



European Centre for Disease Prevention and Control

Rules of Procedure of the Management Board

**adopted at its first meeting on 28 September 2004, including amendments
adopted at its tenth meeting on 15 June 2007**

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European Centre for Disease Prevention and Control

The Management Board

Rules of Procedure

Having regard to

- Regulation (EC) No 851/2004 of the European Parliament and the Council of 21 April 2004 establishing a European Centre of Disease Prevention and Control and particular its article 14,
- the appointment of representatives to the Management Board by the Member States, the European Commission¹, and the European Parliament².

In order for the Management Board, hereafter called the "Board", to ensure that the Centre carries out its mission and performs the tasks assigned to it under the conditions laid down in the Regulation, the following rules of procedure are adopted.

Article 1. Membership

1. The Management Board consists of one member designated by each Member State, two members designated by the European Parliament and three members representing and appointed by the Commission. The duration of the term of office for each member is 4 years and can be extended. If the office of a member falls vacant, the Member State shall appoint a new member for the remainder of the term of office.
2. Each Member shall have a nominated alternate.

Article 2. Chair and Deputy Chair

1. The Board shall elect a Chair and a Deputy Chair from among its Members by a two-thirds majority of all Members with the right to vote. The term of office of the Chair and the Deputy Chair shall be 2 years, which may be extended. The term of office shall expire when they cease to be members of the Board.
2. The procedure for the election of Chair shall be as follows:
 - a. The vote for the election of Chair shall be taken by a two-thirds majority of the Management Board voting members present and by secret ballot.

Nominations for Chair shall be submitted either by the candidates themselves or by other members of the Management Board to the secretariat no later than 3 weeks before the start of

¹ Commission Decision of 13 September 2004

² Decision of the European Parliament of x September 2004

the Management Board meeting at which the election is to take place. The Secretariat shall send the nominations so received to the members of the Board no later than 10 working days before the Management Board meeting at which the election is to take place. Candidates shall submit a statement in support of their candidature at the time of the nomination.

Two tellers shall be designated amongst the members, observers or the secretariat to assist in the counting of the vote.

At each round, the candidate with the lowest number of votes shall withdraw until only two candidates are left. Rounds will run until one of the remaining two candidates receives two-thirds majority of favourable votes of the Management Board members.

If after two rounds none of the remaining two candidates obtains a two-thirds majority, the candidate receiving a simple majority shall be elected.

If none of the remaining two candidates receives the majority of the votes (i.e. if they each receive the same number of votes), the election shall be suspended and the Board shall seek an agreement to enable new nominations and the process shall resume if possible during the same meeting of the Management Board. In such case, new nominations can be made during the meeting.

b. The Deputy Chair shall be elected following a procedure identical to that of the Chair.

3. The Deputy Chair shall automatically take the place of the Chair if he/she is prevented from attending to his/her duties.

4. The first election of the Chair shall take place after the Board adopts these Rules of Procedure (28 September 2004). The election of his/her successor shall take place at a meeting of the Board to be determined by the outgoing Chair. The outgoing Chair shall inform the members of the Board of the date of the election at least 6 weeks prior to the start of the Board meeting at which the election is to take place. The outgoing Chair shall remain on duty until a new Chair is elected, except if he ceases to be a member of the Board in which case the Deputy Chair shall take the place of the Chair as provided in Article 2.3. In the case the Deputy Chair also ceases to be a member of the Board, Article 2.7 shall apply.

5. If the office of Chair or Deputy Chair falls vacant, the Deputy Chair or Chair as the case may be shall convene a meeting to elect a successor, to be held within three months. The member then elected shall serve as Chair or Deputy Chair for the remainder of his predecessor's term or until the end of the membership of the Management Board, whichever is the earlier.

6. The terms of office of Chairs and Deputy Chairs shall begin on the first day after their predecessors' terms of office

7. If both the Chair and the Deputy Chair are absent or unable to attend meeting, the meeting shall be chaired by the longest serving member or, in the event of equal length of service, by the oldest of the longest serving members.

8. The Chair shall be the spokesman of the Board.

Article 3. Attendance at meetings

1. The Board members should attend all meetings of the Board. Where this is not possible, their alternate should attend instead. Both Board members and alternates can participate in the meetings. They may be assisted by one adviser, unless the Board decides otherwise in a particular case.
2. Any Board member can also represent one other member, provided that a written authorisation from the absent member is provided to the Chair latest at the beginning of the meeting or during the course of the meeting for the remaining points on the agenda. The proxy shall be recorded in the minutes.
3. Unless the Board decides otherwise in a particular case, the Director shall take part in the Board's deliberations without a right to vote, and may be assisted by other staff of the Centre.

Article 4. Admission of observers/ Representatives of third countries

1. The Board may invite any person whose opinion can be of interest to attend its meetings or part of its meetings as an observer.
2. Representatives of third countries having entered into agreements with the Community in accordance with article 30 of the Regulation shall be entitled to attend Board's meetings under the terms and conditions specified in such agreements.
3. The Board may invite any State which has applied for membership of the European Union, on condition that the accession negotiations have been successfully completed, to attend its meetings or part of its meetings as observer.
4. Representatives of third countries not covered by paragraphs 2 or 3 may be invited to attend Board meetings as observers in case an agenda item is of particular interest to these countries.

