European Environment Agency

**Consolidated version of the RoP of the EEA Management Board and Bureau**

Document adopted on 8 February 1994 subsequently amended by:

1. Doc. EEA/MB/38/10rev1 of 11 May 1995;
2. Doc. EEA/018/01 of 20 March 2001;
3. Doc. EEA/002/93rev2 of 9 March 2004;
4. Doc. EEA/MB/42/11 of 22 June 2005;
5. Doc. EEA/MB/49/12 of 21 November 2007;

and most recently by:

6. Doc. EEA/MB/54/14-MB written procedure of 30 September 2009.

# EUROPEAN ENVIRONMENT AGENCY

# RULES OF PROCEDURE OF THE MANAGEMENT BOARD AND THE BUREAU

**The Management Board of the European Environment Agency**

HAVING REGARD to Regulation (EC) No 401/2009 of the European Parliament and the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network[1] and in particular Article 8 thereof;

HAS ADOPTED the following

# RULES OF PROCEDURE OF THE MANAGEMENT BOARD AND THE BUREAU

## ARTICLE 1

### Election of Chair and Vice-Chairs of the Management Board

1. The Members of the Management Board with voting rights shall elect amongst themselves their Chair by a two-thirds majority for a term of office of three years subject to Article 2(5) of these Rules of Procedure. Re-election is possible.

2. The election of a new Chair shall regularly take place at the Management Board meeting preceding that at which a new term of office is due to begin. Should the position of the Chair become vacant unexpectedly, a new Chair shall be elected at the next possible Management Board meeting.

3. The Members of the Management Board with voting rights shall elect amongst themselves up to five Vice-Chairs by a two-thirds majority for a term of office of three years subject to Article 2(5) of these Rules of Procedure. Re-election is possible. In case of absence of the Chair, the most senior Vice-Chair in office shall represent the Chair.

4. The election of new Vice-Chair(s) shall take place at the Management Board meeting preceding that at which a new term of office is due to begin.

5. The Chair and Vice-Chairs are also Members of the Bureau, subject to Article 2(5) of these Rules of Procedure.

[1] OJ L 126/13, 21.5.2009.

## ARTICLE 2

## Bureau

1. The Chair and all the Vice-Chairs of the Management Board as well as one Member each of the Management Board representing the Commission and the European Parliament shall form the Bureau.

2. The work of the Bureau shall be governed by the same rules as those for the work of the Management Board, unless the following paragraphs of this Article provide otherwise.

3. The presence of more than half of the Bureau Members shall constitute a quorum. Representation is not possible.

4. Decisions of the Bureau shall be taken by consensus.

5. In case of unjustified absence of a Member of the Bureau from three consecutive Bureau and/or Management Board meetings, the Chair or, in his/her absence, the most senior Vice-Chair may propose to the Management Board to elect a new Chair or Vice-Chair in accordance with Article 1 of these Rules of Procedure.

6. In addition to the Members of the Bureau and subject to approval by the Chair, the following persons may attend Bureau meetings without being entitled to vote:

   - the Executive Director; and
   - the Chair of the Scientific Committee

   On a proposal from the Chair, the Bureau may also allow the following persons to attend meetings without being entitled to vote:

   - Members of the Agency's staff, at the request of the Executive Director;
   - Persons accompanying the Members of the Bureau; and
   - Persons particularly qualified in matters which are to be discussed.

7. Insofar as Regulation (EC) No 401/2009 attributes powers explicitly to the Management Board as specified in the following indents 1-18, the Bureau is only empowered to act on its behalf if and to the extent that the Management Board has explicitly delegated such powers to the Bureau, by special decision:

   - Article 4(5): Designation of European Topic Centres;
   - Article 4(7): Review of Eionet main elements;
   - Article 8(2): Election of the Chair of the Management Board for a period of three years;
   - Article 8(2): Adoption of the rules of procedure for the Management Board and the Bureau as well as the rules of procedure for the Scientific Committee;

