



Rules of Procedure of the IMI2 JU States Representatives Group

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Table of Contents

| | |
|---|---|
| Article 1. Establishment | 3 |
| Article 2. Role and Tasks..... | 3 |
| Article 3. Membership | 3 |
| Article 4. Meetings | 4 |
| Article 5. Voting Rights..... | 4 |
| Article 6. Quorum..... | 4 |
| Article 7. Chair and Vice Chair | 4 |
| Article 8. Procedure for the Election of the Chair / Vice Chair..... | 5 |
| Article 9. Decision Making | 5 |
| Article 10. Organisation of Meetings..... | 5 |
| Article 11. Information and Reporting..... | 6 |
| Article 12. Transparency..... | 6 |
| Article 13. Confidentiality and Conflict of interest | 6 |
| Article 14. Resources and Logistical Support | 7 |
| Article 15. Review of the Rules of Procedures..... | 7 |
| Annex 1 Confidentiality and non-conflict of interest declaration members and participants to meetings of the IMI2 JU States Representatives Group | 8 |

Article 1. Establishment

Article 11 of the Statutes annexed to the Council Regulation (EU) n° 557/2014 of 6 May 2014 establishing the Innovative Medicines Initiative 2 Joint Undertaking (IMI2 JU) calls for the establishment of the **Innovative Medicines Initiative 2 States Representatives Group (SRG)**.

Article 2. Role and Tasks

1. The SRG shall have an advisory role for the IMI2 JU. It shall be consulted and, in particular, review information and provide opinions on the following matters:
 - (a) programme progress of the IMI2 JU and achievement of its targets, including the information on calls and proposals evaluation process;
 - (b) updating of strategic orientation;
 - (c) links to Horizon 2020;
 - (d) annual work plans;
 - (e) involvement of SMEs.
2. The SRG shall also provide information to the IMI2 JU and act as an interface with the relevant stakeholders within their respective countries on the following matters:
 - (a) the status of relevant national or regional research and innovation programmes and identification of potential areas of cooperation, including deployment, to allow synergies and avoid overlaps;
 - (b) specific measures taken at national level or regional level with regard to dissemination events, dedicated technical workshops and communication activities.
3. The SRG may issue, on its own initiative, recommendations or proposals to the IMI2 Governing Board on technical, managerial and financial matters as well as on annual plans, in particular when those matters affect national or regional interests.
4. The SRG shall receive information on a regular basis, among others on the participation in indirect actions funded by the IMI2 JU, on the outcome of each call and project implementation, on justifications for activities referred to in Article 4(2) of the Council Regulation (EU) n° 557/2014, on synergies with other relevant Union programmes, and on the execution of the IMI2 JU budget.

Article 3. Membership

1. **Composition:** The SRG shall consist of one officially nominated Delegate of each Member State and country associated to Horizon 2020. It is the responsibility of each State to decide on the composition of its Delegation. Each State shall nominate one National Delegate. The nominated Delegates shall preferentially be senior science policy officials or researchers; they shall have access to and be capable of influencing policy-making in their own country. The composition of each delegation must be notified to the IMI2 Programme Office before each meeting.
2. **Mandate:** The mandate of the officially nominated Delegate remains in force until the competent National Authority notifies the IMI2 JU of a replacement of its delegate. The effective starting date of the mandate begins after the nomination has reached the IMI2 JU Programme Office.
3. **Deputies and experts:** Each State may decide to appoint, one or more deputies to accompany or replace the National Delegate. The official Delegate may also be accompanied by experts nominated in advance of each meeting.
4. The IMI2 JU shall only bear the cost of only one National Delegate.

Article 4. Meetings

The SRG shall meet at least twice a year and the meetings shall be convened by its Chair and the IMI2 Executive Director in consultation with the Chair, either on own initiative or upon request from one or several National Delegates. Extraordinary meeting which can be convened by the Chair or the IMI2 JU to deal with specific matters of major relevance to IMI2 JU.

The chairperson of the IMI2 Governing Board (or his/her representative) and the IMI2 Executive Director (or his/her representative) shall attend the meetings of the SRG.

Article 5. Voting Rights

Each country delegation represents one vote, casted by their respective National Delegate or deputy, whichever is present at the meeting. All country votes have equal weight. Votes can be cast through electronic communication to the Chair or the IMI2 Programme Office. Non-voting is regarded as abstention.

Article 6. Quorum

Quorum is achieved if at least two thirds of the total number of country delegations attend each meeting.

