

**RULES OF PROCEDURE
of the EMRP Committee**

Version v3.0

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EMRP

European Metrology Research Programme

► Programme of EURAMET

Preamble

The EMRP Committee of EURAMET has adopted the following Rules of Procedure on the basis of § 14 of the EURAMET Byelaws (version as approved by decision of 11 January 2007, last amended by decision of 20 September 2010):

Part A General provisions of the EURAMET Rules of Procedure shall apply mutatis mutandis.

1. Tasks

The EMRP Committee is responsible for all matters concerning the execution of the EMRP (cp. § 14 (5) of the EURAMET Byelaws) which might be co-funded by the European Commission or other similar sources of funding. Details of the funding obligations and procedures within the scope of the EMRP will be defined in funding conditions and execution procedures.

2. Composition

- (1) The EMRP Committee consists of representatives from all EMRP members. An EMRP member is a member of EURAMET from a country that has declared its national commitment to the EMRP to EURAMET, and to the European Commission in order to participate in an EMRP initiative, namely a joint programme of research, supported financially by the Commission.
- (2) Each EMRP member shall appoint one representative and one permanent deputy representative. Any representative who is prevented from participating may be represented by his or her permanent deputy. He or she shall exercise the same power as the representative. The EMRP Chair must be notified in writing of the delegation before the relevant meeting.
- (3) A representative of an EMRP member who does not belong to the staff of a member has to fulfil the following criteria:
 - a) At least three years of scientific-technical experience in the field of metrology;
 - b) Authorisation to act on behalf of the EMRP member, i.e. to take actions and make the statements necessary.
- (4) The EURAMET Chairperson, the EMRP Programme Manager, the Head of the EURAMET Secretariat and the legal advisor will be invited to attend the meetings of the EMRP Committee without voting rights.

3. Chairpersons

- (1) The EMRP Committee shall elect an EMRP Chair and one deputy EMRP Chair by simple majority of the valid voting power (cp. Rule 8. c)). Abstentions are regarded as invalid votes and therefore not as cast votes. The EMRP Chair and deputy EMRP Chair have to be elected separately and by ballot.
- (2) The EMRP Chair who will be EURAMET Vice-Chairperson (EMRP) according to § 8 of the EURAMET Byelaws has to be notified to the EURAMET Chairperson, General Assembly, and to the District Court which has to keep the register of associations.

- (3) The EMRP Chairpersons can be deselected by the EMRP Committee by a two-thirds majority of the valid voting power (cp. Rule 8.c)).

4. Responsibilities of the EMRP Chair and the deputy EMRP Chair

- (1) The EMRP Chair's responsibilities are laid down in § 14 (5) and (9) of the EURAMET Byelaws
- (2) The deputy EMRP Chair shall be the representative of the EMRP Committee in case of the EMRP Chair's absence.
- (3) The deputy EMRP Chair coordinates the selection processes of the pool of the referees and of the Research Council. The EMRP Chair is responsible for selecting the referees and for supervising the work of the referees. The selection has to be in accordance with the relevant rules provided by funding agencies.

5. Application procedure for EURAMET members for participation in the EMRP at Programme level

- (1) Members of EURAMET may apply for participation in the EMRP at Programme level. For participating the applicant has to fulfil the following criteria:
 - a) Membership in EURAMET;
 - b) Be conducting or prepared to launch a national research programme in metrology and be engaged in collaborative and coordinated research;
 - c) Be prepared to make a national commitment to the EMRP declared to the European Commission, including direct contribution to the EMRP management costs, and commitment of national resources to the joint programme.
 - d) Declaration of joint and several liability for any funds to be distributed in a specific research programme and of direct contribution to the EMRP coordination and management costs.
- (2) An application for participating in the EMRP at Programme level shall be submitted in written form to the EMRP Chair. A description of the national research programme in metrology and a declaration on the national contribution to the EMRP shall be included in the application form. The EMRP Chair will inform the EMRP members about the application who have to decide on the participation by a simple majority of valid votes cast. If the EMRP members decide that the applicant shall be allowed to participate in the EMRP at Programme level, in the case of the EMRP being supported by Article 169 of the European Treaty or other similar funded research programmes, the EMRP Chair will forward the application form including the declaration on the national commitment and a written decision of the EMRP Committee to the European Commission. After approval of the European Commission the applicant is allowed to join the EMRP and the EMRP Committee as a member. If the EMRP Committee declines the application for participation in the EMRP at Programme level the applicant is free to apply again one full year after the first negative decision. An applicant cannot in the meantime claim for EMRP membership.
- (3) Up to the final decision and approval on the application the applicant is only allowed to join the meeting of the EMRP on invitation as an observer without voting right. Applicants become full members of the EMRP only on successful completion of the application process, including meeting the commitments and obligations of membership.

