

Rules of procedure of the Steering Committee of the Interreg MED Cooperation Programme 2014-2020

December 2015

Interreg
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EUROPEAN UNION



Preamble

According to

- Regulation No 1303/2013 of the Parliament and the Council (hereinafter referred to as "common provisions regulation"), in particular Articles 5, 47 and 48,
- Regulation No 1301/2013 of the Parliament and the Council (hereinafter referred to as "ERDF Regulation"),
- Regulation No 1299/2013 of the Parliament and the Council (hereinafter referred to as " ETC regulation"), in particular Articles 12, 18 and 23,
- Regulation No 231/2014 of Parliament and of the Council (hereinafter referred to as "IPA II Regulation"), implementing regulation No 447/2014 of the Commission (hereinafter referred to as "IPA II implementing regulation"), and framework agreements No XX, YY for IPA countries XX, YY and financial decision of the European Commission No xxxx for the Interreg MED Cooperation Programme (hereinafter referred to as IPA II framework agreements and financial decision)
- Interreg MED Cooperation Programme (decision C (2015) 3576, dated June 2, 2015)
- Rules of procedure of the Interreg MED Programme Monitoring Committee

1. Functions of the Steering Committee

In accordance with Article 12 of ETC Regulation No 1299/2013, the Interreg MED Programme Monitoring Committee sets up a Steering Committee that acts under its responsibility for the selection of operations.

The Steering Committee has the responsibility to carry out, with the support of the Joint Secretariat, the following tasks:

- (a) Validation of eligible applications,
- (b) Selection of all type of project proposals (uni-modular, multi-modular, horizontal etc.), to the exception of projects of axis 4 and 5, in each single step of the assessment procedure,
- (c) Approval or rejection of changes in all types of projects requested during their implementation, to the exception of projects of axis 4 and 5. Minor modifications¹ are only approved by the Managing Authority.

¹ The definition of a "minor modification" will be given in the Programme Manual

(d) On the proposal of the MED Managing Authority, decides on the de-commitment or on new orientation of the projects (modification of activities, budget modification etc.), for the types of projects in which the subsidy contract foresees an assessment by the Joint Secretariat during the implementation (e.g. transition from one module to another for multi-modular projects etc.),

(e) Upon request of the Managing Authority, decides on the de-commitment of projects that have not started within the pre-defined date set in the Subsidy Contract and the Programme Manual and/or have not respected the Subsidy Contract or the Partnership Agreement.

According to Article 1 of the rules of procedure of the Monitoring Committee of the Interreg MED Programme, the list of projects selected by the Steering Committee shall be submitted to the Monitoring Committee for final approval immediately after the Steering Committee meeting. The Monitoring Committee has 3 working days to validate the list of projects, after which it can be published.

2. Composition

The Steering Committee is composed of a limited number of representatives, in order to ensure efficiency in the Programme implementation. It is composed of:

- A maximum of two members for each participating country with one vote per delegation. Each national delegation is responsible for the appointment of its representatives (the list of delegations is enclosed under Annex 1),
- Managing Authority and Certifying Authority (with consultative status),
- Possibly a representative of the European Commission (with consultative status),
- The Joint Secretariat providing technical support to the meetings of the Steering Committee with consultative status.

Each national delegation may include an additional person as an observer with the prior agreement requested in writing at least five working days before the meeting and accepted by all national delegations.

Participation of other experts with a consultative status in the Steering Committee, related to specific issues to be treated in the meeting, must be accepted beforehand by all other national delegations. A written request must be sent to the national delegations of the Steering Committee at least 10 working days before the meeting.

National designations shall be made in respect to the non-discrimination principle.

3. Chair

The Steering Committee shall be chaired by the participating countries on an annual rotating basis.

The Chair shall be supported by a co-chair. The co-chair shall be a representative of the country that will be chairing the following year according to the rotating principle.

The order established for the annual chair of the Steering Committee is the same as the one established for the Monitoring Committee (see annex 2).

At the request of the Chair, the meetings of the Steering Committee may be chaired by the Co-Chair or the Managing Authority.

The Chair and/or the Co-Chair are responsible for:

- Inviting and organizing the Steering Committee meetings,
- Fixing the agenda of the meetings in collaboration with the other Steering Committee members,
- Orienting the work of the Steering Committee,
- The smooth running of meetings of the Steering Committee,
- Respecting the Rules of Procedure,
- Respecting the Cooperation Programme.

4. Meetings

The Steering Committee meets as often as needed at the initiative of the Chair or the Managing Authority, and in exceptional circumstances, at the written request of at least five national delegations.

The participation of the majority of national delegations representatives (at least 7 out of 13, qualified majority) and the presence of the Managing Authority is compulsory at the meetings for the adoption of decisions by the Steering Committee.

A delegation that cannot attend a meeting can send comments in writing to the Chair. These comments will be read during the meeting in the appropriate point of the agenda.

The meetings of the Steering Committee shall, unless otherwise decided by the Steering Committee, be hosted by the country chairing or co-chairing the Steering Committee, or for logistical reasons, held in the premises of the Managing Authority.

