

RULES OF PROCEDURE

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SECTION I

A. OFFICERS OF THE CONFERENCE

Rule 1 – The President and the Vice Presidents

- R 1.1** A President and two (2) Vice Presidents shall be elected by the Conference annually at the end of its last session, by a majority of the Members present and voting.
- R 1.2** The President and Vice Presidents may be re-elected, but the combined duration of these consecutive appointments will normally be limited to a total of four (4) years for each position for each individual.

Rule 2 – The Secretary General

- R 2.1** The Conference shall have a Secretary General who shall be appointed by the Conference annually at the end of the ordinary session, by a two-thirds (2/3) majority of all Members.
- R 2.2** The Secretary General may be re-elected.
- R 2.3** If the Secretary General can no longer carry out his/her duties, the President shall appoint, in agreement with the Vice Presidents and in consultation with the Chair of EMBO Council, a Secretary General ad interim, whose term of office shall expire with the appointment of a new Secretary General by the next ordinary or extraordinary session of the Conference.
- R 2.4** The offices of the Secretary General of the Conference and the Director of EMBO may not be held by the same person.

SECTION I

B. FUNCTIONS OF THE OFFICERS AND OF EMBO

Rule 3 – The President and Vice Presidents

- R 3.1** The President shall:
- a) approve the agenda for each meeting of the Conference;
 - b) without prejudice to later provisions of these Rules of Procedure, conduct the debates of the Conference and ensure that the Agreement and the Rules of Procedure are respected;
 - c) represent the Conference if so requested by the Conference.
- R 3.2** If the President is unable to attend, the chair shall be taken by one of the Vice Presidents.

Rule 4 – The Secretary General

- R 4** As defined in Article V of the Agreement, the Secretary General shall have the duty:
- a)** to ensure effective liaison between the Conference and EMBO Council / Director of EMBO;
 - b)** to represent the Conference if so requested by the Conference or by the President.

Rule 5 – Functions of EMBO

- R 5.1** According to the Agreement the execution of the General Programme is entrusted by the Conference to EMBO (Article II.2). To ensure an effective execution of the General Programme, EMBO represented by its Director shall perform the Secretary General's duties as defined in Articles V.2 and VII.5 of the Agreement.
- R 5.2** In particular the Director of EMBO shall
- a)** propose new initiatives for consideration by the Conference;
 - b)** provide an annual report of the actions of the Conference;
 - c)** provide a provisional agenda, in agreement with the President, for the Conference meetings;
 - d)** circulate the agenda to the Conference at least twenty-one (21) days before each ordinary session;
 - e)** prepare and circulate the documentation required by the Conference in a timely manner, if possible at least ten (10) working days before the date of the session;
 - f)** prepare a summary of the decisions immediately after each Conference session and a summary record giving the substance of the discussion of the Conference and recording the decisions reached. This summary record shall be signed by the President following acceptance by the Conference.
- R 5.3** The Director of EMBO shall be supported by the EMBO staff when carrying out the above duties.

Rule 6 – Advice

- R 6** The Conference may call for advice upon any qualified individual or expert it chooses.

Rule 7 – Delegates and Advisers

- R 7.1** Participation as a delegate shall be subject to production of credentials issued by the competent minister or an appropriate government authority.

- R 7.2** The names of advisers that accompany delegates with credentials must be communicated in writing to the Director of EMBO no later than the opening of the relevant session of the Conference by one of the authorities designated in Rule 7.1 or by the delegation concerned.
- R 7.3** The Secretary General ensures that the credentials of the delegates are examined prior to each session.
- R 7.4** A delegate shall continue to hold that position until such time as the Secretary General is notified of the termination of this appointment or until the quota of two (2) delegates for that country is filled by more recent appointments.

SECTION II

SUBORDINATE BODIES, COMMITTEES AND WORKING PARTIES

Rule 8 – Subordinate Bodies

- R 8.1** The Conference may set up subordinate bodies when this mechanism is deemed to help the functioning of the Conference in accordance with Article IV.3.e) of the Agreement.
- R 8.2** In each case, the terms of reference, the person who should act as the Chair, the composition of the subordinate body and the duration for which it should exist shall be decided at the time of its establishment.
- R 8.3** All subordinate bodies shall report to the Conference at each session.
- R 8.4** **a)** Expenses incurred by delegates or advisers appointed to subordinate bodies by the Conference will normally be reimbursed by the Conference.
- b)** Expenses incurred by delegates or advisers appointed to subordinate bodies will not be reimbursed by the Conference when a meeting takes place immediately before or after a Conference meeting.

Rule 9 – Working Parties

- R 9** On receipt of an application for membership of the Conference, a working group, established under Rule 8, composed minimally of the President of the Conference, the Vice Presidents of the Conference, the Secretary General of the Conference and the Director of EMBO, will consider the application for its merits on scientific grounds, on any possible consequences to the functioning of the Conference, if the new Member State is elected, and will provide an opinion on whether the proposed Member State fulfils the four (4) special requirements laid down by the Conference (CEBM/91/7) or other criteria defined by the Conference. The Conference will receive this report prior to voting on any application for full membership of the Conference.

