, result from the findings of the external evaluation, practice in recent years and the Joint Opinion submitted to the Commission by the Management or Administrative Boards of the European Centre for the Development of Vocational Training, the European Agency for Safety and Health at Work, and the European Foundation for the Improvement of Living and Working Conditions.

#### *Article 4(1)*

The management structure of the Centre is presented and the Bureau is formally recognised

#### *Article 4(2)*

There is no modification to the content of this article relating to the composition of the Board, thus the principle of national and tripartite representations for each Member State is maintained; but the proposed formulation is such that the Regulation will not need to be modified with every subsequent enlargement of the Union.

The Commission takes the view that the current procedure for appointing members of the Board (Article 4(1) of Council Regulation (EEC) No 337/75) is satisfactory and there is no need to amend it.

On the other hand, Article 4(2) incorporates now a gender dimension, in the composition of the Board, through a provision based on Article 3 of the Treaty, emphasising the need for a balanced representation of men and women in the Board of the Centre. In addition, a subparagraph has been added on the need to publish the list of Board members in the Official Journal of the European Union for information purposes. The latter provision reflects the current practice of the Centre and is in line with the European Union's policy of transparency and access to information for the citizens.

#### *Article 4(3)*

The Commission takes the view that the current term of office of members of the Board (Article 4(2) of Council Regulation (EEC) No 337/75) is satisfactory and there is no need to amend it.

#### *Article 4(4)*

It is clearly expressed that the chairman and vice-chairmen shall represent each of the Groups of the Board as well as the Commission. This clarifies the fact that one of the chairmen

represents the Commission, as expressed in the provisions of the Rules of Procedure of the Centre. In addition, the period of mandate of the chairmen is set to one year renewable, which is justified in particular by the need for continuity since the Board will meet only once a year.

#### *Article 4(5)*

The main aim of the Commission's modifications to this paragraph is to formalise the existence of the three groups (government, employers, employees) represented in the Board as well as that of the co-ordinators of the social partners organisations at European level. The latter play an important co-ordination role for the preparation of decisions.

The current Board's operation is governed by two legally binding instruments, namely the Council Regulation (EEC) No 337/75 and the Rules of Procedure approved by the Council on 24 November 1976.

Over the years, a framework for the Board's operation has been established that relies upon no formal basis. In particular, both the basic Regulation and the Rules of Procedure do not envisage that the work of the Board is organised per group, nor that the meetings of the Board are prepared by a Bureau. However, these have become key features of the way the Board now actually works in practice.

In practice, there are three separate groups: representatives of governments, employers' professional organisations and employees' trade union organisations. Before Board meetings, the three groups hold separate internal discussions, the results of which are reported in the Board meeting by their spokespersons – without prejudice to each Board member's individual entitlement to be given the floor.

In this context it is important to note that representatives of the social partners' organisations at Community level who also attend the Board meetings without being entitled to vote, play an active role in the work of the Board, in particular by co-ordinating views within the respective groups. As requested in the Joint Opinion of the three Community bodies concerning the future governance of their Boards, it is proposed that the government group also designate a co-ordinator, for reasons of balance among the groups and of better efficiency of the Board's work.

The Commission believes that, as this organisational structure has proven its usefulness and is supported by stakeholders, it seems appropriate to formalise it in principle, leaving any operational details to a new set of rules of procedure.

#### *Article 4(6)*

This article defines the framework for the organisation of the Board meetings. It reduces the number of meetings to one per year instead of two. This is justified by the new, more strategic role of the Board, and its large number of members.

#### *Article 4(7)*

The voting rules laid down by Article 4(5) of Regulation (EEC) No 337/75 are retained in this proposal.



#### *Article 4(8)*

The Rules of Procedure at present provide for a Bureau composed by the chairman and the three vice-chairmen. Its tasks consist of taking administrative decisions that are urgent or necessary for the management of Cedefop in-between meetings of the Board, subject to ratification by the latter at its next meeting.

In practice the Bureau at present holds meetings not only to take urgent decisions but also to prepare the meetings of the Board including decisions that have to be taken by the Board. This makes the Board meetings more efficient. During Bureau meetings, the group spokespersons (the chairman and the vice-chairmen) report on the views held by their members on different agenda items and a decision is taken on those items on which to focus the Board discussions and on what basis a consensus may be achieved on others.

The Board also in recent years has decided to delegate to an enlarged Bureau, the preparation of all important decisions such as the medium term priorities, the Action Plan as a follow-up to the external evaluation, and the monitoring of their implementation.

