



Rules of Procedure of the ECDC Advisory Forum

*(adopted by the ECDC Management Board at its fifth meeting in Stockholm,
13-14 December 2005)*

Table of Contents

	<i>Page</i>
Article 1: Attendance at meetings	1
Article 2: Agenda	1
Article 3: Convocation of meetings.....	2
Article 4: Recommendations	2
Article 5: Summary report.....	2
Article 6: Closure of debates	2
Article 7: Voting.....	3
Article 8: Conduct of business	3
Article 9: Written procedures	3
Article 10: Working Groups.....	3
Article 11: Panels and studies	4
Article 12: Finalization of the minutes of the meetings of the Forum	4
Article 13: Exchange of information.....	5
Article 14: Reimbursement of expenses.....	5
Article 15: Amendment of the Rules of Procedure of the Forum	5
Article 16: Entry into force	5
Annex I: Extract from the Regulation (EC) No 851/2004	6
Annex II: Declaration of Commitment	11
Annex III: Annual Declaration of Interest	13
Annex IV: Declaration concerning confidentiality	16
Annex V: Working Groups of the Advisory Forum.....	18

DECISION CONCERNING THE RULES OF PROCEDURE OF THE ADVISORY FORUM OF THE EUROPEAN CENTRE FOR DISEASE PREVENTION AND CONTROL

THE MANAGEMENT BOARD OF THE EUROPEAN CENTRE FOR DISEASE
PREVENTION AND CONTROL,

Having regard to Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 (hereinafter called “the Regulation”) establishing a European Centre for Disease Prevention and Control (hereinafter called “the Centre”), in particular Article 18 thereof, and

In order to ensure the proper functioning of the Advisory Forum of the Centre (hereinafter called “the Forum”) within the overall framework of the Regulation,

Noting that the Regulation contains explicit references, all of which are cited in Annex I, to membership and participation (Article 18.1, 18.2, 18.6 and 18.8) including collaboration with the World Health Organization (Preamble (4)), aims (Article 18.3 and 18.4), the Chairing and convocation of meetings (Article 18.5), technical and logistic support for the Forum and a secretariat for its meetings (Article 18.7), declaration of interest (Article 19.1, 19.2 and 19.3) (see also Annex III), transparency and protection of information (Article 20.1, 20.3, and 20.4) confidentiality (Article 21.1, 21.2 and 21.3) (see also Annex IV).

Has adopted the following additional rules:

Article 1: Attendance at meetings

Members of the Forum shall make a commitment to attend and participate in its meetings (Annex II).

Article 2: Agenda

- 1) Subject to Paragraph 2 of this Article, requests for matters which members wish to have included on the agenda shall be submitted to the Chair not less than 14 working days before the date of the meeting. Where a member wishes to replace or delete an item the request shall be made at the meeting itself.
- 2) Any request by one or more members for inclusion, deletion or replacement of an item on the agenda shall state the reasons on which it is based. The Chair shall bring any such request to the notice of the members of the Forum.

- 3) Having taken into account the requests by members for inclusion, deletion or replacement of items, the Chair shall take the final decision on the agenda.
- 4) Urgent questions may be added to the agenda at any time before the end of the meeting with the agreement of the Chair; and items on the agenda may be deleted or carried over to a subsequent meeting.
- 5) When the Forum is specifically convened to deliberate on a matter of urgency, requests for matters which members wish to have included on the agenda shall be submitted to the Chair as soon as possible before the meeting.

Article 3: Convocation of meetings

- 1) The notice of convocation of a meeting of the Forum shall be transmitted by the Secretariat on behalf of the Chair to members no later than ten working days before the start of the meeting. The draft agenda shall simultaneously be sent to them, comprising the items to be examined. Preparatory documents shall also be transmitted no later than ten working days before the start of the meeting.
- 2) Where at least one third of the members request a meeting, the meeting shall be convened within one month or, in case of urgency, as soon as possible.
- 3) When the Forum is specifically convened to deliberate on a matter of urgency, the notice of convocation and the provisional agenda shall be transmitted to members as soon as possible before the start of the meeting.

Article 4: Recommendations

Decisions on recommendations to be made by the Forum shall be made by at least two thirds of all members of the Forum either physically present at a meeting or through other means of participation in the decision-making process such as teleconferencing or videoconferencing.