The invitation together with the agenda and all related documentation is sent by the Joint Secretariat to the members of the Steering Committee at least ten working days before the date fixed for the meeting. In exceptional cases and with the agreement of all members, this period may be shortened.

Requests for additional items to the agenda, which require a decision, can be made at the latest 5 working days before the meeting and must be submitted in writing to the Chair and Managing Authority/Joint Secretariat.

The agenda of the meeting shall be adopted by all members at the beginning of each meeting, after verification that the quorum is reached.

The minutes, in English and French, shall be drafted by the Joint Secretariat and shall be sent in electronic format to the members by the Joint Secretariat/Managing Authority on behalf of the Chair no later than 10 working days after the meeting. The Steering Committee members may formulate

observations or proposals of amendments no later than 10 working days after reception of the document. The Steering Committee can also determine an urgency procedure during the meeting: in cases expressly identified by the Steering Committee, the observations or amendments must be proposed no later than 5 working days after receiving the document. If no objections are raised, the minutes are considered as approved. In case of objections by one or more members, the Joint Secretariat shall revise the minutes accordingly, agree on a final version with the Chair, and if necessary with the countries raising the objections, and send the final minutes to the Steering Committee members.

5. Decision-making

The Steering Committee looks for a decision by consensus among the national delegations present. If no consensus can be reached, the Chair together with the Managing Authority looks for a compromise proposal submitted to the Steering Committee during the meeting or through a written procedure. If this cannot be accepted in consensus, a completely new proposal will be prepared.

The Managing Authority, with the support of the Joint Secretariat and in close liaison with the national contact points, prepares and implements the decisions of the Steering Committee and notifies the interested parties.

To validate the meeting Minutes, the Joint Secretariat launches the written procedure within 7 working days following the meeting. The validated Minutes of the Steering Committee meeting will be sent to the Monitoring Committee for information.

A written procedure may be initiated by the Managing Authority, after consultation with the Chair upon justification of the need for a quick decision. The Joint Secretariat, on behalf of the Chair, shall send a proposal to all members of the Steering Committee, who have 10 working days to respond. If a written objection is raised, the matter shall be clarified and consensus between the delegations/members shall be sought by the Chair. If no final decision can be made, the matter shall be put on the agenda of the next Steering Committee meeting. Members can withdraw objections at any time. If no objections are raised or if there is no feedback from participating states, the decision is deemed as taken and the Joint Secretariat shall inform all members.

Written procedures are always validated by consensus.

No written procedure shall be organized during the month of August or during the last 10 days before the end of the year.

6. Code of conduct and working principles

Members of the Steering Committee are bound to respect the following rules of conduct:

- To participate in all meetings and, when appropriate, in written procedures,
- To act in the interest of an efficient implementation of the cooperation programme, in accordance with the scope and objectives of the programme,

- To take decisions in the public interest and not to act in the purpose of obtaining financial advantages or other benefits for themselves or for others,
- To declare to the Chair by completing the form on conflict of interest (see annex 4), at the beginning or during any meeting, any situation of conflict of interest in which they might be in regard to the discussions on a specific matter. In such case, the member shall be excluded from discussion and decision on the subject and could be asked to leave the room until a decision has been taken on the matter.

Pursuant to article 5 of REGULATION (EU) No 1303/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013, the partnership principle shall be ensured by the Partner States.

Meetings of the Steering Committee are confidential in nature and its members are bound to confidentiality. Members are not entitled to disclose any details of meeting discussions. This obligation shall remain in force after the end of their mandate.

In case these provisions are not respected by a member, he/she may be revoked by the Chair, and shall be replaced by the institution, after clarification has been provided in the matter.

These provisions on confidentiality shall equally apply to voting members, their substitutes, members in advisory capacity as well as observers and any other experts invited.

7. Working languages

In order to support active participation of all members and limit the risks of misunderstanding, English and French shall be the official languages for the Steering Committee meetings, where simultaneous translation is provided. Official documents submitted to approval and documents in their final versions shall be made in these two languages.

8. Secretariat and organization

The Joint Secretariat assists in the organisation and coordination of the Steering Committee, in particular it carries out the following tasks:

- Helping the Chair and the Co-Chair to carry out their duties,
- Assess the proposals based on the evaluation criteria approved by the Monitoring Committee and providing summaries of the assessments,
- Preparing other working documents for the Steering Committee,
- Electronically transmitting all documents to members of the Steering Committee on behalf of the Chair,
- Writing the Minutes of the meetings,
- Executing the decisions of the Steering Committee on behalf of the Managing Authority,
- Submitting the major changes (as defined in the Programme Manual) requested by the projects during their implementation, together with recommendations, to the Steering Committee for approval,

- Informing the Steering Committee of the minor modifications approved by the Managing Authority on ongoing projects (see Article 1).

9. Revision

After adoption, the rules of procedure may be revised by the Monitoring Committee.

10. Validity

These rules of procedure shall enter into force upon approval by the members of the Monitoring Committee. They shall remain valid until acceptance of the Programme closure documents by the European Commission or dissolution of the Steering Committee by the Monitoring Committee.

Annexes:

1. List of the national delegations representatives
2. Chair rotating basis of the Steering Committee
3. Template for the declaration of conflict of interest