

EXECUTIVE DIRECTORATE

Note to the Management Board

Adoption of the updated Management Board Decision on the establishment and operation of the Scientific Committee, Scientific Panels and their Working Groups.

At the Management Board meeting held on 15 March 2012, the Board adopted a *Decision concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups*. With the forthcoming renewal of the 10 Scientific Panels and the Scientific Committee in 2018, it is proposed to update this decision to take into account the reflection of the Board with regards to the selection and operations of the Scientific Committee and Panel members. A draft document was discussed at the Management Board meeting on 14 December 2016. This revised version, which takes into account the comments made at the meeting, is now presented.

Compared to the current Management Board Decision the following more substantial changes have been introduced into the present document (these substantial changes were already discussed and agreed at the last meeting):

- The number of members of the Scientific Panel can range between 15-25 experts.
- Maximum three terms of office in the same Scientific Panel.
- Maximum two term of office as Chair in the same Scientific Panel /Committee.
- Term of office shorter than 18 month will not count as a term of office.
- Experts taking part in the adoption need to express respective views in favour or against the opinion.
- Better description of the role of EFSA staff.

Following adoption of this document, related documents will be amended accordingly (e.g. Executive Director Decision on the selection of members of Scientific Committee/Panels and its Working Group, and related SOPs)

It is proposed that the document becomes applicable with effect as from 1 June 2017 which is the date of the launch of the call for the renewal of the 10 Scientific Panels and the Scientific Committee in 2018.

To the Management Board for possible adoption.

DECISION

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| EFSA – European Food Safety Authority | Decision of the Management Board of the European Food Safety Authority concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups | Decision No.: mb170322-a4 |
| | Effective Date: 01/06/2017 | Supersedes: mb 15 03 12 - Rules of procedure of the Scientific Committee, of the Scientific Panels and their Working Groups - ADOPTED |

| Approvals | Signature | Name |
|------------------|--------------|-------------------------------------|
| Originator | Signed | Juliane Kleiner (ED Office) |
| Reviewer | Signed | Bernhard Url (Executive Director) |
| Management Board | See Decision | Jaana Husu-Kallio (Chair of the MB) |

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| Introduction | The last update of the Management Board Decision concerning the establishment and operation of the Scientific Committee, Scientific Panels and of their Working Groups was in 2012. In view of the 2018 renewal of the 10 Scientific Panels and the Scientific Committee some amendments have been introduced into the document. |
| Description | Compared to the previous version the following substantial changes have been introduced into the present document: <ul style="list-style-type: none"> - The number of members of the Scientific Panel can range between 15-25 experts. - Maximum three terms of office in the same Scientific Panel. - Maximum two term of office as Chair in the same Scientific Panel /Committee. - Term of office shorter than 18 month will not count as a term of office. - Experts taking part in the adoption need to express respective views in favour or against the opinion. - Better description of the role of EFSA staff. |
| References | <ul style="list-style-type: none"> • Regulation (EC) No 178/2002. • Regulation (EC) No 1304/2003 • Decision of the Executive Director of EFSA concerning the selection of members of the Scientific Committee, Scientific Panels and external experts to assist EFSA with its scientific work • Decision of the Executive Director laying down the rules on the reimbursement of expenses incurred by third parties from outside EFSA invited to attend meetings in an expert capacity • EFSA Policy on Independence and its implementing rules |
| Abbreviations | <i>See Decision</i> |

DECISION OF THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY

Concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups

THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY,

Having regard to Regulation (EC) No 178/2002 (hereinafter referred to as 'the Regulation') of the European Parliament and the Council of 28 January 2002 laying down the general principles of food law, establishing the European Food Safety Authority and laying down procedures in relation to food safety, and in particular to Chapter III thereof¹,

Having regard to Regulation (EC) No 1304/2003 of 23 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it²,

Whereas:

