

## INTERNAL RULES OF PROCEDURE

### CHAPTER I THE MEMBERS

#### **Article 1 – General information**

- 1.1 All applications for membership shall be sent to the MEDAC's Secretariat, which will in turn inform the members of the General Assembly of the new application for membership. The Secretariat will send the applicant organisation a form (see annex to these internal rules of procedure Modified form) to be completed. The completed form is then reviewed by the members of the Executive Committee.
- 1.2 Subsequently the Secretariat also sends out a copy of the application to the Member State to which the applicant belongs, requesting it to give its opinion on the organization's representativeness, its role and its interest in managing fisheries in the Mediterranean. A copy of this request and the answer from the Member State, if any, shall be sent to the European Commission, to other relevant Member States and to the members of the MEDAC General Assembly
- 1.3 The Member State in question shall reply to the consultation request within 30 calendar days.
- 1.4 The Secretariat requests the Members State to give its opinion on the applicant's representativeness. Under no circumstances the lack of reply should be considered as a negative or positive response.
- 1.5 The single organisations/associations etc. are represented within MEDAC by the Chair of the organisation/association or by his or her designated delegate.

#### **Article 2 – Membership fees**

- 2.1 The amount and determination of the membership fees are established annually during the General Assembly, following the proposal made by the Executive Committee (ExCom). Moreover, the amount of the annual membership fee will reflect the financial capacity of each organization taking into account the number of its associated members and its balance sheet relating to fishing activity.
- 2.2 The annual fee for MEDAC membership must be paid on time. The date shall be mentioned in the commitment letter sent to the MEDAC members no later than one month before payment. In any case the MEDAC Secretariat shall have received payments no later than 15<sup>th</sup> January of the new budgetary period.
- 2.3 If the annual membership fee and the membership fund fee, *una tantum*, are not received by the MEDAC Secretariat by the due date the organisation may be excluded from the MEDAC

following the procedure laid down in art 3.3 of the Statute and 2.4 of the Internal Rules of Procedures.

2.4 The MEDAC Executive Committee, upon receiving no response to its reminder letter sent out by certified post, can also exclude an organization which has not paid the annual membership fee and the, *una tantum*, membership fund fee after having signed the commitment letter.

## INTEGRATIONS

### CHAPTER II ORGANIZATION AND STRUCTURE

#### Article 3 MEDAC authorities

3.1 The MEDAC is made up of the following bodies:

- a. The Chair
- b. The Chair's office;
- c. The General Assembly;
- d. The Executive Committee (ExCom);
- e. Permanent and/or short-term Working Groups;
- f. The Secretariat

3.2 The Chair is the legal representative, or he may delegate one of the members of the Chair's office to represent MEDAC on his behalf. In case of unavailability of the entire Chair's office, it will delegate one of the MEDAC members, preferably one from the Executive Committee. The Chair calls and chairs the General Assembly and the Executive Committee meetings, he also exercises the powers described in the Statute or delegated by the Assembly and/or by the Executive Committee, in general terms or from time to time. The Chair has the power to appoint a proxy for legal purposes.

3.3 The Chair's Office comprises the Chair and the five Vice Chairs. The Chair's office coordinates the work of the General Assembly and of the Executive Committee. The Chair cannot vote and shall carry out his/her mandate with absolute impartiality.

3.4 The General Assembly is structured according to art. 9 of the MEDAC Statute.

3.5 The composition of the Executive Committee is established in art.10 of the Statute. The ExCom can be convened by at least half of the members. The election of ExCom members is described in art.5.7 of the Statute.

3.6 Executive Committee members may share a single seat with another member belonging to another organization representing the same sector, the fisheries sector (60%) or other interest groups (40%) nominated as substitute. When the member is present, the substitute does not have the right to vote and is not to be reimbursed.