Article 7. Chair and Vice Chair

1. **Mandate:** The SRG shall elect a Chair and a Vice Chair among its members. They shall have equal rights as National Delegate but shall act in the general interest of the SRG. The Chair and Vice Chair are elected for a two-year term, which can be exceptionally extended by a maximum of 12 months by the SRG. The Chair and Vice Chair shall be supported by the IMI2 Programme Office in the preparation of meetings, drawing up of minutes and other duties in the general interest of the SRG.
2. **Vice-Chair:** The Chair is supported by a Vice Chair in all functions. The Vice Chair replaces the Chair at the meetings of the IMI2 Governing Board if the Chair is unable to attend. Should the Chair be unable to execute his/her duties, the Vice Chair takes over the responsibilities of the Chair until a new election procedure takes place.
3. **Tasks:** The task of the Chair and Vice Chair is to organise and structure the work of the SRG and account for the implementation of the SRG role and tasks, in particular:
 - to propose a planning for SRG activities;
 - to conduct meetings and to act as a moderator for discussions;
 - to introduce draft agendas for meetings, and the corresponding draft summaries (Minutes);
 - to represent the SRG to the IMI2 Governing Board meetings and act as interface between the IMI2 Governing Board and the SRG;
 - to report on activities of the IMI2 Governing Board.
4. **Non-performance:** In case of non-performance, the Chair / Vice Chair can be discharged by the members of the SRG, by a 2/3 majority, before the expiration of the term. This needs the prior written request of at least one SRG member to all SRG members detailing the complaints.

Article 8. Procedure for the Election of the Chair / Vice Chair

- 1. First Term:** After the completion of the nomination of at least two thirds of the total number of country delegations, the IMI2 Executive Director shall coordinate the vote for the position of the Chair and Vice Chair. The IMI2 Executive Director shall contact all delegations asking for proposed candidates for the two positions. Each country can nominate only one national delegate from another country for each post. The IMI2 Executive Director shall present the list of proposed (and willing) candidates to the SRG, along with their statements of motivation and of impartiality. All supporting documents, including a short curriculum vitae, should be sent to Delegates before the vote. This procedure should be completed within one month. On the day of the vote, the Delegates will cast a secret vote and the Chair / Vice Chair will be elected on the basis of simple majority, one vote per country delegation. If no candidate pools over 50% of the vote then a second round is initiated with the two winners of the first round running again for each position. An election will be held even if one candidate stands for election. Candidates cannot vote for themselves.
- 2. Following Terms:** Up to six months before the end of the mandate of the Chair / Vice Chair, the Chair in situ instigates a re-election procedure according to the procedure described above. In case the necessary majority is not reached, delegates will be invited to cast their vote for the candidates in the following weeks.

Article 9. Decision Making

- 1.** The SRG itself decides when, where and what it will discuss, according to an agreed agenda. The SRG should strive and reach whenever possible decisions by consensus.
When such a consensus cannot be reached, decisions are taken by simple majority on the day of each meeting or through electronic voting should the need arise.
Items to be decided by the SRG shall be available in writing at least 10 working days in advance of a meeting. Opinions of SRG delegates may be communicated by electronic means before each meeting.
- 2.** The approval of the SRG rules of procedure will require a majority of at least 2/3 of national delegations.
- 3.** The SRG may invite experts, at no additional cost to the IMI2 JU, to participate in its meetings for those topics for which this is felt to be beneficial. The SRG may establish working groups on matters whenever this is appropriate.

Article 10. Organisation of Meetings

- 1. Notice of a meeting:** The IMI2 Executive Director, after consulting with the Chair, shall give notice in writing of a meeting to each delegation as soon as possible and within the minimum number of days preceding the meeting (25 calendar days for ordinary and 15 calendar days for extraordinary meetings).
- 2. Sending the agenda:** The IMI2 Executive Director, after consulting with the Chair, shall prepare and send each member of the SRG a written agenda within at least 20 calendar days preceding the meeting (10 calendar days for extraordinary meetings).
- 3. Adding agenda items:** Any agenda item requiring a decision by the delegates must be identified as such on the agenda. Any delegation may add an item to the original agenda by written notification to all of other delegations within a minimum of 10 calendar days preceding the meeting (5 days for extraordinary meetings). During the approval of the agenda at the day of the meeting, the item will be discussed if at least 3 delegations support it.

4. **Minutes and related documents** should be made available as soon as possible — no later than 3 weeks after the meeting. The Minutes shall be considered as accepted if, within 15 calendar days from sending, no member has objected in writing to the Chair with respect to the accuracy of the draft of the Minutes. The accepted Minutes shall be sent to all delegations by electronic means.

