



The Hague, 22/12/2015

## **Terms of Reference and mandate of the Advisory Group on Financial Services**

### **1. Status**

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The Advisory Group on Financial Services (hereafter 'the Group') is an advisory group to the Programme Board of the European Cybercrime Centre (EC3), established by and reporting to the Programme Board of EC3 (hereafter 'The Programme Board').

The Group was set up for an initial period of two years. Its work is subject to periodic review by the Programme Board, which may decide to extend its term.

The Head of EC3 will appoint the Chair of the Group after consulting with the members of the Programme Board. The EC3 will act as the Secretariat to the Group.

The Chair need not be member of the Programme Board, but as far as possible should receive endorsement by Programme Board consensus concerning his/her suitability. Individual nominations to chair will be subject to the same level of scrutiny as applications for membership (see below).

In terms of deliverables and performance monitoring, the Group will report in writing at least once a year in line with the mandate defined by the Programme Board. The Chair of the Group will deliver regular oral updates at the meetings of the Programme Board.

### **2. Tasks and role**

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With a view of getting a clear overview of the needs and priorities for financial services in the context of the cross-border fight against cybercrime, the purpose of the Group is to:

- bring knowledge and expertise to the Programme Board on the impact of cybercrime on financial services and on how this sector and law enforcement can cooperate in the prevention and combating of cybercrime;
- update and share all relevant information and expertise on developments in the area of cybercrime that affect financial services;
- assist the Programme Board in defining priorities for the work of EC3 in this area, including by advising on the cooperation with the financial services and on developing concepts for enhanced prevention;
- advise the Programme Board on increasing the sharing/exchange of information between law enforcement and financial services.

## Europol Public Information

The Programme Board may also consult the group on any matter relating to financial services in relation to the fight against cybercrime.

The Programme Board has the option to assign specific tasks and deliverables to the group.

Although the Group may provide policy input on its own initiative and upon invitation by the Programme Board, such input shall only be addressed to the Programme Board, whilst the Group shall refrain from taking any political position in the preparation and delivery thereof.

### **3. Membership**

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In principle, the group shall be composed of up to 25 members representing a wide-range of expertise in financial services related to the fight against cybercrime and also a balanced representation in terms of background and geographic regions. The Programme Board will determine the exact number of members, taking into account the need to ensure balanced representation of the various groups and fields of expertise while ensuring that the Group can function in an effective manner.

Members shall be individuals of proven expertise and professional experience in financial services areas which are relevant to the fight against cybercrime. This includes law enforcement experts in this crime area that are required to complement the discussions from the law enforcement angle.

Members shall be appointed by the Chair of the Programme Board from among those who have responded to the call for applications (see Annex to the present Terms of reference).

On the basis of the call for applications, applicants who were deemed suitable candidates for group membership but were not appointed shall be placed on reserve list, with their consent. The Programme Board shall use this list for the appointment of replacements for members, if needed. If the Programme Board considers the reserve list insufficient, it may re-publish the call for applications in order to constitute a new list.

Members shall be appointed in a personal capacity for a period of two years. They shall contribute to enhancing the cooperation between EC3 and their sector using their expertise in the general interest and not to the benefit of their specific corporate interest. They shall remain in office until replaced or until their term of office ends. Their term of office may be renewed.

The Programme Board may decide to spread the starting date of the term of office of members to enhance the continuity of the work of the group over time. This means that new Members can accede prior to the expiration of the term of office of other Members.

Members who are no longer capable of contributing effectively to the group's deliberations, who resign or who do not comply with the conditions set out in this Article may be replaced for the remainder of their term of office.

The names of the group's members shall be published on the EC3's website.

To ensure proper alignment with the EC3 Programme Board and the policy level in general, EC3 and the Commission shall also be represented in the Advisory Group.

### 4. Meetings

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Meetings of the Group shall be convened at least twice per year, either virtually or offline. As far as possible, offline meetings of the Group should be scheduled back-to-back with other meetings on related topics or in which several members of the Group are expected to participate. Additional meetings may also be organised on an ad hoc basis when necessary.

As the Secretariat, EC3 will be responsible for invitation, agendas, proposals, minutes and drafting a yearly activity report to the Programme Board. The deliverables of the Group will be submitted to the Programme Board of EC3. The chair of the Group will also provide oral reports to the Programme Board drawn from the minutes of the Group's meetings. A draft agenda will be circulated at least two weeks in advance of the meetings of the group in order to allow Members to suggest changes and additions.

Participants in the activities of the group shall not be remunerated for the services they render.

Financial support for travel expenses in connection to meetings may be granted, subject to available funding in the EC3 budget – requests for financial assistance should be made to the Programme Board via the Chair of the Group. In principle, only representatives of public bodies and civil society organisations shall be entitled to receive financial support.

### 5. Areas of work for 2016-2017

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In 2016 and 2017, the activity of the Group will focus on the following sub-areas:

- Identify and share new developments in cybercrime that affect the financial services sector, including the contribution to the IOCTA (Internet Organised Crime Threat Assessment);
- Develop and promote structures for the systematic exchange of information between law enforcement and financial services on cybercrime and security in accordance with the applicable legal frameworks;
- Advise on EC3's role and priorities in regard to the prevention and combating of cybercrime affecting financial services;
- Advise on possibilities to improve and further the cooperation between law enforcement and financial services in the prevention and combating of cybercrime affecting the sector;
- Contribute to concrete initiatives related to the cooperation between law enforcement and the financial services sector, including the organisation of the annual EUFCC (EU Financial Cybercrime Coalition) conference.

The Group may contribute to the definition of their areas of work by providing the Programme Board with suggestions on topics where the Group may provide useful guidance or expertise.

## **6. Interaction with other Advisory Groups**

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The meetings of the Group are also announced to members of other Advisory Groups that operate under the EC3 Programme Board and are in principle accessible to members of those groups should they have an interest in specific topics that are discussed. Equally, the meetings of those other Advisory Groups are also announced to and open for members of this Group. Furthermore, it is possible that joint meetings are held on topics that are of general relevance to members of two or more Groups.

## **7. Documents**

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The Group's Secretariat will make documents available to the members via a dedicated page on the restricted EC3 SPACE website and through e-mail communication as appropriate. Programme Board members will have access to Group's documents.

The Programme Board encourages the use of the virtual platform EC3 SPACE to ensure a constant exchange of information between EC3 and Advisory Group members.

The Programme Board can authorise public access to a document of the Group, after the document has been discussed by the Group and if no member has explicitly requested confidentiality; requests for confidentiality will be included into the minutes of the meetings.

## **8. Confidentiality**

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Members of Advisory Groups are free to refer to their membership in the public domain, but must treat the content of meetings, the groups' activities and related documentation as confidential. The Programme Board reserves the right to dismiss any member of an Advisory Groups who is identified as using his or her membership for undue influence, including commercial advantage.

No exchange of data containing crime related personal information will take place during the meetings of the Advisory Groups.

## **9. Review of the Terms of Reference**

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These Terms of Reference will be presented to the Programme Board for review whenever the need arises.