#### **Article 4– Working Groups and Focus Groups**

- 4.1 In order to support the Executive Committee in elaborating their recommendations and suggestions, the MEDAC may also set up Working Groups (WG) and Focus Groups (FG) to work on, but not limited to, aspects concerning regional cooperation in line with art.18 of the Basic Regulation n.1380/2013. Working Group and Focus Group Coordinators shall contribute to and support the activities carried out by the Executive Committee. Executive Committee members may propose the creation of Working Groups and Focus Groups.
- 4.2 The WGs and FGs may be specific groups (ad hoc), that is, created for a specific objective within an established timeframe, or they may be permanent working groups. Permanent working groups' mandates are renewed annually by the General Assembly. The working group and focus group members shall be nominated from among the MEDAC members after the communication to the Secretariat of their interest in participating; The Working Group and Focus Group meetings are public. The Executive Committee will set the numbers, purpose, schedule of the meeting and deadlines.
- 4.3 Each Working Group and Focus Group will appoint a coordinator for each working group and focus group, who will hold the position for three years. The coordinator can be re-elected.
- 4.4 The Coordinator's role is crucial in order to achieve the Group's aims. He or she undertakes the necessary coordination during the discussion and preparation of the recommendations and suggestions. Moreover, the Coordinator liaises with the Secretariat and the Executive Committee, keeping the Group up to date on the general developments and the results of the work carried out. The Coordinator prepares the meetings, writes a report and presents, within a reasonable time, an agreed final document to the Executive Committee.
- 4.5 To revoke a coordinator's mandate before expiration a procedure must be set in motion by at least 1/3 of the WG or FG members who present their case to the ExCom. A majority of 2/3 of the ExCom voting members in attendance can debate the issue and if necessary, revoke the coordinator's mandate, convening a WG or FG meeting in order to elect a new coordinator.
- 4.6 Members belonging to the WG or FG must be listed in order to have expenditures reimbursed. The members will strive to find a unanimous position in the adoption of its reports to the Executive Committee. If consensus proves to be impossible then minority statements are always included in the report which shall be adopted by simple majority by the voting members in attendance of the WG or FG. Dissenting opinions must be recorded only in resolutions or advice adopted by the majority. This does not apply to any other formal communication between the MEDAC and the EU institutions or any other institution which should be in any case agreed within the ExCom.

4.7 The Executive Committee, upon request from the coordinator, may, by written procedure, also nominate experts, to take part in the work of the Working Group or Focus Group as well as inviting scientists to participate.

4.8 Working Groups and Focus Groups are not statutory bodies and as such their advice and reports cannot and shall not bind or oblige the Executive Committee or the General Assembly in any respect.

4.9 Working Group and Focus Group meetings are convened at least 14 days before the meetings by sending the draft agenda. If this is not possible then the matters in question should be solved by email procedure.

4.10 Members of Working Groups and Focus Groups who cannot attend the meeting scheduled are encouraged to submit positions and comments to the draft agenda and its items, but not later than seven days before the meeting. Such positions and comments shall be taken into account when the Working Group and Focus Group meets and in its final meeting report.

#### **Article 5. Working rules**

5.1 The procedure for internal review of proposals or recommendations foresees that the document approved by the working group should be sent to the ExCom which has 14/7 working days to adopt a joint recommendation.

5.2 If an urgent procedure is required, as described in art 11.7 of the Statute, requiring a result in 24/48 hours, the Chair's office takes responsibility for any declarations.

5.3 The Secretariat shall transmit the recommendations and/or proposals adopted by the ExCom. If adoption is by written procedure, only those recommendations that are viewed by at least 30% of the ExCom members, using the read receipt email function, will be approved.

5.4 All working documents and reports that have not yet been adopted will be uploaded into the reserved area of the website at least 7 days before the meeting organised by the MEDAC, in the same area the deadline for any amendments or comments will also be indicated.

#### **Article 6. Rules of conduct**

The communications of the Secretariat will be limited to those of an internal nature in specific matters that affect the Working Groups, focus groups or other bodies of MEDAC (ExCom and General Assembly), serving as support for the benefit of all members.

#### **Article 7. Tasks of the MEDAC**

7.1 MEDAC tasks are defined in art. 44 of the Reg. No 1380/2013.

7.2 MEDAC cannot respond to any solicitation or request, nor engage with European institutions, or other type, that would not respect the scope of its tasks as defined above. For instance, it cannot engage with the European Parliament on any fishery legislative files during ongoing co-decision process. The MEDAC can however, share with the requesting institutions, resolutions already approved by MEDAC, informing the ExCom of such requests.