6. Application procedure for further organisations for participation in the EMRP at Programme level

- (1) According to § 2 (3) of the Byelaws further organisations may participate in the EMRP at Programme level if authorised to do so in the specific funding conditions. This applies to NMIs from countries associated to European Framework Programmes that are not in a position to join EURAMET as a member but have a justified interest in contributing to the EMRP. They have to conduct or be prepared to launch a research programme in metrology and be engaged in collaborative and coordinated research. Their application for participating in the EMRP at Programme level has to be declared in written form to the EMRP Chair. With this application the organisation has to commit financial means and resources to the EMRP including direct contribution to the EMRP coordination and management costs and assumption of liability for losses.
- (2) The EMRP Committee will decide on the application considering the scientific and strategic interests of EURAMET. The EMRP Chair will inform the EMRP members about the application who have to decide on the participation by a simple majority of valid votes cast. If the EMRP members decide that the applicant shall be allowed to participate in the EMRP at Programme level, in the case of the EMRP being supported by Article 169 of the European Treaty or other similar funded research programmes, the EMRP Chair will forward the application form including the declaration on the commitment and a written decision of the EMRP Committee to the European Commission.
- (3) After approval of the EMRP Committee and the European Commission the applicant is allowed to join the EMRP and the EMRP Committee as an extraordinary member without voting right.
- (4) The extent and the term of participation in the EMRP at Programme level depend on the commitment of the external organisation.
- (5) The European Commission's institutes working in the field of metrology may participate in the EMRP at Programme level if authorised to do so in the specific funding conditions .

7. EMRP fees

- (1) The EMRP members participating in the EMRP Committee shall pay EMRP fees (cp. § 6 (3) of the EURAMET Byelaws) for the administrative costs and for the execution of the EMRP.
- (2) In addition to Section 1 above the EMRP members participating in the EMRP Committee shall pay EMRP fees for the preparatory phase of the Article 169.
- (3) The EMRP Committee decides on the due date of the EMRP fees depending on the EMRP budget.
- (4) All organisations acceding to the EMRP later may be requested to pay an entrance fee which shall reflect their share in coordination and management costs occurred before the launch of the Art 169 EMRP. The amount and due date of the entrance fee has to be decided by the EMRP Committee.
- (5) Bank charges for payment of EMRP fees have to be borne by the EMRP members and the external organisations.

8. Meeting procedure

a) Convocation (Addition to § 14.9)

- (1) The EMRP Chair decides on the date and place of the next meeting of the EMRP Committee.
- (2) EURAMET members not participating in the EMRP initiative, representatives of the European Commission, stakeholders and guests are only allowed to join the meetings of the EMRP Committee on invitation by the EMRP Chair.

b) Quorum (Addition to § 14.11)

- (1) A quorum shall exist at an EMRP meeting if at least half of the “voting power” is present (cp. Rule 8.c)).
- (2) The quorum and the distribution of the voting power shall be verified at the beginning of the meeting by the EMRP Chair or in case of his or her absence by the deputy EMRP Chair and prior to each decision making.
- (3) All members taking part in the meeting and other persons present shall sign an attendance list.

c) Voting right (Addition to § 14.7)

- (1) The proportion of votes of the EMRP members in the EMRP Committee refers to the national contribution of each member to the specifically funded research programme. The basis for calculation of the proportion of votes and the voting weights of each member are regulated according to the following formula:

$$\text{Vote} = \text{rnd} \left(10 \cdot \sqrt{\frac{NC}{NC_{\max}}} \right), \text{ where}$$

Vote Number of votes of a country

NC National contribution of the respective country

NC_{max} Scaling factor (maximum national contribution of all countries)

rnd (x) Rounding to the next higher integer

- (2) When EMRP members with voting right join or withdraw from the EMRP Committee the proportion of votes shall be calculated again. It shall be modified as well when significant changes of the national contribution(s) occur. Following the guiding principle that only those EMRP members who are participating in a specific programme shall be allowed to decide on relevant EMRP matters, the proportion of votes in the EMRP Committee may deviate correspondingly.
- (3) An EMRP member who aims at participating in the EMRP at Programme level or another specifically funded research programme and has not accepted required declarations or obligations to be fulfilled in due time will not be allowed to participate in decisions of the EMRP Committee concerning this specific research programme. The voting right will be suspended up to fulfilment of the required activity.

d) Exclusion

If an EMRP member or an external organisation according to Rule 6 completely denies to accept or fulfil an obligation it can be excluded from the EMRP Committee after decision of the EMRP Committee by a two-thirds majority of the voting power. Before a decision is taken the organisation concerned must be given the opportunity to comment and to distribute a written statement relating to the occurrence.

e) Guidance (Addition to § 14.9)

- (1) The EMRP Chair is responsible for the proper conduct of the meetings of the EMRP Committee and may take the actions necessary to restore order, including restrictions of speaking time, exclusion from the meeting and suspension of the meeting.
- (2) In the meetings of the EMRP Committee each representative is allowed to address the meeting. The permission to speak will be granted by the EMRP Chair in chronological order of the requests to speak. If necessary the EMRP Chair can set another order of speakers. A representative who made a proposal for decision can ask to comment on the issue at the beginning of the consultation.

f) Reports (Addition to § 14.12)