Article 5: Summary report

The summary report of each meeting of the Forum shall be prepared by the secretariat within two weeks and circulated to the members of the Forum for comments and approval.

Article 6: Closure of debates

- 1) The Chair may close a debate when s/he considers that all members have had the opportunity to express their views.

- 2) Members may ask for closure which shall be given at the discretion of the Chair once all members have been given the opportunity to state their views.
- 3) Any member asking to speak on closure shall be given precedence.

Article 7: Voting

Scientific questions shall not be submitted to a vote. If the members cannot agree, each shall be entitled to have his or her personal opinion reflected in the report; this statement of opinion shall take the form of an individual or group report, stating the reasons why a divergent opinion is held and giving the number, and names, of members or alternates supporting the opinion.

Article 8: Conduct of business

Save as provided in Articles 6 and 7 above, the Chair shall be guided by the provisions of the Rules of Procedure of the Management Board on the conduct of business, the confidentiality of its proceedings and voting in so far as this may be necessary for the accomplishment of the work of the Forum.

Article 9: Written procedures

- 1) When the Chair wishes to consult the members of the Forum as a matter of urgency, such as an epidemic or threat of an epidemic, documents and information may be transmitted by the quickest means available and information sought without the need to convene a meeting. The matter will in any case be placed on the agenda of the next meeting.
- 2) Where neither a member of the Forum nor his nor her alternate is able to participate in a meeting, he or she may make his or her views known on an agenda item to the Chair in writing. The Chair shall ensure that these are circulated to other members by the secretariat.

Article 10: Working Groups

- 1) On the proposal from the Forum, the Director may set up working groups as necessary to focus on scientific, technical or other questions falling within the remit of the Centre. Each working group shall be chaired by a member of the Forum and consist of members of the Forum with relevant professional expertise. The Chair of each working group may admit to meetings of the working group experts qualified in the matters to be discussed with a view to informing the meeting. Working groups may also communicate electronically (see Article 13).
- 2) The Director in agreement with the Forum shall determine the terms of reference of a working group and the timeframe in which it shall complete its task.

- 3) Members of working groups shall be bound by the rules of confidentiality and independence which apply to members of the Forum.
- 4) Members of working groups and experts shall be reimbursed by the Centre on the basis of the provisions of Article 14.
- 5) Working groups shall send a summary report to the Director as soon as possible following a meeting. The Director shall inform the Forum on the progress of the work allocated to the working groups.

Article 11: Panels and studies

- 1) Where independent expertise is not available from existing dedicated surveillance networks, the Centre may set-up independent, ad hoc scientific panels in priority areas where its members do not have the necessary expertise. It may also initiate studies in accordance with the needs of the work programme.
- 2) The Director in agreement with the Forum shall determine the terms of reference of a panel or study and the timeframe in which it shall complete its task.
- 3) Members of panels and experts taking part in studies shall be bound by the rules of confidentiality and independence which apply to members of the Forum.
- 4) Members of panels and experts shall be reimbursed by the Centre on the basis of the provision of Article 14.
- 5) Panels or study groups shall report to the Director through the Forum in line with a plan of work approved in advance by the Forum.

Article 12: Finalization of the minutes of the meetings of the Forum

- 1) The draft minutes and the attendance list of the meetings of the Forum shall be forwarded to members not later than four weeks after the meeting or two weeks prior to the following meeting.
- 2) Members who wish to amend the draft minutes shall inform the Chair and the other members.
- 3) After giving each member the opportunity to comment, the minutes shall be adopted at the discretion of the Chair at the meeting following the one to which they refer. Should the draft not have been sent in time and if one member objects, the Chair may decide to hold the matter over until the following meeting.

- 4) Once agreed, the Chair shall sign a copy of the report and this shall be kept in the archives of the Centre. The final text shall be forwarded to members not later than four weeks after its approval.

Article 13: Exchange of information

In order to give the members of the Forum continuous influence over developments at the Centre, teleconferencing, videoconferencing and the transmission of documents in digital form – as well as other technological tools – shall be used to share information and experience and discuss recent developments in communicable diseases.

Article 14: Reimbursement of expenses

Travel expenses incurred by members or alternates in connection with Forum meetings shall be reimbursed by the Centre on the basis of one representative per Member State and in line with the current EU rules. The expenses of representatives of nongovernmental organisations and experts recruited in a private capacity will also be reimbursed in line with current EU rules.

