

RULES OF PROCEDURE FOR THE JRC BOARD OF GOVERNORS

WHEREAS:

The Rules of Procedure of the JRC Board of Governors, hereinafter referred to as the Board, were adopted on 15 June 2006. They have been reviewed in 2008 by an Ad-Hoc Group of the Board whose report was approved by the Board at its meeting in Prague on 26 June 2008.

The amended Rules of Procedure herein incorporate the suggestions in the report of the Ad-Hoc Group.

The provisions of the Rules of Procedure, hereinafter referred to as the Rules, shall be interpreted in the light of Commission Decision 1996/282/Euratom of 10 April 1996.

THE BOARD, by written procedure on 8 October 2008, ADOPTED THE FOLLOWING RULES:

Article 1. Members, Participants and Attendees at Board Meetings

1. The Board comprises Members.
 - a) Members are high level representatives of EU Member States appointed by the Commission on the nomination of their national authorities.
 - b) The Board elects three representatives from among its Members in accordance with the procedures set out in Article 9, to fill the positions of Chairperson, Senior Vice Chairperson and Vice Chairperson. They will have regular contacts and consultations. They will replace each other should that be necessary. As such they will constitute an informal *Presidency Bureau*. Since these three representatives will remain full Members of the Board, there is no need for their replacement from their countries.
2. Board meetings shall include Participants.
 - a) Participants are nominated in a similar manner by the authorities of the other countries Associated to the Seventh (or subsequent) Framework Programme.
 - b) Participants have the right to contribute to the deliberations of the Board and to be heard. They have no voting rights.
3.
 - a) Members and Participants are appointed/nominated for a 3 year renewable term. A Chairperson is elected for a 3 year term which can be renewed once. The term for the Senior Vice Chairperson and Vice Chairperson, which is limited to one, coincides with that of the Chairperson.
 - b) Where, at any time, a Member State decides to replace its nominee, the new nomination shall be considered for appointment by the Commission and the existing one is terminated.

4. Board meetings shall also normally include the following attendees:
 - a) The Director General, hereinafter referred to as the DG, and Directors of the JRC, on an ex officio basis, the DG being the spokesperson for the JRC and, where appropriate, the Commission.
 - b) Individuals, invited from time to time by the Chairperson, with the agreement of the DG, to attend as experts on an ad hoc basis for a particular item of business and to contribute to the deliberations on that item.
5. Depending on the nature of an item under discussion, the Chairperson, in agreement with, or at the request of, the DG may call for the matter to be discussed in restricted session. In that event, only Members, Participants and the DG may remain, with the latter making a note of any formal conclusions.
6. Where a Member or Participant has been absent for three consecutive meetings, or three of the previous five meetings the Chairperson shall write to the Member/Participant for an explanation and, if no special circumstances are forthcoming, the Member State in question shall be invited to make a new nomination.
7. The term "Board" shall, except where the context implies otherwise, normally be construed to include the Members, Participants, Board Secretary and attendees.

Article 2. Confidentiality and Impartiality

1. Board Members and Participants shall respect the confidentiality of documents.
 - a) Board documents are covered by Commission Rules regarding public access to Commission documents (L.145/43 of 31.5.2001 and any amendments thereto) and protection of personal data (Regulation 45/2001).
 - b) Normally, Board documents are available to the public except where they are deemed to be sensitive or fall into the category of exceptions, which include commercial and personnel matters (Articles 4 and 9 respectively of the Commission Rules).
2. Board Members and Participants shall act in an impartial manner, particularly in regard to senior appointment selections (Art 3.5.d). As national representatives of their Member States, they shall ensure an appropriate interface with their national authorities and will, subject to the above restrictions, normally brief their authorities, as appropriate, on Board business, send them copies of documents for guidance and reports of meetings for information.
3. The provisions of Art. 2.1(b) shall apply to Board Members and Participants even after stepping down from the Board.
4. Where a Member or Participant may be exposed to the possibility of a conflict of interest in relation to a particular item of business at a Board meeting, the matter shall be brought to the attention of the Chairperson - normally by the Member or Participant concerned. Where the Chairperson, in consultation with the DG, upholds that view, the Member or Participant shall leave the Board meeting while the item is being discussed and the documents/minutes relating to the item shall not be conveyed to him/her.