Finally, it is the Bureau who prepares or takes urgent decisions relevant to the financial management (e.g. transfers between budgetary posts) of Cedefop which often require specialist knowledge.

Taking into account the views of the stakeholders in their Joint Opinion, the Commission proposes that the Bureau should be enlarged, but limited in size. A body composed of eight members ( the chairman and the three vice-chairmen of the Governing Board, the three coordinators of the groups and one more representative of the Commission) is adequate to reflect the views of the Board groups and has a size that contributes to efficient decision making.

#### *Article 4 (9)*

Paragraph 9 clarifies the kind of responsibilities that the Board may delegate to the Bureau, by clearly excluding some of the tasks referred to in the Regulation as tasks of the Board (approval of the medium-term priorities, of the annual work programme, of the budget and of the appointment of the Director). These responsibilities shall not overlap with the tasks of the Director.

#### *Article 4 (10)*

Paragraph 10 specifies that the Board will decide on the annual schedule of meetings of the Bureau, while additional meetings could be convened at the request of the members of the Bureau.

#### *Article 4 (11)*

Paragraph 11 formalises the current system of decision making in the Bureau and proposes that decisions be taken by consensus. If no consensus can be reached, the Bureau can refer the matter to the Governing Board for decision. This will ensure the necessary transparency between the Board and the Bureau, and the compliance of the proceedings of the Bureau with the strategic guidelines of the Board.

Article 7(1) and (2)

Article 7 paragraphs 1 and 2 are modified to formalise the fact that the tasks of the Director in relation to the Board also include the Bureau, where appropriate.

Article 8(1)

The Commission proposes that the Board also provides strategic direction for the Agency and therefore adopts medium-term priorities. This has been the case since the mid-1990s following the external evaluation completed in 1995.

In addition, it is proposed that all references to ‘the Management Board’ be replaced by the term ‘Governing Board’, which reflects more accurately the strategic role of the Board.

**7. BUDGET CHARACTERISTICS**

The changes proposed will have no impact on the overall budget of the Agency in the sense that no new activities are launched.

Proposal for a

**COUNCIL REGULATION**

**amending Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission<sup>11</sup>,

Having regard to the opinion of the European Parliament<sup>12</sup>,

Having regard to the opinion of the European Economic and Social Committee<sup>13</sup>,

Having regard to the opinion of the Committee of the Regions<sup>14</sup>,

Whereas:

- (1) Council Regulation (EEC) No 337/75 of 10 February 1975 establishing the European Centre for the Development of Vocational Training<sup>15</sup> includes provisions concerning the organisation of the Centre, and in particular its Management Board. Those provisions have been amended several times following each accession of new Member States, when new members had to be added to the Management Board.
- (2) An external evaluation of the European Centre for the Development of Vocational Training (hereinafter “the Centre”) was carried out in 2001. The Commission's response and the Action Plan established by the Management Board on the basis of that response underline the need to adapt the provisions of Regulation (EEC) No 337/75 in order to maintain the efficiency and effectiveness of the Centre and of its management structures.
- (3) The European Parliament has called upon the Commission to review the composition and working methods of agencies' boards and to put forward appropriate proposals<sup>16</sup>.

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<sup>11</sup> OJ C [...] of [...], p. [...]

<sup>12</sup> OJ C [...] of [...], p. [...]

<sup>13</sup> OJ C [...] of [...], p. [...]

<sup>14</sup> OJ C [...] of [...], p. [...]

<sup>15</sup> OJ L39 of 13.02.1975, p.1. Regulation as last amended by Regulation (EC) No 1655/2003 (OJ L 245, 29.9.2003, p. 41)

