

Terms of Reference for the EU-Japan Business Round Table

A. Objective

1. The EU-Japan Business Round Table (BRT) is the forum for an ongoing dialogue between business leaders of Japan and the European Union on key issues of common concern to business, exploring how to promote improved conditions for competitiveness and a barrier-free market.
2. Building on its internal dialogue, the BRT develops joint recommendations on how to enhance prospects for innovation, cooperation, trade, investment and sustainable, economic growth. The BRT presents these joint recommendations as a proactive business input to the Japanese and European Union authorities (represented by the European Commission and the Government of Japan, hereinafter referred to as “the Authorities”).
3. Members of the BRT commit to:
 - (a) Jointly discuss the key regulatory, policy and other issues of common concern to business in the European Union and Japan and how these could be addressed;
 - (b) Jointly identify areas where EU-Japan industrial and business cooperation should be deepened and enhanced;
 - (c) Jointly develop and agree appropriate recommendations to the Authorities on regulatory reforms and/or other policy initiatives;
 - (d) Review progress on the take-up and implementation of BRT recommendations by the Authorities.
 - (e) Improve cross-cultural awareness and deepen mutual understanding of the business and administrative cultures of both sides.
4. The work of the BRT is predicated on the understanding that there is high-level political commitment from the Authorities in the European Union and Japan to embrace its input and address its recommendations.

B. Membership

Members

1. The BRT is composed of individual Members from leading companies and relevant horizontal organisations in Japan or the European Union and operating both in Japan and Europe. Members must be *either* Heads or Board Level Executives or Senior Members of their company’s European or Japanese organisation. To be eligible for membership, an individual must demonstrate strong interest in developing EU-Japan business relations, and be able to speak for their company and commit their company to BRT activities.

2. If a Member leaves his/her company, the BRT membership will be deemed to transfer automatically to his/her successor in the company, provided that person fulfils the criteria set out in section B-1 above.
3. The formal Annual Meeting of the BRT is open only to Members. Suitable alternates who are either of equal status or directly report to the Member will only be accepted in exceptional circumstances and where approved by the Co-Chairs.
4. New Members are proposed by one or more of the existing Members, for consideration by both Co-Chairs. Subject to the Co-Chairs' joint approval, the new membership will be confirmed in writing by the Secretariat to the existing BRT Members and to the new Member, and will take effect on the day of the notification to the new Member by the Secretariat.
5. Each Member should nominate an official executive assistant ("sherpa") to act as a contact point for preparatory work for the BRT and as his/her representative in preparatory meetings. The "sherpa" is expected to attend the Annual Meeting as an observer, in order to provide support to his/her Member. Any associated costs must be met by the Member's own organisation.

C. Structure and Operation

Co-Chairs

1. The BRT is headed by two Co-Chairs, from the EU and Japan respectively. The Chairs are drawn from the existing Membership of their side of the BRT, proposed by the Co-Chairmen after consultation with the Secretariat, and approved by all their side's Members. Appointment of the successor to the current Co-Chair must be held at least one year ahead of his/her appointment to allow adequate time for preparation and hand-over. Each side may also elect a Deputy Co-Chair from amongst the Members, to assume the functions of Co-Chair should the latter be unavailable.
2. Each Co-Chair may serve for a maximum period of two years with possibility of renewal once.
3. Jointly, the Co-Chairs:
 - (a) Take the lead in recruiting Members to the BRT and agree upon the composition of the BRT;
 - (b) Draft and agree the BRT's annual programme of meetings and activities;
 - (c) Draft and agree the agenda for the BRT's meetings (see section D-3 below);
 - (d) Agree proposals for Working Parties to be put to the Annual Meeting (see point 3 of "Working Parties" below);
 - (e) Act as final authority on any other issues to be considered by the BRT;
 - (f) Act as final authority on the BRT joint recommendations;
 - (g) Submit, in their joint names, the BRT joint recommendations to the Authorities;
 - (h) Represent and speak on behalf of the BRT to the media and in other fora (a privilege from which all other Members are excluded);
 - (i) Liaise with the European and Japanese Authorities at the highest political level on the follow-up to the BRT recommendations;
 - (j) If appropriate, draft and agree upon a budget and annual accounts for submission to the BRT.

4. The Co-Chairs are individually responsible for briefing the Members on their side on key developments; advising them of proposed actions; consulting them prior to taking significant decisions; and keeping them informed on the results and consequences.

