



BIO-BASED INDUSTRIES JOINT UNDERTAKING

STATES REPRESENTATIVES GROUP

RULES OF PROCEDURE

Version 3 September 2014

Bio-Based Industries Joint Undertaking States Representatives Group Rules of Procedure

THE STATES

REPRESENTATIVES GROUP

HAVING REGARD TO

- Council Regulation (EC) No 560/2014 of 06 May 2014 establishing the Bio-Based Industries Joint Undertaking ('Council Regulation'), OJ L 169, p.130 of 7 June 2014 and the Statutes of the Bio-Based Industries Joint Undertaking therewith annexed ('Statutes');

- In particular, Article 4 of the Statutes, stipulating that the States Representatives Group shall be an advisory body of the Bio-based Industries Joint Undertaking;

- In particular, Article 11 of the Statutes, setting out the role and tasks of the States Representatives Group and its paragraph 7, stating that it shall adopt its own rules of procedure;

- The nomination of representatives of the States Representatives Group by the Member States and the Associated countries;

In order to contribute to the activities of the Bio-Based Industries Joint Undertaking ('BBI JU'), as an advisory group as laid down in Articles 4 and 11 of the Statutes,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE

Article 1 - Role and Tasks

1. The States Representatives Group is an advisory body to the BBI JU.
2. It shall be consulted, and in particular review information and provide opinions on the following matters:
 - a) programme progress in the BBI JU and achievement of its targets including the calls and proposals evaluation process;
 - b) updating of strategic orientation;

- c) links to the Horizon 2020 Framework Programme;
- d) annual work plans;
- e) involvement of SMEs.

To carry out these tasks it shall, inter alia, use the information it receives on the participation in indirect actions funded by the BBI JU, on the outcome of each call and project implementation, on synergies with other relevant Union programmes, and on the execution of the BBI budget.

3. The States Representatives Group shall also provide information to, and act as an interface within, the BBI JU on the following matters:
 - a) the status of relevant national or regional research and innovation programmes and identification of potential areas of cooperation, including deployment of relevant technologies, to allow synergies and avoid overlaps;
 - b) specific measures taken at national or regional level with regard to dissemination events, dedicated technical workshops and communication activities.
 - c) specific measures taken at national or regional level with regard to deployment activities in relation to the BBI JTI.
4. It can issue, on its own initiative, recommendations or proposals to the Governing board on technical, managerial and financial matters as well as on annual plans, in particular when those matters affect national or regional interests.

The Governing board shall inform without undue delay the States Representatives Group of the follow-up it has given to such recommendations or proposals, or it shall give reasons if they are not followed up

5. It can propose the Governing Board candidates for the Scientific Committee of the BBI JU.

Article 2 - Membership

1. The States Representatives Group shall consist of representatives nominated by Member States and Countries associated to Horizon 2020 ('Associated Countries'). Each Member State and each Associated Country shall nominate one representative, and can nominate an alternate.
2. Each duly nominated representative or his or her alternate shall have one vote.
3. A representative may be assisted at meetings by a maximum of two supporting experts. A representative shall decide on the number of supporting persons he or she

requires for each meeting.

4. A representative shall inform the Chair and the BBI JU Executive Director of any supporting expert and of their names in advance of each meeting.
5. A Member State or an Associated Country can replace its representative or alternate at any time, and shall forthwith notify the Chair and the BBI JU Executive Director thereof in writing. The replacement shall take effect from the date of reception of the notification.
6. A Member State or an Associated Country which did not nominate a representative can send a person of its choice to attend States Representatives Group meetings as an observer with no voting rights. It shall inform the Chair and the BBI JU Executive Director of the name of its observer in writing, in advance of each meeting.

Article 3 – Chair

1. The States Representatives Group shall elect its Chair and two Vice-Chairs from among its members.
2. The tasks of the Chair shall be the following:
 - a) propose a planning of activities;
 - b) conduct the meetings and moderate the discussions;
 - c) propose a provisional agenda for each meeting and draft the summary conclusions;
 - d) represent the States Representatives Group at the BBI JU Governing Board meetings;
 - e) coordinate the drafting of opinions and recommendations;
 - f) act as the interface between the Governing Board and the States Representatives Group;
 - g) report on the activities of the BBI JU Governing Board.
3. The tasks of the Vice-Chairs shall be the following:
 - a) The Chair and the Vice-Chairs shall act in concert in all matters.
 - b) If the Chair is unable to attend a meeting of the States Representatives Group, the meeting shall be chaired by a Vice-Chair. If both Vice-Chairs are unable to attend, the States Representatives Group representatives shall elect a Chair for the meeting from amongst those present.