- (1) Reports shall be provided for all meetings of the EMRP Committee. The reports shall be provided by the EMRP Chair and kept in the EURAMET Secretariat. They will be sent to all persons that have been allowed to participate in the meeting. Each participant of a meeting will get the reports for that part he or she was allowed to attend. The EURAMET Chairperson and Secretariat will get a copy of the reports. The reports shall be treated confidentially unless otherwise agreed in advance.
- (2) The meetings of the EMRP Committee are summoned in writing or by E-Mail by the EMRP Chair or in case of his or her absence by the deputy. The EMRP members will be asked to inform the EMRP Chair in writing of items they wish to be included in the agenda at the latest seven weeks before the date of the meeting. EMRP members will be sent a draft agenda at least four weeks before the meeting.
- (3) The EMRP Chair must summon an extraordinary meeting if this is in the interest of the association concerning the EMRP or if one fifth of the EMRP members demand a meeting stating the purpose and the reasons in writing.

9. EMRP Programme Manager

- (1) The EMRP Committee shall nominate an EMRP Programme Manager who shall be a senior experienced manager for a defined period of time. The nomination of the EMRP Programme Manager shall be notified to the Board of Directors for employment issues and to the EURAMET Delegates by the EMRP Committee. An extension is possible. If there is a serious reason the EMRP Programme Manager can be withdrawn by the EMRP Committee with a two-thirds majority of the valid votes cast.
- (2) The EMRP Programme Manager shall act solely under the direct authority of the EMRP Chair in any matters concerning the EMRP and report to the EMRP Committee regularly and upon request. After decision of the EMRP Committee the EMRP Programme Manager will be authorized to act on behalf of EURAMET in specific matters of the EMRP.

- (3) The EMRP Committee and the Board of Directors shall agree on effective procedures to ensure that no conflict of interest exists between the EMRP Programme Manager and the staff of the EMRP Management Support Unit (EMRP-MSU) and any applicant, participants or beneficiaries of the funded Programme.
- (4) The EMRP Committee has the responsibility to monitor the procedures implemented by the EMRP Programme Manager and to supervise his activities.
- (5) The EMRP Programme Manager has the following tasks in particular:
 - to exercise the overall management of the EMRP under iMERA-Plus, under Article 169 and, if requested to do so by the EMRP Committee, other EU-funded research programmes on behalf of and under the authority of EURAMET, in compliance with the relevant contract(s), Rules of Procedure, approved procedures and instructions;
 - to report to the EURAMET Chairperson on all important matters related to the EMRP and on request;
 - to report on progress and issues concerning his activity, in relation with the EMRP Chair, to the EURAMET Board of Directors and General Assembly if so required;
 - to manage the day to day operations of the EMRP (and its specific contract(s)) in a way that best protects EURAMET interests and image, achieves the objectives set out in the contract(s) and relevant Rules of Procedure and instructions;
 - to work with the appropriate EURAMET bodies and officials, and others as necessary to ensure the smooth preparation and operation of the EMRP;
 - to contribute to the preparation of the EURAMET budgets, concerning the EMRP budget, planning documents, draft procedures and other documentation related to the EMRP for approval by the responsible EURAMET bodies (when such approval is necessary);
 - to oversee the administrative and logistic support for the EMRP provided by the Secretariat.
- (6) The EMRP Programme Manager shall supervise the activities of the staff of the EMRP-MSU of the Secretariat, which has in particular to support the EMRP Committee in preparation of calls, preparation of review conference, contract management (EMRP), JRP administration and reporting, EMRP documentation and establishment of payment data. He or she shall propose the composition of the EMRP-MSU and the assignment of tasks in collaboration with the Head of the EURAMET Secretariat. The proposal for the core staff shall require approval by the EURAMET Board of Directors.
- (7) The EMRP Programme Manager and the Head of the EURAMET Secretariat shall cooperate amicably. In case of any conflicts arising between the EMRP Programme Manager and the Head of the EURAMET Secretariat, these conflicts shall be solved by binding decision of the Chairpersons of EURAMET.

10. Sub-Committees (Addition to § 14.5)

- (1) Single tasks of the EMRP Committee may be delegated to Sub-Committees. Sub-Committees can be set up for the preparation of decisions of the EMRP Committee. Sub-Committees can be terminated by the EMRP Committee.

- (2) A Sub-Committee will be established by decision of the EMRP Committee and will be chaired by a Sub-Committee-Head elected by the EMRP Committee.
- (3) Sub-Committees can be enlarged by technical experts, in particular TC Chairs, and experts from NMIs on decision of the members of the Sub-Committee and after approval of the EMRP Committee.
- (4) The EMRP Committee shall draw up terms of reference for any created Sub-Committee. The EMRP Committee may call on the EMRP Secretariat to help prepare the terms of reference.

Entry into force of Rules of Procedure

These Rules of Procedure were adopted at the EMRP Committee meeting on 11 January 2007 and entered into force on 11 January 2007.

1. Amendment: The Rules of Procedure were amended by decision of the EMRP Committee of 4 March 2009. The amended version entered into force on 4 March.
2. Amendment: The Rules of Procedure were amended by decision of the EMRP Committee of 20 September 2010. The amended version entered into force on 20 September 2010.