- (1) The rules governing the establishment and operations of the Scientific Committee and Scientific Panels should be in line with the requirements of the Regulation (EC) No 178/2002, and in particular Article 28(9) thereof, which requires that the procedures for the operation and co-operation of the Scientific Committee and the Scientific Panels shall be laid down in the internal rules of the European Food Safety Authority, specifying in particular:
 - the number of times that a member can serve consecutively on a Scientific Committee or Scientific Panel;
 - the number of members in each Scientific Panel;
 - the procedure for reimbursing the expenses of members of the Scientific Committee and the Scientific Panels;
 - the manner in which tasks and requests for scientific opinions are assigned to the Scientific Committee and the Scientific Panels, including tasks and requests addressing multisectoral issues;
 - the creation and organisation of the Working Groups of the Scientific Committee and the Scientific Panels, and the possibility of external experts being included in those Working Groups;
 - the possibility of observers being invited to meetings of the Scientific Committee and the Scientific Panels;
 - the possibility of organising public hearings.

HAS ADOPTED THE FOLLOWING DECISION:

¹ OJ L 31, 1.2.2002, p. 1.

² OJ L 185, 24.7.2003, p. 6.

TITLE I

SCIENTIFIC COMMITTEE AND SCIENTIFIC PANELS

Article 1

Appointment of members of the Scientific Committee and Panels and their Terms of Office

1. Members of the Scientific Committee or Scientific Panels shall be appointed by the Management Board, acting upon a proposal from the Executive Director, following publication in the Official Journal, in relevant leading scientific publications and on the Authority's website of a call for expressions of interest.³ The Management Board oversees the correct application of the selection procedure.
2. Shortlisted candidates not being proposed for appointment shall be included on a reserve list. The Executive Director draws up implementing rules for the selection of members of the Scientific Committee and Scientific Panels.
3. When appointing members, the Authority shall ensure a high level of collective scientific competence and expertise to fulfil the mandate of the Scientific Committee and Scientific Panels, and, consistent with this, a geographical distribution that reflects the diversity of scientific problems and approaches in the European Union.
4. Members of the Scientific Committee and of the Scientific Panels shall be appointed for a three year term of office that may be renewed twice.
5. Members who have just completed three or less terms of office in the Scientific Committee shall be eligible for membership of a Scientific Panel. Likewise, members who have just completed three or less terms of office in a Scientific Panel shall be eligible for membership of the Scientific Committee or of a different Scientific Panel. Candidates who have already served three terms of office at any time in the Scientific Committee or in a Scientific Panel shall not be eligible for membership of the same scientific entity.

Article 2

Delegation of responsibilities

1. The members of the Scientific Committee and Scientific Panels are appointed in a personal capacity. They shall therefore not delegate their responsibilities to another member or to a third person nor represent the opinion of a Member State, or any other organisation.

³ Article 28(5) of the Regulation.

2. If the Chair is not in a position to fulfil his/her function, he/she may be replaced by one of the Vice-Chairs or, failing that, by another member in common accord of the members.

Article 3

Number of members in the Scientific Panel

1. The number of members of a Scientific Panel should be sufficient to fulfil its mandate, ranging from 15 (minimum) to 25 members (maximum) depending on the workload planned for the relevant term of office and the expertise needed. The Authority may decide to defer nomination of some of the members of a Scientific Panel to allow for the need to add expertise in the light of practical experience, emerging risks or urgent requests for scientific advice.

2. The term of office of members nominated at a later date shall terminate at the same time as other members. A term of office shorter than 18 months shall not be counted to the purpose of establishing whether the three terms of office set out in Article 1(4) applies.

Article 4

Election of the Chairs and Vice-Chairs of the Scientific Committee and Scientific Panels

1. The Scientific Committee and Scientific Panels shall elect from among their members a Chair and two Vice-Chairs. The terms of office of the Chair and Vice-Chairs shall be three years. A member of a Scientific Panel or Scientific Committee may serve as Chair or Vice-Chair of the same entity for two terms, and shall not be considered eligible to run as Chair/Vice-Chair candidate for a third term.

