

**Rules of Procedure
of the EMPIR Committee**

Document: G-PRM-ROP-020 Version: 4.0
Approved: General Assembly 2017-05-15



Rules of Procedure of the EMPIR Committee

Version 4.0

Preamble

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 16 May 2017).

1. Tasks

The EMPIR Committee is responsible for all matters concerning the execution of the European metrology research programmes (EMRP) which might be co-funded by the European Commission or other similar sources of funding.

2. Composition

- (1) The EMPIR Committee consists of representatives from all EMPIR members. An EMPIR member is a member of EURAMET from a state that has declared its national commitment to EURAMET, and if applicable to the European Commission in order to participate in a specific joint research programme.
- (2) Each EMPIR member shall appoint one representative and one deputy representative. A representative who is prevented from participating in a meeting may be represented by his or her permanent deputy. The deputy representative shall exercise the same power as the representative. The EMPIR Chair must be notified in writing of the delegation preferably before the relevant meeting.
- (3) A representative of an EMPIR member who does not belong to the staff of a member should have written authorisation to act on behalf of the EMPIR member, i.e. to take actions and make the statements necessary.
- (4) The EURAMET Chairperson, the Vice-Chairperson (GA), the General Secretary, the Programme Manager, the Member Services Manager and the Legal Advisor will be invited to attend the meetings of the EMPIR Committee without voting rights.

3. Chairpersons

- (1) The EMPIR Committee shall elect an EMPIR Chair and one deputy EMPIR 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 EMPIR Chair and deputy EMPIR Chair have to be elected separately and by ballot. In the event of a tied vote, the higher number of supporting EMPIR members shall be decisive. If this does not result in a majority, the election shall be decided by a toss of a coin. The EMPIR Chair who will be EURAMET Vice-Chairperson (EMPIR) 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.
- (2) The EMPIR Chairpersons can be deselected by the EMPIR Committee by a two-thirds majority of the valid voting power. If there is a serious reason, the EMPIR Chair can be deselected by the General Assembly with a two-thirds majority of the valid votes cast.

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

- (1) The EMPIR Chair's responsibilities are laid down in § 8 (5) of the EURAMET Byelaws.
- (2) The deputy EMPIR Chair shall be the representative of the EMPIR Chair in case of his or her's absence. The deputy EMPIR Chair coordinates the selection processes of the pool of the referees and of the Research Council. He or she is also responsible for supervising the work of the referees.

5. Application procedure for EURAMET members for participation in a metrology research programme at programme level

- (1) Members of EURAMET may apply for participation in a specific metrology research programme 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 specific metrology research programme, including direct contribution to the programme 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 programme coordination and management costs.
- (2) An application for participating in a specific metrology research programme at programme level shall be submitted in written form to the EMPIR Chair. A description of the national research programme in metrology and a declaration on the national contribution to the specific programme shall be included in the application form. The EMPIR Chair will inform the EMPIR members about the application who have to decide on the participation by a simple majority of valid votes cast. If the EMPIR members decide that the applicant shall be allowed to participate in the specific metrology research programme at programme level, the EMPIR Chair will initiate the necessary steps. Once final approval is received the applicant is allowed to join the specific programme and the EMPIR Committee as a member. If the EMPIR Committee declines the application for participation in the specific programme 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 EMPIR membership.
- (3) Up to the final decision and approval on the application the applicant is only allowed to join the meetings of the EMPIR Committee on invitation as an observer without voting right. Applicants become full members of the EMPIR Committee 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 a specific metrology research programme at programme level

- (1) Further organisations may participate in a specific metrology research programme at programme level if authorised to do so in the specific funding conditions. Their application for participating at programme level has to be declared in written form to the EMPIR Chair. With this application the organisation has to commit financial means and resources to the programme including direct contribution to the programme coordination and management costs and assumption of liability for losses.
- (2) The EMPIR Committee will decide on the application considering the scientific and strategic interests of EURAMET. The EMPIR Chair will inform the EMPIR members about the application who have to decide on the participation by a simple majority of valid votes cast. If the EMPIR members decide that the applicant shall be allowed to participate at programme level, the EMPIR Chair will initiate the necessary steps.