### **CHAPTER III**

#### **VOTING RIGHTS OF THE MEMBERS**

##### **Article 8 – Voting Rights- Delegates**

8.1 The Organisations/Associations that belong to MEDAC are represented within the General Assembly and Executive Committee by their own delegates according to art. 4 of the Statute.

8.2 Each member Organisation/Association is assigned one vote (1 Association/1 vote).

8.3 The Organisations/Associations can legitimately be represented by a delegate from another MEDAC Association, in this case voting rights are regulated by the Statutes (art. 9.7 and 9.8) and by art. 8 of these Internal Rules.

##### **Article 9 – Substitution**

If the designated delegate of an Organisation/Association is unavailable, he or she can be substituted by another member of the same Organisation/Association (deputy). In the case of an elective assembly, this change of name must be communicated to the Secretariat at least 3 working days before the meeting begins.

##### **Article 10– Delegation**

10.1 Each delegate can be authorised to act as the delegate for two other Organisation/Association (other than his or her own) that is part of the same sector and/or stakeholder group.

10.2 The appointment of delegates must be presented on the form issued by the Secretariat at least 1 working day before the meetings.

### **CHAPTER IV**

#### **ELECTIVE GENERAL ASSEMBLY**

##### **Article 11 – Elective General Assembly**

11.1 The Assembly is the highest deliberative body within MEDAC and is made up of the Delegates of each individual member.

11.2 At the end of its mandate, the Elective General Assembly arranges for the election of the Chair, the appointment of the five Vice-Chairs and the components of the Executive Committee for the following four-year period, as regulated by the Statutes.

#### **Article 12 – Convocation of the Elective Assembly**

12.1 Unless the Executive Committee provides other indications, at least 60 days before the date of the Elective Assembly, the Secretariat will inform the member associations of the date of elections using whichever means is considered most appropriate: web site, email or any other form of communication.

12.2 This communication should contain the date, time and place of the meeting and the agenda.

#### **Article 13 – Authentication of rights of admission**

13.1 The Executive Committee, through the Secretariat, verifies the authenticity of the appointments and the delegations and endorses members' delegate for the Assembly.

13.2 The Elective Assembly is valid, in the first call if half the electorate of delegates plus one of the voting members are present, in the second call, whatever numbers of the members present, except for what is provided under art 11 of the Statute.

13.3 The Assembly Chair ensures legitimacy. If the session is not declared valid, the Secretariat will call another meeting within 30 days.

13.4 The Assembly Chair appoints the three components of the ballot counting commission who will have the task of establishing the election result. He or she then begins the meeting and after the counting of votes, he or she also announces the result of the elections.

#### **Article 14 – Elections**

14. Votes can be expressed by voting list.

a. by secret ballot when electing the Chair as ruled in art. 5.3 of the Statute

b. by raising hands when electing Vice-Chairs as ruled in art 5.4 of the Statute

c. by raising hands when electing the Executive Committee delegates as ruled in art. 5.7 of the Statute

14.2 In order to reach a consensus, if the candidate who has received the greatest number of votes, has not received at least 61% of the votes, including at least one vote from the Other Interest Group (OIG), a runoff will be held between the two candidates whose names have received the greatest number of votes, applying the same rule as in the first ballot. If neither of the candidates receives at least 61% of votes, including at least one vote from the OIG, the Electoral Assembly shall be re-convened without delay.



14.3 The Secretariat will collaborate with the Chair during all procedures and will prepare the report of the session.

## **MEDAC RULES OF CONDUCT**

### **Article 15-Representation of MEDAC in external meetings**

15.1. Relevant external meetings shall be attended by members of the Chair's Office and/or members of the Secretariat and, where possible, such meetings will be attended by at least one representative of each stakeholder category (60% and 40%).

15.2. In the event that any member of the Chair's Office is not available, the Secretariat may ask other MEDAC representatives to attend on behalf of MEDAC.