2. The Chair shall be elected by secret ballot. Subject to a unanimous decision by the Scientific Committee or the relevant Scientific Panel, the secrecy requirement for the ballot may be waived. The Executive Director or his/her designated representative shall chair the election procedures. The procedure shall be as follows:

- (a) The names of those wishing to stand as candidates shall be notified to the Secretariat before the meeting or be announced at the meeting. Members may present themselves as candidates in their own name or be proposed by another member in compliance with the principles referred to in Article 30 of the present Decision.
- (b) Where there is a single candidate or where the other candidates withdraw, leaving a single candidate, that candidate shall be elected provided that he or she receives the majority of votes cast.
- (c) Where there are several candidates, election shall take place in accordance with the following procedure:
 - The candidate who receives at least a two-thirds majority of the votes of all members is elected. Where none of the candidates receives a two-thirds

majority of the votes of all members, at each round the candidate(s) with the lowest number of votes shall withdraw.

- When only two candidates are left, the candidate receiving the majority will be elected.

(d) Candidates may withdraw their candidature at any time during the procedure.

3. Two Vice-Chairs shall be elected following a procedure identical to that of the Chair. The Vice-Chairs shall be elected separately. The names of the Chair and Vice-Chairs shall be recorded in the minutes of the meeting and shall be made public. If the office of Chair falls vacant, the Scientific Committee/the relevant Scientific Panel will decide which of the Vice-Chairs shall replace him or her until later elections.

Article 5

Dismissal and replacement of members

A member of the Scientific Committee and/or a Scientific Panel may be dismissed by the Management Board, on a proposal of the Executive Director, for not contributing effectively to the work of the Scientific Committee and/or Scientific Panels or for actions which are conflicting with EFSA's internal rules. In those cases, or if a member wishes to resign, the Management Board, acting on a proposal of the Executive Director, may appoint a replacement from the reserve list referred to in Article 1(2).

Article 6

Requests for scientific advice

The Executive Director shall assign requests for a scientific opinion to either the Scientific Panels in accordance with their mandate⁴ or the Scientific Committee for tasks on multi-sectoral issues and on issues which do not fall within the competence of any of the Scientific Panels.

Article 7

Risk-related issues raised by the Scientific Committee or Scientific Panels

1. The Scientific Committee or a Scientific Panel may draw the Executive Director's attention to any specific or emerging issue falling within its remit which it considers to pose an actual or potential risk to human health, animal health, plant health or the environment. The Scientific Committee shall also be informed of issues raised by a Scientific Panel.

2. The Executive Director shall determine the action to be taken including, if appropriate, a request for a scientific opinion or report on the matter. In any event, the Secretariats shall inform the Scientific Committee and the relevant Scientific Panel(s) of the Executive Director's decision.

⁴ The mandates of the Scientific Panels are set out in Article 28(4) of the Regulation.

Article 8

Co-ordination of the work of the Scientific Committee and the Scientific Panels

1. The Chairs of the Scientific Panels shall keep the Scientific Committee informed of their activities through regular reports at meetings of the Scientific Committee.
2. The Scientific Committee shall be responsible in ensuring consistency in the approach to risk assessment from the development of guidance on methods to its consistent implementation across all Scientific Panels.

Article 9

Planning of meetings⁵ documentation and time limits

1. The Scientific Committee and Scientific Panels shall establish a schedule of their meetings for the forthcoming calendar year.
2. The draft agendas of the meetings of the Scientific Committee and Scientific Panels shall be drawn up by the Secretariats in consultation with the Chair. The draft agenda shall be circulated to its members and shall be published on the Authority's website before the meeting. The agenda shall be adopted at the beginning of the meeting taking account of any agreed amendments.
3. As regards time-limits for the delivery of scientific opinions, the Authority shall apply the provisions laid down in Article 7 of Commission Regulation (EC) No 1304/2003. The Scientific Committee and Scientific Panels shall prioritise their work to ensure that time-limits are respected.