Article 11. Information and Reporting

1. Information will normally be circulated through the IMI2 Programme Office. The main channel of information to national authorities should flow through the country representations themselves.
2. To facilitate communication and efficient working all documents should be made available on a confidential internal website, where the representatives and their deputies have access and may up- and download the documents of interest. The necessary operational procedures (password protection) are organised by the IMI2 Programme Office. An alert-service should be implemented to make the representatives aware of any news.
3. Each outgoing Chair should prepare an Official Report that should be discussed and approved by the SRG at least six months before his term expires. The approved report should be submitted to the IMI2 Governing Board.

Article 12. Transparency

The IMI2 JU will make public the names of the members of the SRG on the IMI2 JU web site.

The SRG advices shall be subject to the provisions of Article 16 of the Regulation (EU) 557/2014 and measures taken for its implementation. They shall be published on the IMI2 JU web site unless the IMI2 JU Governing Board decides otherwise.

Article 13. Confidentiality and Conflict of interest

1. Without prejudice to Article 339 of the Treaty on the Functioning of the European Union and to Article 16 of the Regulation (EU) 557/2014, members and other participants at meetings of the SRG are required not to divulge information given in the context of the work, unless it has been indicated that the information is public.
2. Members and other participants at meetings of the SRG shall sign confidentiality agreements and declarations of conflict of interest prior to their first attendance to SRG meetings. [Annex 1: Declaration of confidentiality and conflict of interest for the members and other participants at meetings of the SRG].
The declaration on conflict of interest shall be updated before subsequent attendances to SRG meetings, whenever relevant.
3. Members and other participants at meetings of the SRG must not seek or act in any way to take undue advantage of, or exercise undue influence on, the implementation of the IMI2 JU.
Therefore members and other participants at meetings of the SRG should not be involved in any way in the evaluation or selection of proposals for funding under the IMI2 JU.
4. Members and other participants at meetings of the SRG may participate in consortia under the IMI2 JU, either in their personal capacity or as representative of the organisations to which they belong. However, should any item on the agenda or any subject discussed in a given SRG meeting be of relevance for projects or proposals under the IMI2 JU that a member, or the organisation to which he/she belongs, has submitted or is likely to submit, the member and other participant at meetings of the SRG should inform the IMI2 JU and the SRG of the situation. He/she can be requested to abstain from the deliberations and/or leave the room for the discussion of the concerned item/subject.

5. Members and other participants at meetings of the SRG must inform the IMI2 JU of all interests, not explicitly stated above, which could be considered prejudicial to their independence. During a meeting any attendee whose participation in the work of the SRG leads or may lead to a conflict of interest with regard to a particular agenda item shall without delay inform the Chair and the IMI2 Programme Office who shall without delay and before any discussion is initiated decide on any specific measure in this respect. Upon proposal by the Chair or the IMI2 Executive Director, the SRG may decide to examine such an item without the presence of the attendee concerned.
6. When a member and another participant at meetings of the SRG is in breach of the requirements set out above, he/she will be considered as no longer being in a position to remain as a member of the group.

Article 14. Resources and Logistical Support

1. **Logistical Support:** The secretariat should be provided for by the IMI2 Programme Office. It shall assist the SRG in its operation through circulating draft agendas, meeting summaries and related documents. Where appropriate and requested, the IMI2 Programme Office may collect and/or circulate information of potential interest to the SRG, in time for the next meeting.
2. **Resources:** The SRG has no budget. The IMI2 JU should cover the cost of travel for 2 meetings per year of the SRG. Other costs and the costs incurred by additional meetings must be covered by national delegations unless otherwise agreed by the IMI2 Programme Office. The IMI2 Programme Office will normally provide meeting accommodation, internet and communication support.

Article 15. Review of the Rules of Procedures

These Rules of Procedure can be amended at 2/3 majority of country delegations nominated for the SRG provided that they do not contradict the IMI2 Statutes and they do not have budget implications. Any provision having a budget implication must be approved by the IMI2 Governing Board.

Date: 4 February 2015

Annex 1

Confidentiality and non-conflict of interest declaration members and participants to meetings of the IMI2 JU States Representatives Group

The undersigned..... [Name],

..... [Function and State].

hereby, undertakes, as a [Member][participants in meetings] of the Innovative Medicines Initiative 2 Joint Undertaking States Representatives Group, during and after the course of my mandate:

1. To ensure the confidentiality of sensitive oral or written information whose disclosure could damage the interests or the reputation of the Innovative Medicines Initiative 2 Joint Undertaking, or of the participants in the activities of the Innovative Medicines Initiative 2 Joint Undertaking Joint Undertaking..
2. To declare promptly any conflict of interest that may arise from my participation in the States Representatives Group. I will therefore not participate in any discussion on the item, and leave the meeting room accordingly in case of conflict of interest.

I understand that the obligations of non-disclosure set forth above shall not extend to information which are or became publicly known or available through no fault of myself.

Made in Brussels, in two original copies, on

Signed