- c) If the Chair is unable to accept an invitation of the Governing Board to attend a meeting, (s)he shall forthwith inform the Board of the Vice-Chair who will represent the States Representative Group.
 - d) The Vice-Chairs shall decide amongst themselves for one of them to take the place of the Chair in case he or she is prevented from attending to his or her duties.
4. The following rules shall apply with regard to the election of the Chair and Vice-Chairs:
- a) Candidates for the position of Chair or Vice-Chair shall put forward their candidacy or be proposed as candidates by other members. Duly nominated States Representatives Group representatives shall elect the Chair and Vice-Chairs.
 - b) In the event of more than two candidates, the election of the Chair shall have two voting rounds. After a first voting round, the two candidates with the highest number of votes will enter a second and final voting round; the successful candidate shall be the one elected by simple majority.
 - c) The election of the Vice-Chairs shall have one voting round. The two candidates with the highest number of votes will be elected to the position of Vice-Chair.
 - d) The Chair and Vice-Chairs are elected for a period of two years. They may be re-elected for one subsequent term.
 - e) If the office of the Chair or a Vice-Chair falls vacant, the Vice-Chair or Chair, as the case may be, shall start the procedure to elect a successor, to be completed within three months. The representative then elected shall serve as Chair or Vice-Chair for the remainder of his or her predecessor's term.
 - f) The first election of the Chair and Vice-Chairs shall take place after the States Representatives Group adopts the present Rules of Procedure.
 - g) Thereafter, elections for a new Chair and Vice-Chairs shall take place at the last meeting of the States Representatives Group chaired by the outgoing Chair.
5. The term of office of the Chair and the Vice-Chair shall begin on the day after the end of their predecessor's term of office.
6. The Chair and the Vice-Chairs shall be supported by the BBI JU secretariat in the preparation of meetings, drafting of summary conclusions and other duties in

the general interest of the States Representatives Group.

7. The Chair or a Vice-Chair may be removed from office by the States Representatives Group further to a written request from at least five representatives, and acting in accordance with the procedures set down in Article 8.2, 8.3, 8.4 and 8.5. The request shall motivate the grounds for the removal from office.

Article 4 - Attendance at meetings

1. Representatives shall attend the meetings of the States Representatives Group, or be replaced by their alternate.
2. The meetings of the States Representatives Group shall be attended by:
 - (a) the Executive Director of the BBI JU or in duly justified and exceptional cases his or her representative, who shall report on the status and planning of BBI JU activities, including on SME issues, and ensure the secretariat of the meetings;
 - (b) the European Commission.
3. The Chair can invite experts to take part in a meeting, on his or her initiative or following a proposal of the Executive Director of the BBI JU or of the Chair of the BBI JU Governing Board.
4. The Chair can invite other persons to attend its meetings as observers, in particular representatives of regional authorities of the Union, representatives of civil society or representatives of industry, including SME associations.

Article 5 – Organisation of meetings

1. The States Representatives Group shall have two ordinary meetings per year. Meetings shall be convened by the Chair. Notifications shall be sent out by the BBI JU Executive Director at least thirty calendar days before the proposed date.
2. Extraordinary meetings can be convened to deal with specific matters of major relevance to activities of the BBI JU. These meetings shall be called on the initiative of the BBI JU or of the States Representatives Group. Notification shall be sent out by the BBI JU Executive Director at least fifteen calendar days before the proposed date.
3. Meetings of the States Representatives Group shall take place in Brussels unless decided otherwise by the States Representatives Group.

4. The representatives can be consulted by email when the urgency of the matter so requires. An email consultation shall be carried out by the BBI JU Executive Director on the initiative of the Chair. The representatives shall give their opinion within fourteen calendar days from the reception of the consultation request. The Chair may shorten this period in the event of particular urgency, but not to less than six working days.

Article 6 - Agenda

1. The Chair, after consulting with the BBI JU Executive Director, shall draft the provisional agenda for each meeting. Any agenda item requiring a decision by the representatives shall be identified as such on the agenda.
2. The provisional agenda and relevant documents shall be sent to the representatives at least fourteen calendar days in advance of the meeting. In the event of an extraordinary meeting or urgency, the Chair can decide to send some documents at shorter notice, but not less than six working days before the meeting.
3. The agenda shall be adopted at the beginning of each meeting.
4. Each representative may add an item to the original agenda by written notification to all other delegations within a minimum of ten calendar days (five calendar days for extra-ordinary meetings).
5. With the agreement of the Chair, urgent questions may be added to the agenda at any time during the meeting. Items on the agenda may be deleted or carried over to a subsequent meeting.

Article 7 - Representation and Quorum

Quorum is achieved if more than 50% of the total number of countries that have appointed representatives attend a meeting.