Article 10

Accelerated Procedures

1. Without prejudice to the Regulation and Commission Regulation (EC) No 1304/2003, and when not otherwise established, the procedure to be followed in order to address an

urgent matter shall depend *inter alia* on the degree of urgency and the nature of the question and may be either:

- (a) A response that may take the form of a statement or opinion adopted either by the Scientific Committee or the relevant Scientific Panel and issued by the Authority. The development and adoption of a statement or an opinion shall be undertaken by the Scientific Committee or the relevant Scientific Panel as far as possible in accordance with standard operating procedures, under the Executive

⁵ The definition of meetings includes physical meetings and meetings held by video/audio/web conference, hereinafter referred to as 'tele-meeting'.

Director's direction and taking into account the limited time allocated for the response to the question (fast track);

- (b) A statement by the Authority prepared by the Authority's members of staff. The Chair of the Scientific Committee or of the relevant Scientific Panel shall be informed of the question and the process. Experts from the Scientific Committee or the relevant Scientific Panel and/or a Working Group may be consulted during the process.

2. Where necessary, implementing rules for the procedures described in (a) and (b) of paragraph 1 will be adopted by the Executive Director.

Article 11

Public/targeted consultation

1. In line with its commitment to advance public and stakeholder engagement in the context of its scientific assessment process, the Authority, in consultation with its Scientific Committee or Scientific Panels, may decide to launch a public or targeted consultation on a given mandate or on a draft scientific output.
2. The responsible Scientific Committee, Scientific Panel or Working Group shall take account of the comments received during the consultation.
3. All comments received during the public consultation shall be published together with a report outlining EFSA's response to the points raised.

Article 12

Written Procedures

In the event that the nature, urgency or circumstances do not necessitate or allow discussion at a meeting, a draft opinion, a statement or guidance may be adopted by written procedure. In this case, the Secretariats shall send the draft opinion to the members of the Scientific Committee or the relevant Scientific Panel with a request for approval by a specified date. The draft shall be adopted if the majority of the members of the Scientific Committee or Scientific Panel have expressed their approval before the deadline. If a majority is not reached, the draft opinion must be placed on the agenda for the next meeting of the Scientific Committee or the relevant Scientific Panel or, if the urgency requires this, an ad-hoc meeting shall be convened at the earliest date at which

the quorum can be assured. The conclusion of the written procedure needs to be included in the minutes of the meeting.

Article 13

Adoption of a Scientific Committee/Panel Output

1. The Scientific Committee and individual Scientific Panels shall adopt their scientific opinions at their plenary meetings or by the procedure set out in Article 12.
2. A quorum of at least two thirds of the members of the Scientific Committee or of a Scientific Panel shall have to be present in order to be able to adopt opinions validly.
3. The Scientific Committee and Scientific Panels shall adopt opinions by majority of their members. Members of the Scientific Committee and Scientific Panels present at the meeting shall cast their vote by expressing either their agreement or their disagreement with the draft output (minority opinion(s) to be presented at the conditions set out in Article 15).
4. A scientific opinion shall comprise the question posed by the Commission, the Parliament, a Member State or the Authority itself, the terms of reference, the background to the request, the information considered the scientific reasoning and the opinion of the Scientific Committee or the Scientific Panel.
5. With the exception of the elements of the opinion considered confidential pursuant to Article 39 of the Regulation or relevant sectorial legislation, the full scientific opinion shall be published without delay on the Authority's journal.

