

Rules of Procedure  
for the implementation of the  
“MoU for the establishment of  
the ERIC Forum”

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## Glossary

This glossary is meant to give an overview of the key terms used in the current Rules of procedure.

### ***Memorandum of Understanding (MoU)***

A Memorandum of Understanding is a legally non-binding document.

### ***MoU for the establishment of the ERIC Forum***

The “Memorandum of understanding for the establishment of the ERIC Forum” has been signed in Helsinki, in May 2017 by all existing ERICs. It is open to every new established ERIC.

### ***Rules of Procedure***

The Rules of Procedure are established by the ERIC Forum Members in order to implement the MoU.

### ***Member of the Forum***

An established ERIC who has signed the ERIC Forum MoU becomes Member of the ERIC Forum.

### ***Delegate***

A delegate is either the Member’s legal representative or he/she is designated by a Member and is authorized to act on behalf of the Member on all ERIC Forum matters. One delegate of each Member has the right to vote.

### ***Clusters***

Research Infrastructures coming from the same thematic domain (Biomedical Science, Environment and Earth Sciences, Physics and Analytical Facilities, Social Science and Humanities and Energy) have been classified by EC and ESFRI as clusters.

### ***Consensus***

A decision with no active vote against.

### ***Observers***

Observers may attend the ERIC Forum Assembly meeting on a permanent level except when the meeting is restricted, but have no voting rights.

### ***Guests***

Guests may attend the open meetings of the ERIC Forum Assembly upon invitation.

## Preface

These Rules of Procedure consider that the Mission of the ERIC Forum is defined by the objectives agreed and listed in the MoU as the following:

*“The objectives of the present MoU are to establish a Forum to further intensify collaboration between ERICs and in particular:*

- *To identify common challenges affecting the Forum Members as entities subject to the ERIC Regulation;*
- *To collectively develop responses to these challenges;*
- *To contribute to the further development of the ERIC regulation, ESFRI framework and European and international research context; and*
- *To foster the visibility, impact and sustainability of ERICs.”*

(Section 1. Objectives of the MoU)

and that the agreed strategic activities listed in the MoU include:

*“The ERIC Forum shall carry out activities including:*

- a. The definition of a Forum Governance Framework.*
- b. The organization of two meetings a year, also open to other entities, which have already formally presented their ERIC application to the EU Commission, open to the EU Commission as well as to national ministries representatives, and open to the new European research infrastructure projects (e.g. new ESFRI projects) planning to become an ERIC. The responsibility of hosting and organizing these meetings will be rotated amongst the Forum Members.  
Every ERIC shall nominate a contact person.  
Part of these meetings may be restricted to the Forum Members only.*
- c. The organization of Working Groups on specific matters of common interest;*
- d. The coordination of activities aimed at key stakeholders including but not limited to the following: EU institutions (Commission, Council, Parliament, Committee of the Regions), ESFRI, national ministries, funding bodies, user communities, international partnerships, regulatory authorities and industry.*
- e. Any other activity deemed necessary by the Forum Members.”*

(Section 3. Collaborative Action of the MoU)

The ERIC Forum has adopted the following Rules of Procedure in accordance with *Section 3. Collaborative Activities*, a) *the definition of a Forum governance framework* of the ERIC Forum MoU:

## I. The Bodies of the ERIC Forum

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The Forum Bodies are:

- The Forum Assembly (also referred to as “the Assembly”)
- The Forum Chairperson and Vice-Chairperson
- The Forum Executive Board
- Subsidiary and temporary bodies (e.g. Working Groups)

## II. The Forum Assembly

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1. The Assembly shall be composed by the Members of the ERIC Forum represented by up to two delegates for each Member. Each Forum Member can express only one vote.
2. An ERIC may be represented by another Member during a meeting. In exceptional cases the Assembly may decide to vote by means of a written procedure.
3. Research infrastructures (“RIs”) aiming to become an ERIC (namely RIs in the Step1 and Step2 as foreseen in the ERIC implementation EC procedure) may participate in an Observer capacity without voting rights. As soon as the ERIC has been set up by the European Commission, the new ERIC can become Member of the ERIC Forum by signing the MoU.
4. A European Commission representative and a representative from ESFRI can participate in a permanent observer capacity. In addition, also other stakeholders may participate as observer (e.g. representatives from national Ministries.)
5. The Assembly can take valid decisions if a quorum of two thirds of the members is present or represented by Delegates.
6. The Assembly has all the powers, which allow fulfilling the objectives and the activities of the Forum, and in particular:
  - To elect the Chairperson, the Vice-Chairperson and the Executive Board, **with a two thirds majority**;
  - To take all the necessary decisions for carrying out the common Forum activities, **with a two thirds majority**, including the setting up of Working Groups and the approval of the annual work program;
  - To decide on Forum resolutions and position papers **by consensus**; in case one ERIC prefers to opt out from a specific position this must be reported in the document.
  - To modify the MoU **by unanimous vote**;
  - To introduce a budget **by unanimous vote**;
  - To approve or modify the present Governing Rules **by two thirds majority**;
  - To dissolve the Forum **with a two thirds majority**.
  - Unless otherwise determined in these Rules of procedure or in the MOU all other