- Article 8(2): Election of a Bureau to which the Management Board may delegate executive decisions;
- Article 8(4): Adoption of a multi-annual work programme;
- Article 8(5): Adoption of an annual work programme;
- Article 8(6): Adoption of an annual report on the Agency’s activities to be forwarded to the European Parliament, the Council, the Commission, the Court of Auditors and the Member States by 15 June at the latest;
- Article 9(1): Appointment of an Executive Director;
- Article 10(1): Request to the Scientific Committee for an opinion on any scientific matter concerning the Agency's activity;
- Article 10(2): Designation of members of the Scientific Committee;
- Article 12(1): Establishment of a draft statement of estimates of revenue and expenditure and a draft establishment plan to be forwarded to the Commission by 31 March at the latest;
- Article 12(5): Adoption and, where appropriate, amendment of the Agency's budget;
- Article 12(6): Notification to the budgetary authority and information of the Commission of intention to implement projects with significant budget implications;
- Article 13(5) and (6): Opinion on the Agency’s final accounts to be forwarded by the Executive Director to the European Parliament, the Council, the Commission and the Court of Auditors by 1 July at the latest;
- Article 14: Adoption of the Agency’s financial rules after consultation of and with the Commission’s prior consent;
- Article 17(3): Adoption of appropriate implementing rules regarding the Regulations and Rules applicable to officials and other servants of the European Communities, in agreement with the Commission; and
- Annex I B(2): Approval of the statistical programme in the field of the environment.

8. Regardless of Article 2(7) of these rules of procedure, the Bureau is empowered to act on behalf of the Management Board in matters within the scope of the Financial Regulation of the EEA adopted by the Management Board on 19 December 2008 (EEA/MB/52/15 – written procedure) as specified in the following indents 1-6:

   - Article 10(1): Carryover of appropriations;
   - Article 14(3): Simultaneous authorisation of two ore more provisional twelfths;
   - Article 20(2): Acceptance of donations involving financial charges;
   - Article 35(3): Decisions of the Management Board as immediate superior of the Executive Director in cases of conflict of interests;
   - Article 43(1): Appointment of an accounting officer;
   - Article 45(2): Suspension of the accounting officer and appointment of an interim accounting officer.

9. Regardless of Article 2(7) and (8) of these rules of procedure, the Bureau is empowered to take any interim decisions, in consultation with the Executive Director and the Chairperson of the Scientific Committee, which are urgent and necessary for the management of the Agency between two meetings of the Management Board and cannot be ascertained by a written procedure under Article 8(2) of these Rules of Procedure. Such decisions adopted by the Bureau shall be subject to confirmation by the Management Board at its next meeting.

10. The Management Board may decide, on any points of the agenda on which only a provisional conclusion is achieved or which requires further consideration before finalisation and adoption, that the Bureau shall carry out any work necessary for it to adopt a decision in accordance with any instructions which to impose the Management Board considers necessary and appropriate.

11. The Management Board shall have access to the agenda and any document presented to the Bureau as well as to all decisions which the Bureau has taken on behalf of the Management Board.

12. The agreement of the Members of the Bureau to a proposal made by one of them or by the Executive Director may be ascertained by a written procedure.

13. The Management Board shall review the application and implementation of Article 2 of these Rules of Procedure every second year.

## ARTICLE 3

## Meetings of the Management Board

1. The Management Board shall meet at least twice a year. It shall be convened by its Chair on his/her own initiative or at the request of at least one third of its Members with voting rights. In the latter case, the Chair shall convene a meeting within thirty days, subject to paragraph 2 of this Article.

2. The Chair shall notify each Member of a meeting at least fifteen days before its scheduled date together with the draft agenda comprising all items to be discussed and any relevant supporting documents.

## ARTICLE 4

## Venue of Management Board meetings

Unless the Chair decides otherwise, in particular in order to simplify the conduct of its business, meetings of the Management Board shall be held at the seat of the Agency.

## ARTICLE 5

### Agenda of Management Board meetings

1. At the beginning of a meeting, the Management Board shall adopt the agenda which shall comprise all items included in the draft agenda referred to in Article 3(2) above and any new items which the Management Board accepts to include on a proposal by the Chair or, in accordance with paragraph 2 of this Article, by any of its Members with voting rights.

2. Any request by a Member of the Management Board for inclusion or deletion of an agenda item must be in writing, reasoned and sent to the Chair at least five working days before the meeting. Upon receipt of a request, the Chair shall immediately inform the Management Board.

3. During a meeting, any member may propose and the Management Board shall decide on the inclusion of an item on the agenda for the subsequent meeting.

## ARTICLE 6

### Attendance of Management Board meetings

1. Every Member of the Management Board shall notify the Management Board Secretariat whether he/she will be attending a meeting in person or be represented by his/her Alternate Member.

2. In addition to the Members of the Management Board (or their Alternate Members), the Executive Director and the Chair of the Scientific Committee, the following persons may, subject to approval of the Chair attend meetings without being entitled to vote:

   - a representative of the Member State whose Board Member is the Chair of the Management Board;
   - Members of the Agency's staff, at the request of the Executive Director; and
   - a representative from the Agency's Staff Committee.

3. On a proposal by the Chair, the Management Board may allow the following persons to attend meetings without being entitled to vote:

   - Persons accompanying the Members of the Management Board;
   - Persons particularly qualified in matters which are to be discussed; and
   - Members of the Scientific Committee.