Article 14

Access to meetings and confidentiality of individual views of participants

1. The representatives of the Commission's departments shall be entitled to be present in the meetings. If invited to do so, they may assist for the purposes of clarification or information but shall not seek to influence discussions.
2. The Executive Director may invite observers to attend the meetings of the Scientific Committee and the Scientific Panels. This is in particular the case, when EFSA receives a mandate from a Member State or the European Parliament. Observers shall not in any way participate or intervene in the discussions, drafting, voting or in other activities carried out in the meetings they attend.
3. With the exception of minority opinions referred to in Article 15, individual views, whether expressed orally or in writing by members during deliberations within the Scientific Committee or Scientific Panels shall be confidential.

Article 15

Minority opinions

Without prejudice to the use to written procedure in urgent cases, the opinions of the Scientific Committee and Scientific Panels within the meaning of Article 29 of the

Regulation shall include any minority opinions expressed by individual members of the Scientific Committee and Scientific Panels. Minority opinions shall be presented and explained by their authors at the latest at the meeting where the draft opinion is put on the agenda for adoption. Minority opinions shall include supporting argumentation, shall clearly identify the part of the opinion to which they refer, shall be attributed to their author(s) and shall be discussed by the relevant Scientific Panel or the Scientific Committee. The outcome of the discussions regarding the adoption of the opinion including comments by the Panel or Committee on the minority opinion shall be recorded in the minutes of the relevant meeting.

Article 16

Minutes

1. In accordance with Article 26 of the present Decision, the Secretariats of the Scientific Committee and Scientific Panels shall prepare draft minutes of plenary meetings. These shall contain, *inter alia*:

- the list of participants;
- potential conflicts of interests identified by screening Specific or Oral Declarations of Interests made by participants and the action taken to prevent their occurrence;
- a summary of discussions, including agreed actions;
- if applicable, a summary of the discussion on any minority opinion expressed by members of the Panel;
- if applicable, remaining diverging views expressed by members of the Working Group (pursuant to Article 25);
- a record of decisions taken and opinions adopted.

2. The draft minutes shall be circulated to members for comments and agreement in line with EFSA's standard operating procedures.

3. The minutes shall be placed on the Authority's website after they have been agreed.

TITLE II

WORKING GROUPS

Article 17

Working Groups

1. The Scientific Committee and Scientific Panels may establish Working Groups whenever they deem it necessary for reasons related to the need for external expertise or their capacity to fulfil their mandates or in order to enhance the multidisciplinary nature of their expertise. The Scientific Committee and Scientific Panels shall entrust the Working Groups with tasks that are clearly defined. In particular, the Working Group may be asked to undertake all necessary preparatory tasks in relation to a draft contribution. The Scientific Committee or the relevant Scientific Panel can require that these tasks be completed within a set period.
2. Working Groups shall report to the Scientific Committee or the relevant Scientific Panel that convened them and shall be chaired by a member of the Scientific Committee or a Scientific Panel.
3. The names of participants, including the Chair, of Working Groups shall be made public.

Article 18

Delegation of responsibilities

The members of the Working Groups are appointed in a personal capacity. They shall therefore not delegate their responsibilities to another member or to a third person.

Article 19

Number and composition of members of the Working Groups

The number of members and composition of a Working Group shall be decided ensuring that all the competences needed to fulfil its mandate are sufficiently represented.

Article 20

Nomination of the Chairs and Vice-Chairs of the Working Groups

1. The Chair of the Working Group is nominated by the Chair of the Scientific Committee or the relevant Scientific Panel, following consultation with the Secretariat in compliance with the principles referred to in Article 30.

2. When appropriate, Vice-Chairs of the Working Groups may be nominated by the Chair of the Scientific Committee or the relevant Scientific Panel, following consultation with the Secretariat.

Article 21

External experts

1. Without prejudice to Regulation, external experts possessing particular and relevant scientific knowledge may be invited to contribute to the work of the Working Groups. The Executive Director draws up implementing rules for their selection procedure and their designation⁶.