issues require **a simple majority of Members present**.

7. The Assembly meets at least once per year.
8. Assembly meetings are in general open but can be partly restricted to Members, upon decision of the Forum Assembly.

### III. The Chairperson and Vice-Chairperson of the Forum Assembly

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1. The Chairperson and Vice-Chairperson of the Forum Assembly shall be elected by the Assembly for a period of one year. Reelection is possible.
2. They shall be elected among the legal representatives of those ERICs, which have expressed their interest in assuming this office for the requested period.
3. The Chairperson of the Forum Assembly is the spokesperson of the Forum.
4. The Chairperson serves on a voluntary basis. He/she may be supported by a secretariat, composed of staff members belonging to any of the ERICs.
5. The Chairperson coordinates responses to requests for written contributions by the EC, ESFRI, ERAC etc. If necessary he/she can set up a drafting group.
6. Upon consultation of the Executive Board the Chairperson of the ERIC Forum may delegate a person for a specific meeting, such as working groups initiated by the European Commission or other stakeholders. This person reports back to the Executive Board. Requested opinions may only be given in agreement with the ERIC Forum Assembly.

### IV. The Executive Board

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1. The Executive Board is composed of up to seven representatives, including:
  - a. the Forum Chairperson, who will also preside the Executive Board;
  - b. the Vice-Chairperson,
  - c. at least three other members coming from different clusters. In case the Forum Chairperson and the Vice Chairperson are from the same cluster: four other members, each coming from another of the four remaining clusters. In case the Forum Chairperson and the Vice Chairperson are from different clusters: three other members, each coming from another of the three remaining clusters.
2. The Executive Board members serve on voluntary basis for two years and are elected by the Clusters.
3. The Executive Board shall oversee the daily management of the ERIC Forum and the implementation of the activities approved by the Forum Assembly. To this end, the

Executive Board shall produce an annual work program, which plans the key activities for the year.

- a. The work program shall include the organization of the Forum General Assembly meetings.
  - b. The work program can be accompanied by a budget, if necessary.
  - c. Each ERIC shall be allowed by the Executive Board to propose activities and/or to contribute to the activities proposed by the Executive Board.
  - d. The work program and the eventual accompanying budget are approved by the Forum Assembly.
  - e. The Executive Board can set up an advisory board if this is deemed to be necessary.
4. The Vice-Chairperson substitutes the Chairperson if he/she cannot fulfill his/her role.

## **V. Working Groups, further cooperation**

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1. The ERIC Forum may decide to set up working groups.

Every working group elects a Chair.

Working groups report to the ERIC Forum Assembly, if necessary in a written format.

2. Individual ERICs are free to agree to an intensified bilateral or multilateral cooperation.

## **VI. Support by external project**

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In case the ERIC Forum is partly supported by an externally funded project under a responsibility different from the Chairperson, the relationship between the ERIC Forum and the project shall be subject to a specific written agreement. In any case, the representation and main tasks of the Forum cannot be transferred to the project without agreement by the Forum.

## **VII. Costs**

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1. In principle, each Member shall bear its costs related to its participation to the Forum.
2. In case it deemed to be necessary, the Executive Board or a Member may propose a budget to the ERIC Forum. The accounting of the expenditures on the Forum budget shall be submitted yearly to the GA.

## VIII. Confidentiality/ conflict of interest

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1. In case an information is classified as confidential by a Member or by the owner of the information, each Member shall undertake to treat as confidential all and any confidential information and agree not to disclose the same to any third party except with the prior written consent of the disclosing Member or other owner.
2. Any conflict of interest on the part of a Member shall be immediately disclosed to the Assembly.

## IX. Amendments

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These Rules of Procedure can be approved or amended **with a two thirds majority** of all ERIC Forum Members.

## X. Termination of the Temporary Rules of the ERIC Forum

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With the adoption of these Rules of Procedure, the previously agreed Temporary Rules for the ERIC Forum are suspended.