DECISION No MB/2019/11
OF THE MANAGEMENT BOARD OF
THE EUROPEAN UNION AGENCY FOR CYBERSECURITY
ON THE ESTABLISHMENT AND OPERATION OF
AD HOC WORKING GROUPS
FOR EUROPEAN CYBERSECURITY CERTIFICATION SCHEME

THE MANAGEMENT BOARD OF ENISA,

Having regard to the Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act)[1], in particular Article 20(4) and article 49 (4).

Whereas:

(1)   The procedures regarding the establishment and operation of an ad hoc Working Group, hereinafter called a "Working Group", are to be specified in the internal rules of operation of the EU Agency for cybersecurity (hereinafter referred to as "ENISA" or "Agency".

(2)   For the purpose of preparing a European cybersecurity certification candidate scheme, the Executive Director shall establish a Working Group.

(3)   The establishment of a Working Group should enable the Agency to have access to the most updated, objective and reliable information available in relation to the subject-matter area of a cybersecurity certification scheme.

(4)   The selection process needs to be transparent and inclusive and to contribute to a balanced composition of expert groups. The Agency will use public calls for applications for the composition of Working Groups.

(5)   The Executive Director will decide on the cases of possible conflict of interest of members of a working group.

(6)   The experts who participate as members in a Working Group should not be selected among the Agency's staff.

HAS ADOPTED THIS DECISION:

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[1] *OJ L 151, 7.6.2019, p. 15–69*

Article 1
Establishment of a Working Group

1. The Executive Director shall establish a Working Group for each European cybersecurity certification candidate scheme.

2. The objective and tasks of the Working Group, its duration and names of the experts selected as members of the Working Group will be specified by the Executive Director.

3. The duration of the Working Group shall be in line with the request for a scheme received by ENISA and may be reviewed if necessary.

4. The Executive Director shall inform the Management Board of his/her intention to establish a Working Group beforehand.

Article 2
Organisation of Working Groups

1. ENISA provides the Chairperson for the working Groups at all times. Working Groups may elect up to two Vice Chairs to support the work of the Chairperson.

2. A working group may be supported in their day-to-day tasks by [up to five] rapporteurs who can assist with editorial and document management tasks and activities. Rapporteurs are selected from among the members of the ad hoc working group and they can be remunerated.

Article 3
Reimbursement of expenses

Expenses incurred by members in connection with the activities of the Working Group, including travel and subsistence expenses of experts shall be reimbursed by the Agency according to the Agency's rules. Members designated by Member States and representatives of European standardisation organisations, standards developing organisations and industry associations representatives may be reimbursed upon submitting a request to ENISA.

Article 4
Chairperson

1. The Executive Director designates a Chairperson for the Working Group from among ENISA staff. The Chairperson convenes the meetings of the Working Group, administers the agenda of the meeting and generally address all organisational aspects involved.

2. The Chairperson ensures the communication of the Working Group with the relevant bodies established under the Title III of the Regulation (EU) No 2019/881 and gives an account of its operation to the Executive Director.

Article 5
Secretariat

A secretariat service may be made available by ENISA to a Working Group for the purpose of supporting the Chairperson and the Working Group.

Article 6
Convening meetings

1. As a general rule, the Secretariat will convene a meeting providing due notice thereto ten (10) working days but shorter notice periods are equally acceptable.

2. The working language of the meetings is English.

3. Meetings of the Working Groups may be conducted by means of tele/video conferencing.

Article 7
Attendance at meetings

1. The meetings of the Working Groups shall not be held in public. The Executive Director may attend meetings without prior notice.

2. Representatives of the European Commission can join meetings.

3. Where appropriate, a Working Group may invite third party experts to submit independent reports and/or opinions to its attention.

4. Participants who require financial support to attend a meeting can make a request to ENISA to be reimbursed according to the ENISA reimbursement rules.

Article 8
Declaration of interests

Members of a Working Group shall declare any interest, which may be considered to be prejudicial to their independence as soon as such issue is known to the member concerned.

Article 9
Transparency and personal data

1. The provisions laid down by the Regulation 1049/2001[2], shall apply.
2. Personal data shall be treated in accordance with Regulation (EU) 2018/1725[3].

Article 10
Confidentiality

The members of the Working Groups are subject to the requirements of confidentiality pursuant to Article 339 of the Treaty on the Functioning of the European Union, even after their duties have ceased.

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[2] Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.5.2001, p. 43.

[3] Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Done at Athens on 21 November 2019

For ENISA

[signed]

Chairperson of the Management Board

Jean Baptiste Demaison