Article 5. Convening of meetings

1. The Board shall meet at least twice a year. Additional meetings may be organised at the request of one-third of the Members. The date of the meetings shall be decided by the Board at its preceding meetings.
2. A provisional agenda, accompanied by the relevant material for decision making, will be forwarded to the members at least 10 working days prior to each meeting.
3. When the Board is to meet at the request of one-third of the Member States, the Chair shall convene a meeting to take place within six weeks of receipt of the request, or as soon as practicable in urgent cases.
4. When the Board is convened to deliberate on a matter of urgency, the notice of convocation, the provisional agenda and eventual working documents shall be transmitted by the Chair to members no later than 5 working days before the start of the meeting, except in cases of 'force majeure'.

5. Meetings shall normally be held at the seat of the Centre.
6. When circumstances require, and provided a majority of the members does not object, the Chair may change the date or place of a meeting of the Board.

Article 6. Agenda

1. A provisional agenda shall be drawn up by the Chair based on a proposal from the Director. It shall contain, in addition to those questions which inclusion is requested by a member, any question which inclusion is requested by the Director.
2. Notwithstanding paragraph 3, questions to be included on the provisional agenda shall be submitted to the Chair not less than four weeks before the date of the start of the meeting, except in cases of "force majeure".
3. The agenda shall be adopted at the beginning of each meeting.
4. With the agreement of the Board, urgent questions may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 7. Quorum

The representatives, alternate representatives or proxy holders of at least two thirds of the members with a right to vote shall constitute the quorum necessary for the meeting to be valid. In the absence of a quorum, the Chair shall search an alternative solution such as discussion on important matters followed by a written procedure or close the meeting and convene another as soon as possible.

Article 8. Voting

1. Unless otherwise provided for in the Founding regulation or in the present rules of procedure, the Board shall take its decisions by a simple majority of all members..
2. In the absence of a member, his/her alternate or nominated proxy according to Article 3.2 shall be entitled to exercise his/her right to vote. In addition to his/her own vote, each voting member may receive only one vote by proxy. The proxy shall be notified in writing to the Chair at the beginning of the discussion of a specific agenda point.
3. Votes shall be taken by show of hands unless a secret ballot is requested by at least one-third of the voting members present. A secret ballot is always used when electing persons.
4. For each decision adopted by the Board, figures for the votes cast shall be recorded. A statement of the views of a member may be entered in the minutes along with the decision, if a member so requests.

5. The Chair may authorise a member to speak briefly in explanation of a vote he/she has cast.

Article 9. Urgent business

1. Between two meetings of the Board, urgent business that is essential for the functioning of the Centre may be submitted to the Board either by convening an extraordinary Management Board meeting or by written procedure.
2. A written procedure shall be initiated by the Director in consultation with the Chair and shall only concern matters already addressed during previous meetings. Draft decisions shall be addressed to members and, for information, to observers after approval of the Chair. Written objections shall be raised within five working days unless otherwise specified depending on the urgency of the matter.
3. In case of serious objections, the Director in consultation with the Chair decides whether the written procedure should be suspended and convenes an extraordinary Board meeting or whether the draft decision, together with the serious objections, should be re-circulated to all Board members. In that case, the deadline for adoption shall be five working days.
4. A full report on the outcome of the written procedure shall be made at the end of the procedure and circulated to the Board.

Article 10. minutes of meetings

1. A summary of the decisions taken at each meeting of the Board shall be forwarded to members not later than two weeks after the end of the meeting.
2. The draft minutes, to which shall be attached the summary referred to in paragraph 1, the attendance list, and the decisions taken with figures for the votes cast at each vote, shall be forwarded to members not later than four weeks after the end of the meeting.
3. Once approved by the Board, the minutes shall be signed by the Chair. The signed copy of the minutes shall be kept in the archives of the Centre.
4. The final text of the minutes shall be forwarded to members not later than two weeks after its approval.

Article 11. Confidentiality

1. All proceedings of the Board shall be confidential. Members and others present at meetings of the Board shall respect the confidential character of these proceedings.
2. The Board's decisions and minutes of meetings shall be subject to the provisions of article 4 of the Regulation 1049/2001 and measures taken for its implementation. They shall be published on the Centre's web site unless the Management Board decides otherwise.

Article 12. Reimbursement of expenses

1. Travel and subsistence expenses incurred by the members in connection with meetings relating to Board business shall be paid by the Centre in accordance with practice and rules laid down by the Centre.
2. Expenses incurred by alternate members relating to Board business shall be paid by the Centre in accordance with paragraph 1, only in the case where the substitute replaces the Board member for whom he/she has been appointed as alternate.
3. All travel and subsistence expenses incurred by observers and experts invited by the Board in connection with meetings relating to Board business shall be paid by the Centre in accordance with practice and rules laid down by the Centre..

Article 13. Correspondence

All correspondence with the Board shall be addressed to the Centre in its Headquarters location.

Article 14. Secretariat

The Director shall provide the Secretariat and the appropriate administrative support to enable the Board to carry out its work.

Article 15. Amendment of the rules of procedure

1. The Board may amend these Rules of Procedure by a two-thirds majority of its members with a right to vote.
2. Amendments to the Rules of Procedure shall enter into force as soon as they are adopted by the Board.

Article 16. General provisions

These rules of procedure shall be published on the Centre's web site.

Article 17. Entry into force

These Rules shall enter into force as soon as they are adopted by the Board.

*Done at Stockholm, 15 June 2007
For the Board*

*Marc Sprenger
Chair of the ECDC Board*