2. An external expert may be excluded from further activity within the Authority by the Executive Director in consultation with the Chair of the Working Group for not contributing effectively to the work of the Working Group or for actions which are conflicting with the Authority's internal rules.

Article 22

Rapporteurs

1. After the acceptance of a request for a draft opinion, the Chair of the Working Group in consultation with the Secretariat supporting that Working Group may designate one or more Rapporteurs. Rapporteur(s) shall ensure that the draft opinion is prepared, if necessary within a set time period. The Rapporteur(s) shall work in close co-operation with the relevant Secretariat and may present the draft opinion of the Working Group to the relevant Scientific Panel.

2. The work of a Rapporteur ends when the Authority issues the opinion.

Article 23

Access to meetings and confidentiality of individual views of participants

1. The representatives of the Commission's departments shall be entitled to be present in the meetings. If invited to do so, they may assist for the purposes of clarification or information but shall not seek to influence discussions.

2. The Executive Director may invite observers to attend the meetings of Working Groups. This is in particular the case, when EFSA receives a mandate from a Member State or the European Parliament. Observers shall not in any way participate or intervene in the discussions, in the drafting or in other activities carried out in the meetings they attend.

⁶ Decision of the Executive Director of EFSA concerning the selection of members of the Scientific Committee, Scientific Panels and external experts to assist EFSA with its scientific work, available at <http://www.efsa.europa.eu/en/about/corporatedocs>

3. Without prejudice to the organisation of meetings open to observers, or to Regulation (EC) No 1049/2001 on public access to documents, individual views expressed orally by members during discussion within Working Groups shall be confidential.

Article 24

Finalisation of a draft contribution

1. The Working Group shall finalise their draft contribution to the work of the Scientific Committee or the Scientific Panels at their meetings or in writing. The Chair of the Working Group shall decide when the Terms of Reference of the relevant mandate or question have been addressed in the draft contribution.
2. Upon decision of the Chair of the Working Group, the draft contribution shall be forwarded to the Scientific Committee or the relevant Scientific Panel(s). Diverging views expressed by members of the Working Group shall be reported by the Chair of the Working Group to the Scientific Committee or the relevant Scientific Panel(s) for consideration.

Article 25

Minutes

1. According to its tasks, as laid down in the present Decision, the Secretariat providing support to the Working Group shall prepare draft minutes of Working Groups' meetings. These shall contain, *inter alia*:
 - the list of participants;
 - potential conflicts of interests identified by screening Declarations of Interests filled in by participants and the action taken to prevent their occurrence;
 - a summary of discussion including agreed actions;
 - if applicable, any diverging views expressed by members of the Working Group on the final draft.
2. The draft minutes shall be circulated to members for comments and agreement in line with EFSA's standard operating procedures.
3. The minutes shall be placed on the Authority's website after they have been agreed.

TITLE III

COMMON PROVISIONS

Article 26

EFSA Secretariats of the Scientific Committee, the Scientific Panels and its Working Groups

The Head of the Unit supporting the Scientific Committee, a Scientific Panel or a Working Group shall be responsible for providing the scientific, technical and administrative support needed to facilitate the efficient functioning of the relevant scientific entity. Specific duties of the EFSA secretariats shall include, but are not limited to:

- Support the scientific work within and between the Scientific Committee, Scientific Panels and their Working Groups;
- Ensure that the Scientific Committee and Scientific Panels work in close co-operation with each other;
- Draft scientific outputs and assessment of applications as a basis for discussion in Working Groups and Scientific Committee/Panel meetings;
- Prepare scientific advice in specific circumstances (e.g. request for urgent advice, self-tasking);
- Provide scientific or technical assistance in accordance with Article 31 of the Regulation;
- Ensure consistency of EFSA's risk assessment approaches;
- Safeguard adherence to sector specific and horizontal EFSA guidance documents and relevant EU legislation and EFSA internal rules;
- Exercise vigilance in order to identify at an early stage any potential source of divergence between the scientific opinion of the Scientific Committee or Scientific Panel and those issued by other bodies carrying out similar tasks;
- Promote adequate cooperation with Member States;
- Administrative/technical support;
- Draft agendas and minutes of meetings in line with EFSA's standard operating procedures;
- Ensure that relevant background information is made available to the Scientific Committee or Scientific Panels and Working Groups;
- Monitor scientific and regulatory developments;
- Provide information on the legal or public policy aspects of questions.