SECTION III

PREPARATION AND MEETINGS OF THE CONFERENCE

Rule 10 – The Agenda

- R 10.1** Officers and delegates to the Conference, the Director of EMBO and the Chair of EMBO Council are entitled to request the President that any point they wish to have examined be placed on the draft agenda.
- R 10.2** The draft agenda for any session of the Conference shall be considered for adoption at the opening of the session. It may thereafter be modified during the session only if the Conference so decides. Papers may only be tabled, through the Director of EMBO, during a session of the Conference if the Conference so decides.

Rule 11 – Preparation of Sessions and Working Group Meetings

- R 11.1** Wherever possible the Conference shall, at the close of each ordinary session, fix the date of its next ordinary session. Where circumstances so require, the President may change this date in consultation with the Secretary General, the Director of EMBO and the Vice Presidents.
- R 11.2** When extraordinary sessions are required, their dates shall be fixed by the President, in consultation with the Secretary General, the Director of EMBO and the Vice Presidents.
- R 11.3** The length of sessions shall be determined, in the light of the agenda, by the President in agreement with the Secretary General and the Director of EMBO.
- R 11.4** The Director of EMBO, in consultation with the President, shall convene both ordinary and extraordinary session two months in advance. In an emergency, the notice may be reduced to one (1) month.
- R 11.5** Meetings of subordinate bodies and working parties shall be convened by the Director of EMBO, in consultation with the Chairs of the bodies or working parties concerned. The Director of EMBO shall make arrangements for their meetings.
- R 11.6** Decisions involving expenditure in addition to that adopted in the annual budget can only be taken once the estimated additional expenditure has been approved.

Rule 12 – Languages

- R 12** At meetings of the Conference simultaneous interpretation may be provided for statements delivered in English, French or German if requested by a Member State delegation at least eight (8) weeks before the scheduled start of the meeting. Conference documents shall in principle be issued in all three (3) languages: where time does not allow

a full translation to be made, summaries shall be provided in the working language or languages affected.

Rule 13 – Participants List

- R 13** The Director of EMBO shall draw up lists of delegates and observers attending the Conference in alphabetical order of the names of the countries, followed by those of the organisations, which they represent.

Rule 14 – Quorum

- R 14.1** The proceedings of the Conference shall be valid if the majority of all Members are present.
- R 14.2** If during a session a quorum is lacking, the President may suspend the session, or declare an informal discussion.

Rule 15 – Chair

- R 15.1** The President shall open and close meetings, grant or withdraw the right to speak, put proposals to vote, and announce decisions. He/She shall rule on points of order and shall in particular be entitled to propose that the discussion be suspended or deferred.
- R 15.2** The President shall be subject to the authority of the Conference in the discharge of his/her duties.
- R 15.3** While in the chair (see Rule 3.2), a Vice President shall have the same rights and duties as the President.

Rule 16 – Sessions

- R 16.1** Meetings of the Conference shall not be open to the public unless the Conference decides otherwise.
- R 16.2** The Conference may also invite the government of a non-Member State or an intergovernmental, governmental or non-governmental organisation to be represented at any of its deliberations. Such invitation shall not entail cooperation within the meaning of Article III.3 of the Agreement.
- R 16.3** The Conference may also invite private persons to attend meetings in their individual capacity.
- R 16.4** Delegates and advisers have the right to speak in the debates of the Conference. All other attendees may participate only upon invitation by the President.

Rule 17 – Conduct of Sessions

- R 17.1** The President shall call upon speakers in the order in which they have asked for the floor.
- R 17.2** Priority shall be given to a delegate speaking on a point of order, on which the President shall rule forthwith.
- R 17.3** Points of order need not to be handed to the President in writing or distributed. The following motions shall in particular be deemed points of order: a motion that the question be referred back; a motion that consideration of a particular issue be deferred; a motion that the meeting stand adjourned; and a motion that the meeting proceed to the next item on the agenda.
- R 17.4** The ruling of the President may be challenged, but the discussion thereon shall be confined to the challenger and to the President.
- R 17.5** If the difference of opinion persists, it shall at once be put to the vote.

Rule 18 – Resolutions, Proposals and Amendments

- R 18.1** Any delegate to the Conference or any adviser may table resolutions or amendments.
- R 18.2** Every draft resolution must be handed to the President in writing. The text shall be distributed as early as possible before the vote.
- R 18.3** Where a number of amendments are tabled to the same draft resolution, the President shall decide in what order they shall be discussed and put to the vote, subject to the following provisions:
- a)** all resolutions or amendments shall be put to the vote;
 - b)** an amendment may be put to the vote separately or as the antithesis of another amendment, at the discretion of the President; and
 - c)** if a resolution is amended as the outcome of a vote, the resolution as amended shall be put to the Conference for a final vote.
- R 18.4** A delegate who has moved a proposal or tabled an amendment may withdraw it subject to the agreement of any other delegate who has seconded it, except where an amendment constituting a modification of it is still under discussion or has been adopted.
- R 18.5** A proposal or amendment withdrawn by its sponsor may be reintroduced by another delegate, in which case it shall be debated and put to the vote.