Article 8 - Voting

1. The States Representatives Group shall decide, adopt opinions or recommendations by consensus.
2. Only votes of representatives present at the meeting are eligible. An abstention will be recorded as a non-eligible vote.
3. When consensus cannot be reached, the States Representatives Group shall decide, or adopt opinions or recommendations by simple majority of the representatives present at the meeting, and each representative having equal vote. The approval or amendment of the Rules of Procedure will require a majority of at least two-thirds of all countries that have appointed representatives.

4. Votes shall be taken by a show of hands unless a secret ballot is requested by at least one-third of the representatives present at the meeting. The election or removal of a Chair or Vice-Chair shall be by secret ballot.
5. Votes casted shall be recorded in the conclusions of the meeting.

[a proposal for power of attorney and for a written procedure is attached at the end of these RoP – to be submitted for voting during a next meeting]

Article 9 - Summary conclusions

1. The BBI JU Secretariat shall draw up the draft summary conclusions of meetings, including the attendance list, within five working days and send them for approval to the Chair. Upon approval, the BBI JU Secretariat shall send the summary conclusions to the representatives within ten working days of the meeting to which they refer.
2. The representatives shall send written comments on the draft summary conclusions to the Chair by way of the Secretariat within ten working days of reception. The tacit acceptance principle is implied after that period.
3. The Chair shall consolidate the summary conclusions and send them to the BBI JU Secretariat. Formal approval of the summary conclusions shall take place at the subsequent States Representatives Group meeting.

Article 10 - Confidentiality

Representatives and all persons attending meetings shall ensure the confidentiality of information exchanged during or in relation with States Representatives Group meetings or activities, the disclosure of which could harm interests of representatives, or of staff, members or partners of the BBI JU.

Article 11 - Resources

1. Representatives, their alternates and supporting persons shall bear their travel and subsistence expenses, if not covered by the Joint Undertaking.
2. The BBI JU shall provide a meeting room, communication support, and the general secretariat.

Article 12 - Amendment of the Rules of Procedure

1. The States Representatives Group can amend these Rules of Procedure.

2. Amendments to the Rules of Procedure are adopted by a majority of at least two-thirds of all countries that have appointed representatives.

Article 13 - Entry into force

These Rules of Procedure shall enter into force on the day of their adoption.

ADOPTED on 3 September 2014

For the States Representatives Group

Jose Manuel González Vicente

Chair

*Proposals by the BBI JU Secretariat -
for consideration*

*Proposal for an additional paragraph to be added to Article 8 to be inserted between
paragraphs 4 and 5*

One representative may represent another representative, provided the former submits to the Chair the power of attorney that contains the name of the holder, and is signed and dated by the giver.

*[Article 8 BIS
Written procedure*

1. An opinion or decision of the States Representative Group can be obtained by written procedure on a proposal from the Chair. Articles 7 and 8 shall apply as relevant. If at least three representatives request that the proposed decision or opinion is examined at a meeting, the written procedure shall be cancelled.
2. The Executive Director, upon instruction from the Chair, shall send the proposed opinion or decision to all nominated representatives
3. The representatives shall approve or reject the opinion or decision by a written reply within [ten] working days. In matters of extreme urgency, the Chair in consultation with the Vice-Chairs may decide to shorten this period.
4. Any representative who does not vote within the deadline is considered to abstain from voting.
5. The proposal for a decision or opinion to be taken by written procedure shall not be subject to amendments in substance. The proposal shall be approved or rejected in its entirety. If the proposal is rejected, it may be included in the agenda of the subsequent meeting of the States Representatives Group at the initiative of the Chair or of any representative.
6. The Executive Director shall notify all representatives of the result of the written procedure without delay.]

[model]

**DECLARATION OF
CONFIDENTIALITY AND OF
ABSENCE OF CONFLICT OF INTEREST OF
MEMBERS AND PARTICIPANTS IN THE
STATES REPRESENTATIVES GROUP OF THE
BIO-BASED INDUSTRIES JOINT UNDERTAKING**

Name:

Professional Address:

Phone:

E-mail:

Position:

Chairperson or Vice-Chairperson of the States Representatives Group

Representative / alternate / Expert of

Other (please specify)

I hereby undertake to act in the performance of my duties in the general interest of the Bio-based Industries Joint Undertaking.

At each meeting of the States Representatives Group or before any decision is taken by written procedure, I shall declare any interest which might be considered to influence or bias my judgment and therefore be prejudicial to the way an item on the agenda is handled.

I undertake to ensure the confidentiality of sensitive information whose disclosure could damage the interests or the reputation of the Bio-based Industries Joint Undertaking, the Members of the Bio-based Industries Joint Undertaking or of the participants in the activities of the Bio-based Industries Joint Undertaking.

I shall not disclose sensitive information learnt during the activities of the Bio-based Industries Joint Undertaking even after my duties have ended.

Done at [place], [date]

Name and Signature