7. Fees for participation in a metrology research programme

- (1) The EMPIR members participating in the EMPIR Committee shall pay fees for participation in a metrology research programme (cp. § 6 (3) of the EURAMET Byelaws).
- (2) The EMPIR Committee decides on the due date of these fees depending on the programme budget.
- (3) All organisations acceding to a specific programme 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 programme. The amount and due date of the entrance fee has to be decided by the EMPIR Committee.
- (4) Bank charges for payment of fees have to be borne by the EMPIR members and the external organisations.

8. Meeting procedure

a) Convocation

- (1) The EMPIR Chair decides on the date and place of the next meeting of the EMPIR Committee.
- (2) Representatives of the European Commission, stakeholders and guests are only allowed to join the meetings of the EMPIR Committee on invitation by the EMPIR Chair.

b) Quorum

- (1) A quorum shall exist at an EMPIR 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 EMPIR Chair or in case of his or her absence by the deputy EMPIR 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

- (1) The proportion of votes of the EMPIR members in the EMPIR Committee refers to the national contribution of each member to the specific metrology 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 EMPIR members with voting right join or withdraw from the EMPIR 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 EMPIR members who are participating in a specific programme shall be allowed to decide on relevant programme matters, the proportion of votes in the EMPIR Committee may deviate correspondingly.
- (3) For decisions related to more than one specific metrology research programme and if explicitly defined by the EMPIR Committee, the EMPIR member uses the sum of the votes he/she has in the related programmes.

d) Exclusion

If an EMPIR member or an external organisation according to Rule 6 denies to accept or fulfil an obligation it can be excluded from the EMPIR Committee and from the participation in a specific metrology research programme after decision of the EMPIR 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

- (1) The EMPIR Chair is responsible for the proper conduct of the meetings of the EMPIR 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 EMPIR Committee each representative is allowed to address the meeting. The permission to speak will be granted by the EMPIR Chair in chronological order of the requests to speak. If necessary the EMPIR 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

- (1) Reports shall be provided for all meetings of the EMPIR Committee. 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 EMPIR Committee are summoned in writing or by E-Mail by the EMPIR Chair or in case of his or her absence by the deputy. The EMPIR members will be asked to inform the EMPIR Chair in writing of items they wish to be included in the agenda. EMPIR members will be sent a draft agenda at least four weeks before the meeting.
- (3) The EMPIR Chair must summon an extraordinary meeting if this is in the interest of the association or if one fifth of the EMPIR members demand a meeting stating the purpose and the reasons in writing.

9. Programme Manager

- (1) The EMPIR Committee shall nominate a Programme Manager who shall be a senior experienced manager for a defined period of time. The nomination of the Programme Manager shall be notified to the Board of Directors for employment issues and to the EURAMET Delegates by the EMPIR Committee. If there is a serious reason the EMPIR Committee can initiate the termination of the employment contract of the Programme Manager with a two-thirds majority of the valid votes cast.
- (2) The Programme Manager shall report to the EMPIR Committee regularly and upon request of EURAMET in specific matters of the metrology research programmes.
- (3) The Programme Manager has the following tasks in particular:
 - to exercise the overall management of the metrology 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 metrology research programmes and on request;
 - to report on progress and issues concerning his or her activity, in relation with the EMPIR Chair, to the EURAMET Board of Directors and General Assembly if so required;
 - to manage the day to day operations of the metrology research programmes (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 metrology research programmes;
 - to contribute to the preparation of the EURAMET budget, concerning the budget for metrology research programmes.

10. Sub-Committees

- (1) Single tasks of the EMPIR Committee may be delegated to Sub-Committees. Sub-Committees can be set up for the preparation of decisions of the EMPIR Committee. Sub-Committees can be terminated by the EMPIR Committee.
- (2) A Sub-Committee will be established by decision of the EMPIR Committee and will be chaired by a Sub-Committee-Head elected by the EMPIR Committee. The members of the Sub-Committees will be elected and may be deselected by the EMPIR 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 EMPIR Committee.
- (4) The EMPIR Committee shall draw up terms of reference for any created Sub-Committee.

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.
3. Amendment: The Rules of Procedure were endorsed by the EMPIR Committee and amended by decision of the EURAMET General Assembly of 16 May 2017. The amended version entered into force on 16 May 2017.

EURAMET e.V.
Bundesallee 100
38116 Braunschweig
Germany

Phone: +49 531 592 1960
Fax: +49 531 592 1969
E-mail: secretariat@euramet.org

EURAMET e.V. is a non-profit association under German law.