

European Research Advisory Board

RULES OF PROCEDURE

A. General Dispositions

1. Having regard to the Commission Decision of 27 June 2001¹, establishing the European Research Advisory Board (hereinafter the "Board"), the activities of the Board are governed by the following rules of procedure.
2. The task of the Board is to advise the Commission on the design and implementation of Community policy in research and technological development. In this context, the Board will pay particular attention to the realisation of the European Research Area and the use of policy instruments such as the Community Research and Technological Development Framework Programmes.
3. The forty-five members of the Board are nominated in a personal capacity by the Commission for a period of three years, renewable once. The members of the Board shall remain in office until provision is made for their replacement or for renewal of their term of office.
4. The functions of the Board members shall not be remunerated. Travel and subsistence expenses for meetings of the Board, or any working party set up within the Board, shall be covered by the Commission in accordance with its administrative rules and regulations. Subject to prior approval, travel and subsistence expenses for preparing opinions or advice may be also covered by the Commission. This includes meetings between members of the Board and external experts outside Brussels.

B. Chairperson, Vice-Chairpersons and Bureau

5. The Board will elect a Chairperson, two vice-chairpersons and five more members of the Board to constitute the Bureau.
6. The composition of the Bureau shall reflect the diversity of Europe and shall respect the following criteria:
 - Excellence in research and/or research management;
 - Advisory experience on a European or international level;
 - Balance among S&T disciplines including persons with specific university-industry experience;
 - Geographical balance, taking into account the enlargement of the EU and the countries associated to the Framework Programmes;

¹ Commission Decision 2001/531/EC, Euratom

- Appropriate gender balance.
- 7. Any Member may declare themselves a candidate for any of the positions. A candidate will be deemed elected when she/he attains a two-thirds majority of the members present.
- 8. The term of office for any of these positions is a maximum of 3 years with the replacement of at least three members after the third year.
- 9. The Chairperson will have the following responsibilities:
 - Chairing the meetings of the Board;
 - Chairing the meetings of the Bureau;
 - Formal representation of the Board in relationships with the European Commission and other bodies
- 10. The Vice-Chairpersons assist the Chairperson in carrying out the responsibilities listed in Article 9.
- 11. The Bureau will organise the work of the Board:
 - Preparation of the Agenda for meetings of the Board;
 - Direction of the Board's activities;
 - Preparation of the annual report of activities for approval by the Board;
 - Organization of relations with the media.

C. Functioning of the Board, Secretariat

- 12. The Board shall meet an average of three times a year or whenever a meeting is requested by the simple majority of the members.
- 13. The Board will be supported by a Secretariat. The Commission shall provide for financial and administrative support to the secretariat of the Committee, ensuring that its independence is fully guaranteed.
- 14. The regular venue for the meetings will be the European Commission's premises in Brussels.
- 15. The Board may take decisions only when at least half of the members are present.
- 16. Decisions of the Board will be taken by a two-thirds majority of those present.
- 17. The adoption of a decision of the Board may be requested by written procedure. Adoption will require a two-thirds majority of all members. Any member who has not made known her/his opposition to, or intention to abstain from taking a position on, the draft decision within the time specified by the Chairperson, shall be deemed to have agreed to it. The

time allowed shall not be less than 10 days. The Secretariat will inform the members of the result of the written procedure.

18. All meetings will be convened at least fifteen working days in advance, the date of the meeting and agenda to be communicated to the members at that time. Shorter notice may be given when there are urgent matters to discuss. The urgency will be decided by the Bureau.
19. Any member may request that a specific item is included in the agenda of a forthcoming meeting.
20. Minutes of meetings will be drafted by the Secretariat, under the responsibility of the Chairperson and, once approved at the following meeting, are signed by her/him.
21. Representatives of the responsible services of the European Commission will attend the Board meetings. In addition, the Board may invite any of the following:
 - Representatives of other Institutions of the European Union;
 - Experts appointed by the Board;
 - Other interested parties.

The Board may decide to hold closed sessions.

