

This paper provides the technical advice from EFRAG Administrative Board Due Process Committee to the EFRAG Administrative Board. The paper does not represent the official views of EFRAG or any individual member of the EFRAG Administrative Board. This paper is made available to enable the public to follow the discussions and decisions on the EFRAG's due process.

Due Process Procedures for the Sustainability reporting pillar

Objective

- 1 The objective of the session is to approve the Due Process Procedures (DPP) for the Sustainability reporting pillar to be submitted for approval by EFRAG General Assembly at its meeting of 15 March 2022.

Background

- 2 The European Commission's proposal for a CSRD requests that EFRAG's Technical Advice is prepared with '*proper due process, public oversight and transparency*'
- 3 In this context, EFRAG launched, in June 2021, a [public consultation](#) on proposed Due Process Procedures (DPP) for its Sustainability reporting pillar with a deadline on 15 September 2021 (background paper 03.05).
- 4 EFRAG received 38 comment letters which have all been made publicly available on EFRAG's website ([here](#)). The comment letters received were generally supportive of the main proposals in the consultation document but contained a number to suggestions and improvements to consider.
- 5 On 22 November 2021, EFRAG published a [summary report](#) of the main comments received from the public consultation (background paper 03-04).
- 6 The EFRAG Secretariat prepared an initial draft DPP based on the consultation document and the suggestions received from respondents to the consultation that were deemed to be relevant. The initial draft DPP also included changes to align the document with the revised EFRAG Statutes and EFRAG Internal Rules as approved by the EFRAG General Assembly on 21 January 2022.
- 7 The EFRAG Administrative Board DPC reviewed the initial draft at its 9 February and 16 February meetings and agreed to recommend a revised draft of the DPP for agreement by the EFRAG Administrative Board for submission to the EFRAG General Assembly.
- 8 The revised draft is contained in agenda paper 03-02 (marked up version compared to the original consultation document) and 03-03 (clean version). Comments

received from the staff of the European Commission were also considered in the revised draft DPP.

Next Steps

- 9 After the DPP is formally approved by the General Assembly at its 15 March 2022 meeting, EFRAG will publish on its website, together with the final DPP, a formal feedback statement indicating whether and how the comments received from the public consultation have been addressed in the final DPP.

Questions to the EFRAG Administrative Board

Do you approve the draft DPC contained in agenda paper 03-02 for submission to the EFRAG General Assembly for final approval?

- 10 In addition to this cover note, agenda papers for this session are:
 - (a) Agenda paper 03-02 – Draft DPP (compared with consultation document)
 - (b) Agenda paper 03-03 – Draft DPP (clean)
 - (c) Agenda paper 03-04 – Summary Report of the DPP consultation (November 2021) – for background only.
 - (d) Agenda paper 03-05 – DPP Public Consultation Document (June 2021) – for background only.