4. The Management Board may decide *ad hoc* to permit other persons to attend its meetings of the Management Board without being entitled to vote.

## ARTICLE 7

### Proceedings at Management Board meetings

1. The presence or valid representation of at least two thirds of the Members (or Alternate Members) of the Management Board with voting rights shall constitute a quorum, whereby no Member (or Alternate Member) can represent more than two Member States. In the absence of a quorum, the Chair shall close the meeting and convene a new meeting as soon as possible.

2. The Chair shall direct the proceedings, giving precedence to Members who wish to raise a point of order or a preliminary matter.

3. If a speaker departs from the subject and has already been called to order by the Chair twice, the Chair may, if the speaker's remarks are still not to the point, withdraw permission to speak.

4. If during a meeting any Member raises any matter of procedural nature (for example: admissibility; scope and order of motions; timing; etc.), it shall be put to a vote. The substance of a matter may only be discussed, if the Management Board has previously decided to do so.

5. A motion which deals with several questions shall be divided into its individual parts, if this is so requested.

6. Where several motions are tabled on the same question, the most far-reaching motion among them shall be put to a vote first. In the case of amendments, the amendment which departs furthest from the basic text shall be put to a vote first. In case of an amendment to an amendment, this shall be put to a vote first, beginning with the most far-reaching amendment. The final vote shall be taken on the version of the text, which resulted from previous voting.

7. If the Chair considers that a motion may impede the proceedings, he/she shall put the matter to a vote without debate.

8. The Management Board may set up sub-groups or task forces to address specific questions on the basis of terms of reference to be specified by it.

## ARTICLE 8

### Adoption of Management Board decisions

1. Any decision or vote of the Management Board shall require for its adoption a majority of two thirds of its Members with voting rights.

2. Decisions of the Management Board can also be adopted by means of a written procedure, subject to Article 9(2) of these rules of procedure.

3. All decision shall be signed by the Chair to signify adoption.

## ARTICLE 9

## Voting Arrangements for Management Board meetings

1. Voting shall be by show of hands or, in cases of dispute in a vote by show of hands, by roll call. For matters involving persons, the vote will be secret, if the Management Board decides so.

2. In case of a written procedure, a decision shall be considered adopted unless an objection is raised by at least one Member within 15 days from the day on which the proposed decision has been dispatched to the Members. In that case, the matter will be put on the agenda of the next Management Board meeting. The Management Board can decide *ad hoc* to shorten the time period within which objections can be raised.

3. A record of the voting figures for each decision adopted by the Management Board by voting shall be stated in the minutes and be accompanied by a written statement of the minority view, where the latter so requests.

4. The Chair may authorise a Member to give a brief explanation of the reasons for his/her vote.

## ARTICLE 10

## Closure of Management Board debates

1. The Chair may move to closure of the debate when he/she considers that all members have had an opportunity to express their views. Members may also move for closure.

2. Any Member asking to speak on closure shall be given precedence.

3. Any motion to close the debate shall be put to a vote.

## ARTICLE 11

## Minutes of Management Board meetings

1. Minutes shall be taken of each meeting of the Management Board and shall include:

- the list of those present;
- the record of the proceedings; and
- the decisions adopted including a record of the voting figures for each decision of the Management Board adopted by vote.

2. The draft minutes shall be submitted for adoption only if a draft copy has been sent to Members at least 15 days before the next meeting. Should this draft not have been sent in time, its adoption may be postponed to the following meeting.

3. Motions to amend the draft minutes shall be submitted in writing to the Chair not later than the opening of the meeting at which they are to be adopted.

4. The minutes shall be signed by the Chair to signify adoption.

5. After each meeting, the Chair and/or the Executive Director shall provide public information on the outcome of the Management Board meeting.

## ARTICLE 12

## Management Board Secretariat

1. The Executive Director of the Agency or his/her delegated representative shall prepare and organise the work of the Management Board and the Bureau and provide the Secretariat for all their meetings under the directions of the Chair.

2. Any correspondence intended for the Management Board shall be addressed to the Secretariat.

3. The Secretariat is responsible for archiving Management Board and Bureau papers and decisions.

## ARTICLE 13

## Revision of the Rules of Procedure

1. The Management Board decides on the revision of its Rules of Procedure and those of the Scientific Committee.

2. Changes, which are adopted, shall take effect as from the date of the next meeting, unless the Management Board decides otherwise. The Secretariat shall as soon as practicable provide Members of the Management Board with the revised Rules of Procedure.

Approved and last amended
by the Management Board through written procedure

8 October 2009

Dr. Karsten SACH
Chairman EEA Management Board