



**DECISION No MB/2014/7**  
**OF THE MANAGEMENT BOARD OF THE**  
**EUROPEAN UNION AGENCY FOR NETWORK AND INFORMATION SECURITY**  
**ON THE ESTABLISHMENT AND OPERATION**  
**OF THE PERMANENT STAKEHOLDERS' GROUP**

THE MANAGEMENT BOARD OF ENISA,

Having regard to Regulation (EU) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security and repealing Regulation (EC) No 460/2004 (hereinafter referred to as the Regulation) and in particular Article 12 (2),

Whereas:

- (1) The establishment of the Permanent Stakeholders' Group, hereinafter referred to as "the PSG", should enable the European Union Agency for Network and Information Security, hereinafter referred to as "ENISA" or "the Agency", to maintain regular dialogue with the private sector, consumer organisations, academic experts and representatives of national regulatory authorities, as well as law enforcement and privacy protection authorities.
- (2) PSG is established to advise the ENISA Executive Director on drawing up a proposal for the Agency's work programme and performance on the Agency's activities as well as on ensuring communications with the relevant stakeholders on all issues related to the Agency's work programme.
- (3) The present document should be in line with Article 5 (11) of the Regulation, requiring that the Agency's internal rules of operation shall be adopted after consulting the Commission Services.
- (4) The transitional provisions as regards the PSG members selected and appointed "*ad personam*" on 17 August 2012 for the term of the office from 17 August 2012 to 16 February 2015 should be provided.

HAS ADOPTED THIS DECISION:

**Article 1**  
**Composition and number of experts of the PSG**

1. The PSG shall be composed of the following members:
  - a. recognised experts of private sector, namely, from information and communication technology (ICT) industry or providers of the electronic communications networks or services available to the public; consumer groups; academia experts in network and information security, and

- b. a representative nominated by the Body of European Regulators for Electronic Communications<sup>1</sup>, a representative nominated by the Article 29 Data Protection Working Party<sup>2</sup> and a representative nominated by the European Police Office (Europol)<sup>3</sup> (hereinafter referred to as "Nominated representatives").
2. Each nominated representative shall have an alternate to represent them in their absence.
3. The Chair of the Body of European Regulators for Electronic Communications shall remain as the nominated representative for any communication between the BEREC and ENISA on PSG matters.
4. The total number of PSG members shall not exceed thirty three (33). The indications of the number of places to be allocated to the experts from the private sector, consumer groups and academia shall be announced in the text of the "Call for expression of interest for the membership of the PSG" (hereinafter referred to as "the Call"), which is issued by the ENISA.

## **Article 2**

### **Establishment of the PSG**

1. The Executive Director shall draw up a list of recognised experts of private sector, consumer groups and academia on the basis of the results of an open call for expression of interest.
2. The Call shall invite experts from the following areas:
  - a) the information and communication technology (ICT) industries, including, e.g. fixed and mobile electronic communication providers, internet service providers, network and information security service providers, hardware and software industries;
  - b) consumer organisations, including, e.g., internet users associations, non-governmental organisations;
  - c) academic institutions, including experts in e.g. cryptography, biometrics, risk analyses, network and information security, electronic processes;to express their interest and motivation in participating in the work of the PSG.
3. Prior to the publication of the Call, the Executive Director shall submit the text of the Call to the Management Board for approval.
4. The Executive Director shall then select experts and together with the Nominated representatives propose to the Management Board to appoint them as members of PSG. Appointments for experts mentioned in paragraph 2 of this article shall be made "*ad personam*". They shall therefore not delegate their responsibilities to another member or to a third person.
5. The appointment to the PSG is for the period of the two and a half years (hereinafter referred to as "The mandate"). The mandate of experts appointed at a later date shall terminate on the date of the expiry of the Mandate of the PSG.

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<sup>1</sup> OJ L337/2, 18.2.2009

<sup>2</sup> This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

<sup>3</sup> 2009/371/JHA

**Article 3**  
**Status of members and reimbursements of expenses**

1. The members of the PSG shall not belong to the Agency's staff.
2. All travel and subsistence expenses incurred by PSG members in connection with meetings relating to PSG activities shall be paid by the Agency in accordance with a decision of the Executive Director, which shall be put in place before the appointment of the PSG.

**Article 4**  
**The Convening of meetings and the Secretariat**

1. The PSG meetings are convened by the Executive Director, either on his /her own initiative, or at the request of a simple majority of the PSG members.
2. The Executive Director shall send invitations to the PSG members which include the meeting agenda and supporting documents. As a general rule, the Secretariat provided by the Agency will confirm a meeting not less than 10 (ten) working days before the date of the meeting and shall give notification of cancellation not less than five (5) working days before the date of the meeting. When an urgent matter arises, the meetings of PSG may be called at shorter notice.

**Article 5**  
**Dismissal and replacement of members**

A member of the PSG may be dismissed by the Management Board, on a proposal of the Executive Director, if three consecutive meetings are not attended. In those cases, or where a member wishes to resign him/herself, the Management Board, acting on a proposal of the Executive Director, may appoint a replacement from the reserve list established during the Call.

**Article 6**  
**Access to meetings**

The Executive Director may invite observers to attend the PSG meeting. Observers attending the meeting are entitled to request a floor to express their opinion, but shall not participate in the voting or in other activities carried out in the meetings they attend.

**Article 7**  
**Quorum**

No quorum shall be required for meetings of the PSG meeting to be valid.

**Article 8**  
**Transitional provisions**

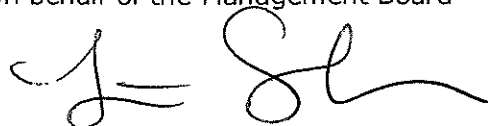
1. The former representatives from the Management Board representing the academia and consumer group, who are not reappointed under the Regulation (EU) No 526/2013, shall be appointed as members of the PSG up to the 16 February 2015.
2. The Nominated representatives shall be appointed as members of the PSG up to the 16 February 2015.

**Article 9**  
**Entry into force**

1. This decision shall enter into force on the date of its adoption.
2. The entry into force of this decision repeals the Decision of the Management Board of the 8<sup>th</sup> October 2004 regarding the establishment and operations of the Permanent Stakeholders' Group of the European Network and Information Security Agency.

Done at .....on .....  
28/10 2014

On behalf of the Management Board



*Chairperson*