<sup>16</sup> EP A5-0079/2003 § 28

- (4) A Joint Opinion concerning the future governance and functioning of the Boards of the European Agency for Safety and Health at Work, of the Centre and of the European Foundation for the Improvement of Living and Working Conditions has been submitted to the Commission by their respective management or administrative Boards.
- (5) The tripartite governance of the European Agency for Safety and Health at Work, the Centre and the European Foundation for the Improvement of Living and Working Conditions by representatives of governments, employers' organisations and employees' organisations, is fundamental to the success of those bodies.
- (6) The participation of the social partners in the governance of those three Community bodies creates a specificity, which requires them to function according to common rules.
- (7) The existence, within the tripartite Board, of the three groups, drawn from government, employers and employees and the designation of a co-ordinator for the groups of employers and employees have proved to be essential. That arrangement should therefore be formalised and also extended to the government group.
- (8) The maintenance of the tripartite representation from each Member State ensures that all major stakeholders are involved and that account is taken of the diversity of systems and approaches which characterise vocational training issues.
- (9) It is necessary to anticipate the practical consequences for the Centre of the forthcoming enlargement of the Union. The composition and functioning of its Board should be adjusted to take account of the accession of new Member States.
- (10) The Bureau, provided for in the Rules of Procedure of the Management Board, needs to be strengthened in order to ensure continuity in the functioning of the Centre and efficiency in its decision making. The composition of the Bureau should continue to reflect the tripartite structure of the Board.
- (11) According to Article 3 of the Treaty, the Community shall aim to eliminate inequalities and promote equality between men and women in all its activities. It is therefore appropriate to make provision for encouraging a balanced representation of men and women in the composition of the Board.
- (12) Regulation (EEC) No 337/75 should, therefore, be amended accordingly.
- (13) The Treaty does not provide, for the adoption of this Regulation, for powers other than those under Article 308,

HAS ADOPTED THIS REGULATION

*Article 1*

Regulation (EEC) No 337/75 is amended as follows:

- (1) In Article 3, paragraph 2 is replaced by the following:

“2. In carrying out its tasks, the Centre shall establish appropriate contacts, particularly with specialised bodies, whether public or private, national or international, with public authorities and educational institutions and with workers’ and employers’ organisations. In particular, the Centre shall ensure appropriate cooperation with the European Training Foundation, without prejudice to its own aims”.

(2) Article 4 is replaced by the following:

*“Article 4*

1. The Centre shall comprise:

- (a) a Governing Board;
- (b) a Bureau;
- (c) a Director.

2. The Governing Board shall consist of:

- (a) one member representing the Government from each Member State;
- (b) one member representing the employers' organisations from each Member State;
- (c) one member representing the employees' organisations from each Member State;
- (d) three members representing the Commission.

The members referred to in points (a), (b) and (c) of the first subparagraph shall be appointed by the Council.

When submitting the lists of candidates, the Member States, employers’ organisations and employees’ organisations, shall endeavour to ensure a balanced representation of men and women in the composition of the Governing Board.

The Commission shall appoint the members who are to represent it.

The list of members of the Governing Board shall be published by the Council in the *Official Journal of the European Union*.

3. The term of office of members shall be three years. It shall be renewable. Upon the expiry of their term of office or in the event of their resignation, members shall remain in office until their appointments are renewed or until they are replaced.

4. The Governing Board shall elect its chairman and three vice-chairmen, from among the three groups referred to in paragraph 5 and the Commission, to serve for a period of one year renewable.

5. Within the Governing Board, the representatives of governments, employees’ organisations and employers’ organisations shall form a group each. Each group shall designate a co-ordinator. The co-ordinators of the employees’ and the employers’ groups shall be representatives of their respective organisations at European level and attend the Board meetings without the right to vote.

6. The chairman shall convene the Governing Board once a year. The chairman shall convene additional meetings at the request of at least one-third of the members of the Governing Board.

7. Decisions by the Governing Board shall be taken by an absolute majority of its members.

8. The Governing Board shall establish a Bureau. The Bureau shall be made up of the chairman and the three vice-chairmen of the Governing Board, one co-ordinator per group referred to in paragraph 5 and one more representative of the Commission services.

9. Without prejudice to the responsibilities of the Director, as set out in Article 7 and 8, the Bureau shall, as delegated by the Governing Board, monitor the implementation of the decisions of the Board and take all necessary measures for the management of the Centre between the Governing Board meetings, except those referred to in Article 6(1), Article 8(1) and Article 11(1).

10. The annual schedule of meetings of the Bureau shall be decided by the Governing Board. The chairman shall convene additional meetings of the Bureau at the request of its members.

11. Decisions by the Bureau shall be taken by consensus. If no consensus can be reached, the Bureau shall refer the matter to the Governing Board for decision.

(3) In Article 7, paragraphs 1 and 2 are replaced by the following:

“1. The Director shall be responsible for the management of the Centre and shall implement the decisions of the Governing Board and the Bureau. He shall be the legal representative of the Centre.

2. He shall prepare and organise the work of the Governing Board and the Bureau and provide the secretariat for their meetings.”

(4) In Article 8, paragraph 1 is replaced by the following:

“1. On the basis of a draft submitted by the director, the Governing Board shall adopt the medium term priorities and the annual work programme in agreement with the Commission services. The programme shall take into account the priority needs indicated by the Community institutions.”

(5) Each time the term “Management Board” appears in the articles, it is replaced by “Governing Board”.

## *Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council*  
*The President*