Article 27

Technical hearings and Hearing Experts

1. Upon suggestion of the Scientific Committee or a Scientific Panel, technical hearings may be organized by the Secretariats if it considers it necessary for the development of a scientific output. The Scientific Committee or a Scientific Panel shall not take any decisions during hearings.
2. Technical hearings shall be announced on the EFSA website.
3. Upon suggestion of the Scientific Committee/Panels or their Working Groups, EFSA may invite hearing experts on an *ad hoc* basis to present and share information, data, or knowledge in their possession with the members of the responsible Scientific Committee/Panel/Working Group and answer questions related to their input. Hearing experts shall be indicated in the minutes of the Scientific Committee, Scientific Panel or Working Groups and shall not carry out tasks that are under the responsibility of the members of the Scientific Committee/Panels or their Working Groups.

Article 28

Mission expenses of members, external experts and indemnities

1. Travel and subsistence expenses incurred by members in connection with meetings relating to the Scientific Committee or Scientific Panels or incurred by members or external experts in connection with meetings relating to one of their Working Groups shall be reimbursed by the Authority in accordance with the scales laid down in the Authority experts' compensation guide⁷, in line with the Commission Decision related to the experts compensation.
2. Members and external experts shall be entitled to an indemnity in accordance with the scales laid down in the Authority experts' compensation guide, to defray other costs derived from their contribution to and participation in the work of the Scientific Committee or a Scientific Panel or one of their Working Groups. As a compensation for costs incurred by the preparatory work for meetings, rapporteurs, the Chairs of the Scientific Committee, Scientific Panels and Working Groups shall be entitled to an additional indemnity in accordance with the scales laid down in the Authority experts' compensation guide.

Article 29

Confidentiality

1. Members of Scientific Committee or Scientific Panels as well as external experts and hearing experts participating in their Working Groups, or acting as observers, shall not

⁷ Decision of the Executive Director laying down the rules on the reimbursement of expenses incurred by third parties from outside EFSA invited to attend meetings in an expert capacity, available at http://www.efsa.europa.eu/sites/default/files/Experts_compensation_guide.pdf

divulge to third parties information specifically identified by the Authority as 'restricted' or 'confidential'.

2. Members of the Scientific Committee or Panels as well as external experts and hearing experts participating in their Working Groups, or acting as observers, shall declare that they will comply with the rules of confidentiality.

3. Members of the Scientific Committee or Scientific Panels and external experts participating in their Working Groups, or acting as observers, shall be required, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 30

Independence

Members of the Scientific Committee, Scientific Panels and Working Groups, as well as external experts shall comply with EFSA's independence policy and rules on declarations of interest⁸.

Article 31

Entry into force and transitional measures

1. The present Decision shall enter into force on the day following the date of its adoption.

2. The present Decision becomes applicable and repeals the Decision of the EFSA Management Board of 17 March 2012 concerning the establishment and operations of the Scientific Committee, Scientific Panels and of their Working Groups with effect as from 1 June 2017.

3. Members of EFSA's Scientific Committee and Scientific Panels who were appointed before this decision becomes applicable may continue to serve irrespective of Article 1(5).

Adopted in Parma on 22 March 2017

For EFSA's Management Board

[NOT SIGNED]

Jaana Husu-Kallio

Chair of the Management Board

⁸ EFSA Policy on Independence and its implementing rules are available at <http://www.efsa.europa.eu/en/about/corporatedocs>