Article 3. Transaction of Board Business

1. The core business of the Board is to advise the JRC on how best it can deliver its mission.
2. The Board shall normally seek to transact its business by general consensus. A Member may, however, call for a vote of the Board to be taken on the basis of one vote per Member.
3. The DG shall report to Board meetings on the up to date position on important JRC developments since the last meeting.
4. The Board's formal view on a JRC document or position shall be delivered by way of a Board opinion in the form of a statement agreed at a Board meeting.
5. More generally, the Board's advice on issues that permeate the business of JRC should be strategic, focusing on the medium to long term.
 - a) The advice should be formulated through a Strategy Development Process involving consideration of such issues, one at a time and identified on a rolling 12 month cycle.
 - b) To facilitate Art. 3.5(a), the Board shall, where necessary constitute an Ad Hoc Group to which an issue may be referred. The Group shall meet separately from the Board and report back on its findings and conclusions. All Members and Participants shall, over time, be given an opportunity to participate in an Ad Hoc Group.
 - c) Each Ad Hoc Group shall normally be chaired by a person other than the Chairperson of the Board. The chair and members of each Ad Hoc Group are normally selected by the Board on the nomination of the Chairperson and in agreement with the DG. The groups should not exceed six members and be limited in time. In order not to overburden the time schedule of the Board Members and of the supporting JRC staff, a maximum of three Ad Hoc Groups, be it Strategic or Thematic Groups, could run at a given time. They will operate with a mixture of virtual contacts and when necessary actual meetings. The Working Groups will be allocated a Secretary from the JRC that will see to the organisational and informational aspects of the group.
 - d) The Chairperson shall normally chair each Senior Appointments Selection Committee, to assist in the filling of each post at Director level or higher; the members (who should normally be at least 4 including the Chairperson, but not normally exceed 6) are normally selected by the Board on the nomination of the Chairperson and in agreement with the DG. In principle, there should be a blend of talents and experience reflecting each particular appointment. A back up reserve list may also be prepared for each appointment. Members of the Board participating in any Selection Committee should as far as possible be of a different nationality than the candidates for the posts.
 - e) Where the Chairperson is unable to chair a meeting of the Board or Senior Appointments Selection Committee, the Chairperson shall be replaced by the Senior Vice Chairperson or the Vice Chairperson. In case also of their unavailability, the Chairperson will nominate, in agreement with the DG, another Board Member.
6. The Board shall have an interaction with the JRC Institutes, without involving itself in Institute management matters, as an integral part of its business in order to sustain a mutually informative dialogue on the work programmes of the

Institutes. The interaction shall take the form of visits to the Institutes included as part of the Board's forward meeting programme and of presentations to each Board meeting on specific themes in the work programmes of the Institutes.

Article 4. Agendas, Documents and Minutes of Board Meetings

1. An agenda planning dialogue between the Board and JRC shall be maintained.
 - a) A complete draft agenda for the following meeting shall be submitted for comment to every Board meeting. A revised draft agenda, taking account of comments, shall be circulated within 3 weeks for any final comments. The Chairperson, in consultation with the DG, shall then finalise the agenda for distribution within 6 weeks of the preceding meeting.
 - b) For unforeseen items or matters arising after finalisation of the agenda and requiring Board attention, the Chairperson, in consultation with the DG, may insert an item in an agenda.
 - c) An item may be placed on the agenda during a meeting by the Chairperson, in agreement with the DG.
 - d) Agenda papers should normally be distributed three weeks before the Board meeting. For any document over 10 pages, an executive digest highlighting the major implications, changes of direction and salient points should be provided and the full document should be made available on request.
2. Reports of strategic or thematic Ad Hoc Groups shall be submitted to a Board meeting for discussion and endorsement of any recommendations.
3. The Board Secretariat shall provide a copy of the report of any Board Senior Appointments Selection Committee to Board Members and Participants once the selection procedure is completed, and an oral report of the eventual outcome, to the next Board meeting.
4. The Board Secretariat shall circulate draft minutes, usually within 2 weeks and after clearance by the Chairperson.

