

Working Party on Police and Justice
RULES OF PROCEDURE

Art. 1
Tasks

1. The Working Party on Police and Justice (*hereinafter WPPJ*) has mandate given by the European Conference of data protection authorities (*hereinafter the Conference*) to monitor and to examine the developments in the area of police and law enforcement to face the growing challenges for the protection of individuals with regard to the processing of their personal data.
2. The WPPJ will propose and prepare all necessary actions to be taken by the Conference.
3. The WPPJ has also the mandate to act on behalf of the Conference, whenever a quick reaction is urgently needed. In this case the WPPJ may, on its own initiative, make recommendations, give opinions and take action in all matters falling within the scope of its competence.

Art. 2
Membership and Observers

1. The WPPJ shall be composed by not more than two representatives for each of the data protection authorities accredited at the Conference. They shall constitute one delegation.
2. Where a State has national and sub-national accredited authorities, they shall jointly designate the representative(s) sitting in the WPPJ. The designated representative(s) shall constitute a single delegation.
3. Each delegation shall have one vote.
4. The authorities shall inform the Secretariat of the WPPJ of the names of the representatives.
5. Representatives from the data protection authorities of non-accredited authorities at the Conference of the European Data Protection Authorities may be invited to participate in the meetings of the WPPJ as observers without voting rights.
6. Other experts or representatives of institutions may be invited to the meetings of the WPPJ, or to discuss certain points on the agenda

Art. 3

Chairmanship

1. The Conference elects, pursuant to the Rules of Procedure applicable to the European Spring Conference, a Chair and a Vice-Chair of the WPPJ from among its members for a fixed period of two years, once renewable.
2. The Vice-Chair shall not be from the same delegation as the Chair. Whenever the Chair is absent, he/she shall be replaced in his/her role by the Vice-Chair.
3. The Chair lays down the agenda of and chairs the meetings so as to ensure the smooth functioning of the WPPJ and represents the WPPJ in its external relationships. This includes the possibility for the Chair and the Vice-Chair to contact institutional representatives of the Commission, the Council and the European Parliament as well as of such other institutions and bodies as may be regarded appropriate with a view to achieving the purposes of the WPPJ and the Conference.

Art. 4 *Secretariat*

1. The WPPJ shall be assisted in the performance of its tasks by a Secretariat.
2. The Secretariat shall prepare the work of the WPPJ in liaison with the Chair, taking care to send out notice of the meetings called, the respective agendas, and all the relevant documents in accordance with the time schedule mentioned in articles 5, 6 and 7. The Secretariat shall assist the WPPJ in the preparation of draft opinions and recommendations and shall also draw up the minutes of the meetings.
3. Correspondence intended for the WPPJ shall be addressed to the Secretariat, which will record its receipt and inform the Chair accordingly.
4. The Secretariat shall keep an updated list of delegations and the respective contact details with a view to communications and voting operations.

Art. 5 *Convening of the WPPJ and venue*

1. The WPPJ shall be convened whenever developments in the area of police and law enforcement so require, and in any case at least twice a year, on the initiative of its Chair. The WPPJ may also be convened at the request of not less than one-third of its members.
2. The Chair shall determine the venue, date and time of the meetings in such a manner as to facilitate attendance by members and limit costs.
3. The Chair, after consulting with the Vice-Chair, shall prepare the provisional agenda.

4. With the exception of cases which the chairman deems to be urgent, the notice convening the meeting shall be transmitted in time to arrive at least four weeks before the meeting. The notice shall include the provisional agenda and the documents needed for the meeting, unless the nature and/or progress status of the documents do not allow at the time doing so.

Art. 6 ***Working methods***

1. The final agenda shall be adopted at the beginning of each meeting.
2. The quorum for a meeting of the WPPJ shall be reached if at least half of the delegations entitled to vote in accordance with article 2 attend.
3. The WPPJ may decide to set up drafting subgroups or nominate rapporteurs to elaborate draft texts on specific issues. These nominations shall be on a voluntary basis..
4. The Chairman, after consulting with the Vice-Chairman, may appoint a drafting subgroup or a rapporteur, from among the WPPJ members, to deal with a specific issue, whenever it is deemed necessary for reasons of urgency, unless the issue in question is already addressed by an existing subgroup or rapporteur.
5. The drafting subgroups and rapporteurs shall report to the WPPJ, which shall adopt the final text.
6. When a document is submitted to the WPPJ for adoption, including by written procedure as per article 7, the proposals from the drafting subgroup/rapporteur and amendments by the other members shall as well be circulated to all the members of the WPPJ.
7. Decisions shall be taken by an absolute majority of the delegations attending the meeting. In case of a minimum quorum, decisions shall be taken by a 2/3 majority of the delegations attending the meeting.
8. Decisions may also be taken via written procedure in pursuance of Article 7.
9. On request, views expressed by the various members of the WPPJ shall be noted in the minutes.
10. The Chair will inform the Chair of the Conference of the decisions adopted. All the decisions of the WPPJ shall be notified to the Conference without delay by the Secretariat.

Art. 7 ***Written Procedure***

1. A document may be adopted via written procedure if this is found appropriate by either the WPPJ at its meeting or by the Chairman, in urgent cases.

2. The delegations entitled to vote shall inform the Secretariat of their vote in writing within the term set by the Chairman. In standard situations, the term shall not be less than fourteen days. In urgent situations, the Chairman may indicate a shorter term, in no case less than three days.

3. Draft decisions submitted for adoption via written procedure shall be considered approved if within the period specified by the Chairman the majority of the delegations entitled to vote do not object to, or vote in favour of, the document submitted.

4. The result of the vote is communicated to the members and recorded in the minutes of the following meeting of the WPPJ.

5. Where the written procedure is initiated by the Chairman, it may be interrupted if one of the delegations entitled to vote formally presents a reasoned request within 3 days that the draft be discussed in a meeting of the WPPJ.

Art. 8 ***Minutes***

1. Minutes shall be made of all meetings of the WPPJ.

2. They shall contain:

- a) The list of those present at the meeting;
- b) A brief summary record of the proceeding;
- c) Opinions and recommendations adopted by the WPPJ, giving an indication of the voting figures.
- d) Any view noted by the delegations whenever so requested.

3. The Minutes shall be adopted by the WPPJ.

Art. 9 ***Activity Report and Publicity***

1. The WPPJ shall draw up a report of its activity at least once every year and present it to the Conference.

2. The minutes and any draft documents of the WPPJ shall not be public documents, unless the Working Party decides otherwise. Opinions, recommendations and any other documents adopted by the WPPJ shall be public, unless the Working Party decides otherwise.

Art. 10 ***Provisional rule***

1. Until a permanent secretariat is formally established, the Chairman and Vice-Chairman shall between them fulfil this function taking advantage of the services of the Council's data protection secretariat to carry out the necessary tasks.

Art. 11

Amendment and entry into force of the Rules of Procedure

1. These Rules shall entry into force on the day following their approval by the Conference.
2. These Rules shall be approved by the WPPJ and applied provisionally pending approval by the Conference.
3. Amendments to these rules shall be adopted by the Conference.