22. To enable the Board to accomplish its tasks, the Bureau may set up working parties consisting of members of the Board and, where necessary, outside persons. The Board and the working parties may invite experts to participate in their work. Such experts shall participate only in the discussions of the item for which they were invited. Subject to prior approval, the Commission shall cover their travel and subsistence costs.
23. The Board shall be able to hold workshops or conferences. Subject to prior approval, the Commission shall cover the cost of those events.
24. Also, for the purposes of preparing the Board's opinions and advice, the Bureau may ask the Commission to undertake studies or consult outside organisations (see also Article 38).
25. Board members requested by the Board to participate in external meetings on behalf of the Board, will send all relevant documentation to the Secretariat for distribution to Board members.

D. Confidentiality and Conflict of Interest

26. The Board shall deliberate freely and in total independence. The members shall hold a clearly stated independent position and shall not represent scientific, industrial, any other organisations, countries or sectoral interests.

27. The deliberations of the Board are confidential.
28. Without prejudice to the provisions of Article 287 of the EC Treaty and Article 194 of the EAEC Treaty, the members of the Board shall sign a declaration that they shall not divulge any information they obtain through their work in the Board or its working parties where the Board informs them that a particular opinion or matter is confidential.
29. Members of the Board will abstain from discussions on a topic on which they have a conflict of interest. For this purpose they will sign a declaration in which they certify that should an agenda item arise where a conflict of interest exists, which would be prejudicial to their independence, they will inform the Chairperson.

E. Advice/ Opinions

30. The Board shall deliver opinions and provide advice on various aspects of Community research policy or developments in science and technology in Europe and world-wide, on its own initiative or at the request of the Commission.
31. Whenever the Commission requests the Board's opinion, it may set a time limit within which the opinion should be given.
32. When formally requested by the Board, the Commission services shall provide to the Board written comments on its opinion or advice. The Commission services will also provide regular information on the possible follow-up actions undertaken.
33. The Advice and Opinions of the Board will normally contain:
 - An indication of all documentation considered by the Board in arriving at the Advice/ Opinion;
 - An indication of any proposals, opinions and consultations of relevance;
 - The considerations and the reasons "for and against" relevant to the issue under discussion;
 - The text of the Advice/Opinion.
34. The Advice/Opinion will, in principle, be adopted by consensus. In the absence of consensus, adoption will require the two-thirds majority of members of the Board present. Where there is dissension, this is recorded, alongside the majority Advice/Opinion. All assenting members of the Board sign the agreed Advice/Opinion. The dissenting member(s) sign the dissenting opinion. Votes may take place on single paragraphs, before the final vote on the advice/ opinion. Once signed, the Advice/Opinion is final. Voting by proxy is not allowed.

E. Annual Report of Activities

35. The Bureau prepares an annual report of activities approved by the Board. This report is forwarded to the Commissioner responsible for Research. It will also be published on the internet.

F. Information and Communication

36. In order to promote its objectives, the Board publishes information relating to its activities by any appropriate means including publications, brochures and Internet.
37. All Advice/Opinions adopted by the Board are forwarded to the Commissioner responsible for Research by the Chairperson of the Board. They will also be made known to the other Institutions of the European Communities and to the Member States. Moreover, the Board may make public all Advice/Opinions at press conferences, or by press releases. Advice/ Opinions will also be available on the internet and, on request, from the Secretariat of the Board.
38. Any studies carried out under the provision of article 24 of these Rules of Procedure may only be forwarded to third persons or published with the agreement of the Board and the European Commission and must include the following mention: "Study requested by the European Research Advisory Board".

H. Administration of the Board

39. The Commission shall ensure that the Board receives the information necessary to perform its task. In this context, the Board shall be regularly informed of developments of the Community research policy.

I. Final Dispositions

40. Without prejudice to the Commission Decision establishing the European Research Advisory Board, these rules may be modified by a two-thirds majority of the Board.

Adopted by the European Research Advisory Board at its meeting of 13 December 2001.