Article 5. Frequency, Duration and Location of Board Meetings

1. The Board shall meet 3 times a year.
 - a) Meetings will normally be arranged in Feb/March, June/July and November in accordance with a rolling 12 month schedule to be reviewed and agreed at each Board meeting.
 - b) Board meetings, including where appropriate a visit to a JRC Institute, shall not extend over more than 2 days.
 - c) Meetings shall normally be held at Commission sites, recognising, nevertheless, the schedule of planned meeting up to end 2010 as already adopted by the Board.
2. Travel and subsistence expenses shall be paid to Members and Participants according to prevailing Commission procedures.

Article 6. Transaction of Extraordinary Business

1. The Board may transact extraordinary business either at a meeting or by written procedure.
 - a) For any matter which cannot await the next scheduled meeting of the Board, the Chairperson, in agreement with or at the request of the DG, shall decide whether to call an extraordinary meeting of the Board to deal with that specific item. In the event of a meeting being called, it shall normally be held within 2 weeks. Members and Participants who cannot attend may deliver their views in writing to the DG and these shall be brought to the attention of the meeting.
 - b) Alternatively, the Chairperson may decide, in agreement with or at the request of the DG, to ask for views of Members and Participants to be submitted in writing and a deadline of 2 weeks shall be set for reply.
2. The minutes of any extraordinary meeting shall be placed on the agenda of, and be endorsed by, the next Board meeting.

Article 7. Board Substitutions

1. Routine substitutions for Members and Participants shall not be allowed.
2. Exceptionally, a substitute may attend for the time being e.g. where a permanent change to the nominated Member or Participant occurs, as on retirement or change of duties.
3. The substitute shall be allowed to speak and participate in the business of the meeting but not to vote.

Article 8. Secretariat

1. The JRC shall provide the Secretariat to the Board. The Secretariat shall be appointed by the DG.
2. The Secretariat shall be responsible for all practical matters concerning meetings of the Board.
3. The Secretariat shall ensure that new Members and Participants are familiarised with the Board's status, practices and composition.
4. The Board Secretary shall be responsible for drawing the Board's attention to any provision in these Rules, as necessary, during Board meetings.

Article 9. Election Procedure

The procedure will consist of two phases extending over two subsequent Board meetings: the "pre-selection phase", where the three top candidates will be identified, and the "election phase", where the three positions of Chairperson, Senior Vice Chairperson and the Vice Chairperson will be filled up. The procedure is the following:

1) Pre-selection

- a. The Secretary of the Board will ask Board Members whether they are willing to be a candidate before the process starts.
- b. Every Member will be asked by letter from the DG to nominate up to five Members of a list of Members willing to fulfil any of the three posts. Their nominations will be weighed. For instance, If a Member proposes only one candidate, this will get one point. If a Member proposes 5 candidates, each candidate will get 20% of a point.
- c. The DG will draw up a list of candidates in the order of the number of votes received. If the 3rd place is taken by more than one member s/he will weigh their votes according to the ranking given by the members.
- d. The DG will make the three Members with the most votes, but without the actual number of votes received, known before the meeting preceding the meeting in which the second round of voting is scheduled.

2) Election

- e. During the following Board meeting; one secret ballot will be held for all three posts together. When there is an ex equo for the numbers 1 and 2 or between the number 2 and 3, there will be a ballot between them only.
- f. The Candidate who will receive the largest number of votes will be elected Chairperson, the second Senior Vice Chairperson and the third Vice Chairperson.
- g. In case an elected Member leaves the Board midterm he/she will be succeeded for the remaining period of the term. The Chairperson will be replaced by the Senior Vice Chairperson and the Senior Vice Chairperson by the Vice Chairperson. For the Vice Chairperson the fourth position of the first round will be requested to step in and if necessary the fifth and so on.