Article 15: Amendment of the Rules of Procedure of the Forum

- 1) The Board shall amend these Rules of Procedure of the Forum and their annexes as necessary.
- 2) Amendments to the Rules of Procedure of the Forum and their annexes shall enter into force on the date when relevant paragraphs are approved by the Management Board.

Article 16: Entry into force

These Rules and annexes shall enter into force immediately after its adoption by the Management Board.

Done at Stockholm, 2005

For the Management Board,

Dr Marc Sprenger
The Chair

Annex I

Extract from the Regulation (EC) No 851/2004

Extract from Regulation (EC) No 851/2004

Preamble (4) - Partnerships

- (4) Decision No 2119/98/EC expressly calls for the improvement of the coverage and effectiveness of existing dedicated networks between Member States for the surveillance of communicable diseases on which Community actions should be built and the need to foster cooperation with third countries and international organisations competent in the field of public health, and in particular to pursue closer collaboration with the World Health Organisation (WHO). The Centre for Disease Prevention and Control should therefore establish clear procedures for cooperation with the WHO.

Article 18

Advisory Forum

1. The Advisory Forum shall be composed of members from technically competent bodies in the Member States which undertake tasks similar to those of the Centre, on the basis of one representative designated by each Member State recognised for his/her scientific competence, as well as three members without the right to vote nominated by the Commission and representing interested parties at European level, such as non-governmental organisations representing patients, professional bodies or academia. Representatives may be replaced by alternates, appointed at the same time.
2. Members of the Advisory Forum shall not be members of the Management Board.
3. The Advisory Forum shall support the director in ensuring the scientific excellence and independence of activities and opinions of the Centre.
4. The Advisory Forum shall constitute a mechanism for an exchange of information on health threats and the pooling of knowledge. It shall ensure close cooperation between the Centre and the competent bodies in the Member States in particular on the following items:

- (a) coherence of the Centre's scientific studies with Member States;
- (b) in those circumstances where the Centre and a national body cooperate;
- (c) the promoting, starting up and supervising of the European networks within the fields of the Centre's mission;
- (d) where the Centre or a Member State identifies an emerging public health threat;
- (e) the setting up of scientific panels by the Centre;
- (f) scientific and public health priorities to be addressed in the work programme.

5. The Advisory Forum shall be chaired by the director or, in his/her absence, by a deputy from within the Centre. It shall meet regularly at the invitation of the director, or at the request of at least a third of its members, and not less than four times per year. Its operational procedures shall be specified in the Centre's internal rules and shall be made public.

6. Representatives of the Commission's departments may participate in the work of the Advisory Forum.

7. The Centre shall provide the technical and logistic support necessary for the Advisory Forum and provide a secretariat for its meetings.

8. The director may invite experts or representatives of professional or scientific bodies, or non-governmental organisations with recognised experience in disciplines related to the work of the Centre to cooperate in specific tasks and to take part in the relevant activities of the Advisory Forum.

Article 19

Declaration of interest

1. The members of the Management Board, the members of the Advisory Forum, scientific panels and the director shall undertake to act in the public interest.

2. The members of the Management Board, the director, the members of the Advisory Forum, as well as external experts participating in scientific panels shall make a declaration of commitment and a declaration of interests indicating either the absence of any interests which might be considered prejudicial to their independence or any direct or indirect interests which might be considered prejudicial to their independence. Those declarations shall be made annually in writing.

3. The director, the members of the Advisory Forum, as well as external experts participating in scientific panels, shall declare at each meeting any interests which might be considered prejudicial to their independence in relation to the items on the agenda. In such cases these persons have to disqualify themselves from relevant discussions and decisions.

Article 20

Transparency and protection of information

1. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽¹⁾ shall apply to documents held by the Centre.

3. Decisions taken by the Centre pursuant to Article 8 of Regulation (EC) No 1049/2001 may give rise to the lodging of a complaint to the Ombudsman or form the subject of an action before the Court of Justice of the European Communities, under the conditions laid down in Articles 195 and 230 of the Treaty respectively.

4. Personal data shall not be processed or communicated except in cases where this is strictly necessary for the fulfilment of the mission of the Centre. In such cases, Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾ shall apply.

Article 20-1 ⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

Article 20-4 ⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

Article 21

Confidentiality

1. Without prejudice to Article 20, the Centre shall not divulge to third parties confidential information that it receives for which confidential treatment has been requested and justified, except for information which must be made public if circumstances so require, in order to protect public health. Without prejudice to Decision No 2119/98/EC, if the confidential information has been submitted by a Member State, this information cannot be disclosed without the prior consent of that Member State.

2. Members of the Management Board, the director, as well as external experts participating in the scientific panels, members of the Advisory Forum, and members of the staff of the Centre, even after their duties have ceased, shall be subject to the requirements of confidentiality pursuant to Article 287 of the Treaty.

3. The conclusions of the scientific opinions delivered by the Centre relating to foreseeable health effects shall on no account be kept confidential.

Annex II

DECLARATION OF COMMITMENT

DECLARATION OF COMMITMENT

Advisory Forum

Surname:

Forenames:

Title/Function:

I, hereby declare that I shall make all reasonable efforts to attend and participate in the meetings of the Advisory Forum of the European Centre for Disease Prevention and Control, and to act independently and in the public interest.

Done at _____ *on* _____

Signature _____

Annex III

ANNUAL DECLARATION OF INTEREST

Annual Declaration of Interest

Information on direct or indirect interests of relevance to the mission of the Centre

Name: _____

Position :

- Member of the Management Board
- Member of the Advisory Forum
- Member of the Scientific Committee
- Member of a Panel on :.....
- Member of a Working Group
- ECDC Director/Senior Management team

The information should cover the 3 years before the date of the current declaration

- (1) Direct interest (financial benefits arising from, for example, employment, contracted work, investments, fees etc.)

- (2) Participation into activities supported by grants or contracts concluded in the Framework of the Public Health Programme

- (3) Indirect financial interests e.g. grants, sponsorships, or other kind of benefits

- (4) Interests deriving from the professional activities of the member or his/her close family Members

(5) Any Membership role or affiliation that you have in organisations/bodies/club with an interest in the work of the Centre:

(6) Other interests or facts that the undersigned considers pertinent

I declare on my word of honour that the information provided above is true and complete.

Done at _____ on _____

Signature: _____

Annex IV

DECLARATION CONCERNING CONFIDENTIALITY

DECLARATION CONCERNING CONFIDENTIALITY

Advisory Forum

Surname:

Forenames:

Title/Function:

I hereby declare that I am aware of my obligation to respect confidentiality. I know that I am obliged not to divulge information acquired as a result of the work of the Advisory Forum, if this information is subject to a request for confidentiality. I shall also respect the confidential nature of the opinions expressed by members of the Advisory Forum during discussions in meetings or provided in written form.

Done at _____ *on* _____

Signature _____

Annex V

WORKING GROUPS OF THE ADVISORY FORUM

WORKING GROUPS OF THE ADVISORY FORUM

1. Terms of reference

Further to discussions at the first meeting of the Advisory Forum, in accordance with Article 18 of Regulation (EC) No 851/2004 of the European Parliament and the Council of 21 April 2004 and in order to support the Director in ensuring the scientific excellence and independence of activities and opinions of the Centre, three working groups have been established. Their mandates extend until the end of 2005 and are to advise on scientific issues surveillance and communications, and preparedness and response, respectively.

2. Membership

- 2.1 Members of the Advisory Forum with expertise and experience in the areas mentioned above shall normally form the core of the working groups.
- 2.2 Working groups may co-opt additional expertise as required.
- 2.3 Each working group shall normally not exceed 11 members.

3. Working procedures

- 3.1 Each working group shall select a Chair from among its members by a simple majority vote.
- 3.2 The head of the Centre's unit on scientific advice, surveillance and communications and preparedness and response, respectively, shall serve as focal point for each working group.
- 3.3 The focal point shall refer to the working group all new issues for its consideration including, for example, the formulation of internal procedures.
- 3.4 The working group shall normally confer by means of video or teleconferencing, or e-mail.
- 3.5 The Chair shall summarize the conclusions of each consultation and report back to the Centre via the focal point.
- 3.6 The Director shall inform the Advisory Forum of the conclusions of the working group indicating at the same time what further action should be taken.
- 3.7 In an emergency, individual members of the working groups may be called on to take part directly in the Centre's coordinated response.