Rule 19 – Voting

- R 19.1** Each Member State shall have one vote in the Conference, subject to provisions of Article II.3 and Article IV.4.a) (ii) of the Agreement concerning activities specified as Special Projects and Article IV.4.a) (iv) of the Agreement concerning unpaid contributions.

- R 19.2** Votes shall normally be taken at the Conference by show of hands unless a Member State requests a roll call, which shall then be taken in the French alphabetical order of the names of the Member States, beginning with a Member State whose name shall be drawn at random by the Chair. The vote of each Member State participating in a roll call shall be included in the record of the session.
- R 19.3** In the cases of Article III.2 of the Agreement concerning the admission of new members and of Article XI.6 of the Agreement concerning deprivation of membership, there will be an open vote. Upon the demand of two (2) or more Members present, voting on any matter may be by secret ballot. In the case of votes by secret ballot, the number of abstentions shall be recorded. In voting by secret ballot, two (2) tellers selected from among the delegates present shall assist in the counting of votes.
- R 19.4** Decisions of the Conference shall require the voting majorities specified in the relevant provisions of the Agreement and set out in the annex to the present Rules. In applying these rules, Member States which abstain from voting are to be considered as not voting and such abstentions shall not prevent a decision from being considered as unanimous or as taken with the specified majority. However, abstentions are in all cases to be recorded.
- R 19.5** Except when otherwise provided in the Agreement or these Rules, decisions of the Conference shall be taken by a majority of the Members present and voting.

Rule 20 – Conclusions and Press Releases

- R 20** The conclusions of the deliberation of the Conference shall not be considered to be confidential unless a specific decision is made to deem them such. Official press releases must be approved by the President or by a person expressly delegated by the President for that purpose.

Rule 21 – Decision-Taking Process between Sessions

- R 21.1** Between sessions the Director of EMBO, with the agreement of the Secretary General and the President, may transmit proposals to Member States in writing with a view of securing a decision on them.
- R 21.2** Provided no opposition has been expressed or no reservations lodged at the expiry of a period fixed for reply, which shall not be less than two (2) months, the proposed decision shall become effective and the Director of EMBO shall immediately so notify Members; it shall be reported at the next session of the Conference.

Rule 22 – Conflict

- R 22** In the event of conflict between the provisions of these Rules of Procedure and the terms of the Agreement the provisions of the latter shall prevail.

REQUIREMENTS FOR VOTING MAJORITIES AS LAID DOWN IN THE AGREEMENT ESTABLISHING THE EUROPEAN MOLECULAR BIOLOGY CONFERENCE

1. **Modification of the General Programme**, or the means of its execution: Unanimous decision of the Member States present and voting (Article II.2)
2. Approval of **Special Projects**: Two-thirds majority of Members present and voting (Article II.3)
3. **Admission** of other European States, as well as States that have made an important contribution to the work of EMBO from its foundation as Members: Unanimous vote of Members present and voting (Article III.2)
4. **Establishment of cooperation** with non-Member States, national bodies or international governmental or non-governmental organisations and definition of the conditions and terms of such cooperation: Unanimous vote of Members present and voting (Article III.3)
5. Decision to meet in **extraordinary session**: Two-thirds of all the Members (Article IV.1)
6. Establishment of **subordinate bodies**: Two-thirds majority of Members present and voting (Article IV.3.e))
7. Approval of an **indicative scheme** for the realisation of the General Programme and determination or variation of the **maximum credits** that may be committed during the period of an indicative scheme: Unanimous vote of the Members present and voting (Article IV.3.f))
8. Adoption of the **ordinary budget**: Two-thirds majority of Members present and voting (Article IV.3.g))
9. Adoption of **financial regulations**: Two-thirds majority of Members present and voting (Article IV.3.j))
10. **Appointment of a Secretary General** for a defined period of time: Two-thirds majority of all Members (Article V.1)
11. Approval of the **receipt of gifts** offered by private organisations or individuals: Two-thirds majority of Members present and voting (Article VI.2.c))
12. Decision upon the **scale of Members' contributions**: Two-thirds majority of all Members (Article VII.1)
13.
 - a) Modification of the scale of contributions for Members affected by **special circumstances**: Two-thirds majority of all Members (Article VII.2)
 - b) Fixation of level of per capita income to be considered a **special circumstance** in fixing Members' contributions: Two-thirds majority of all Members (Article VII.2)

14. Request for **amendment of the Agreement**: Not less than two-thirds of all Members (Article IX.1)
15. Decision to **prolong or amend the Agreement or discontinue collaboration** within its framework after five years: Two-thirds majority of all Members (Article XI.4.c)
16. **Deprivation of membership**: Two-thirds majority of all Members (Article XI.6)

General provisions

Except where otherwise stipulated in the Agreement, decisions of the Conference shall be taken by: A majority of the Members present and voting (Article IV.4.b)).