Working Parties

1. In order to further the objectives outlined in section A above, the BRT establishes Working Parties to prepare and follow up both the discussions at BRT meetings and BRT joint recommendations.
2. Working Parties address regulatory and policy issues of common concern to business in both the European Union and Japan, where BRT input – in the form of recommendations to the Authorities on regulatory reforms and/or other policy initiatives - will add value.
3. Any Member can make a proposal for a new Working Party. The proposal must have the support of both the Co-Chairs, who must check that it will be backed by at least one Member from each side, prior to its being submitted to the BRT Annual Meeting for discussion.

D. Meetings

General

1. In order to attain the objectives outlined in section A above, the BRT holds an Annual Meeting, alternately in the EU and Japan, the purpose of which is for Members
 - to consider the draft reports and proposed recommendations prepared and presented in the Meeting by the Working Parties;
 - to discuss and agree joint recommendations arising from the Working Party presentations (see “Decision Making” below) for subsequent submission to the Authorities;
 - to consider proposals for any new Working Parties;
 - to discuss other business issues on the agenda (see D-6 below);
 - to address any other internal matters (including confirmation of new Members);
 - to agree any press communications for immediate publication on the day of the Meeting.
2. The BRT Co-Chairs jointly develop and agree the agenda for the Annual Meeting, in consultation with the Working Parties and the Members on their respective sides.
3. The BRT Co-Chairs chair the BRT meetings. The EU-side Chair presides over meetings held in Europe and the Japanese-side Chair presides over meetings held in Japan.

Follow-up to Meetings

1. Minutes of the Annual Meetings are drafted by the Secretariat (see section E-1(d) below), for comment by all Members and final approval by the Co-Chairs.
2. The wording of the final BRT joint recommendations is drafted by the two Co-Chairs, on the basis of any proposed text provided by the Working Parties, and discussed in the Annual Meeting. The draft wording is then submitted to all Members before the end of the

Meeting for their approval, with the Co-Chairs acting, where necessary, as the final authority (see section C - *Co-Chairs* - 3(f) above).

3. The final joint recommendations are submitted directly by the Co-Chairs on behalf of the BRT's Members to the Authorities.
4. On the basis of the Authorities' Progress Report, the Working Parties evaluate to what extent the BRT recommendations have been followed. They then submit their evaluations to the Secretariat for circulation in advance of the Annual Meeting.

E. Secretariat

The EU-Japan Centre for Industrial Cooperation acts as Secretariat to the BRT. Representatives of the Secretariat attend all Annual and extraordinary Meetings. The Secretariat is responsible for:

1. Managing administrative matters relating to the running of the BRT, such as:
 - (a) preparation of Annual Meetings;
 - (b) arranging logistics for these Meetings (albeit that, while the Secretariat will endeavour to assist with block bookings, etc., in principle individual companies will remain responsible for ensuring suitable arrangements have been made for their own participants);
 - (c) assembling the final joint recommendations for approval by all Members during the Annual Meeting (see section D-2 above);
 - (d) following up on these Meetings, including drafting official minutes (confidential minutes of the Working Party presentations/discussions and public minutes of the open discussions) for comment by a stated deadline by all Members, and for final approval by the Co-Chairs;
 - (e) subsequently distributing the minutes to all Members and sherpas – using direct e-mail in the case of the confidential minutes of Working Party presentations/discussions and the BRT website in the case of the open discussions (see section D – *General* – 5 & 6 above).
2. Providing public communication and information on the BRT, by maintaining a stand-alone BRT website with all official public documents.
3. Undertaking other tasks and activities as requested by the BRT in order to further the objectives outlined in section A above.

F. Languages

1. The BRT's official languages are English and Japanese.
2. All documents referring to constitutional, budgetary, managerial or accounting matters if applicable, and reasonably demonstrated as relevant by at least one side, shall be established in both the BRT's official languages.

G. Financial Basis

1. The BRT is non-profit-making and currently does not charge for membership.

2. The costs of running the BRT Secretariat and arranging the BRT's Annual Meetings are the subject of grants paid by the Authorities to the EU-Japan Centre for Industrial Cooperation.
3. Any additional costs, including costs associated with individual company participation in BRT meetings (flights, hotel accommodation, additional interpretation and administrative facilities, other meals, etc.) will be met by the companies involved.
4. Should the BRT itself generate or spend money, it shall agree a formal auditing procedure.
5. Should the Authorities at any time withdraw their financial support for the BRT, the BRT will consider continuing to fulfil the Objective set out in section A above on a self-financing basis.
6. These Terms of Reference may be amended by the BRT.

The BRT and the Secretariat, with the support of the Authorities, agree, each to the extent to which they are concerned, to take the measures necessary to implement this Decision.

This Decision shall enter into force on 20 April 2010.

Done at Tokyo, On 19 April 2010

For the EU-Japan Business Round Table,



Tadashi Okamura
Co-Chair



Jean-Yves Le Gall
Co-Chair