15.3. In external meetings, members attending on behalf of the MEDAC, can only express opinions related to the items on the agenda on issues covered by MEDAC advice, including majority and minority positions, shall speak on behalf of MEDAC and shall not express personal views nor the opinion of the organizations of which they are members and of those they represent within MEDAC, beyond what expressed in MEDAC majority or minority positions. Reports on such meetings shall subsequently be provided by MEDAC representatives to the Secretariat and made available to interested MEDAC members.

15.4. The representatives of the MEDAC attending institutional meetings cannot make the outcomes of the debate as the subject of initiatives of the organization to which they belong and to disseminate them, except after the same subject has been shared in the ExCom, or if the same organization was attending the same meeting. When MEDAC representatives attending external meetings consider that sensitive issues may have emerged in these meetings, they should inform the Presidency for possible discussion in the ExCom.

15.5. Whenever a report of an external meeting is used by MEDAC members to make a public statement, this shall not be presented as MEDAC opinion.

### **Article 16- Rules governing communications**

16.1. MEDAC documents, pictures, videos, papers, reports, PowerPoint presentations or any other material carrying MEDAC logo will, in principle, only be published by the Secretariat or with the authorization of the Secretariat.

16.2. In general, and unless otherwise agreed, the Secretariat will consult directly with the President or the Chair's office about the public release of MEDAC documents.

16.3. Draft MEDAC documents should not be released externally. MEDAC documents which are not publicly available should be released with the authorization of MEDAC Chair's office.

## FINAL RULES

### Article 17– Reimbursements

17.1 Eligible expenses incurred by the Chair, Vice-Chairs and by the WG and FG coordinators, the staff of the Secretariat, the scientific experts and other consultants when carrying out their duties as provided in the following articles.

17.2 Other reimbursements can be established by the Chair’s Office Any such expenses must be eligible and included within the limits of the specific entry in the MEDAC financial plan.

17.3 The expenses incurred by delegates who participate in meetings will only be reimbursed when they register for the meeting before the deadline and by means of the online registration form that is available on the website in the section “MEDAC events”.

17.4 Only one coordinator is eligible for reimbursement for each Working Group or Focus Group except for the coordinators of the WG and FG when attending a meeting of their WG or FG.

17.5 The representatives of organisations will only be reimbursed for participation at meetings if their organisation has paid the annual MEDAC membership quota.

17.6 The reimbursement of expenses will be possibly in accordance with budget availability, requests for reimbursement must be submitted to the Secretariat with the relative receipts, no later than 30 calendar days from the last day of the meeting. The requests for reimbursement for meetings held in November (last budgetary month of the MEDAC), must be submitted no later than two weeks after the meeting.

17.7 The Secretariat cannot guarantee reimbursement if the request arrives after the established date or if the receipts are missing.

### Article 18 – travel and accommodation expenses

18.1 Travel expenses between the participant’s home/work address and the meeting place will be reimbursed **up to 500 €** as follows:

- Public transport between the airport and the hotel/meeting place (round trip)
- **Airline ticket in tourist/economy class or lower if available. Rates in business class are not authorised.**
- The price of the train/bus (second class)
- Travel by private car (fixed price of € 0.22 per kilometre). Parking expenses will not be reimbursed.
- Travel by taxi will not be reimbursed.



- If there is surplus budget relating to travel at the end of the year (December 31), it may be possible to reimburse a supplement to travel claims exceeding € 500.

#### 18.2 Accommodation expenses will be reimbursed as follows:

- A forfeitary amount of 281€ each day <per diem>, including overnight accommodation
- The compensation covers hotel expenses and all costs that do not relate to transport (for example, meals, drinks etc.). Any meals that may be provided by the MEDAC could be subtracted from the *per diem* amount. The number of nights may not exceed the number of meeting days + 1

#### 18.3 Claims for reimbursement will be considered eligible if the following documents in digital or paper format are presented:

- the reimbursement claim form, duly completed and signed;
- the original tickets for flights or the original receipts for travel agents who book the flights, indicating the class, dates of travel and the amount paid. If your organisation requires the original invoice, you can send us a copy bearing the words "certified copy of the original", or accompany the copies with a signed letter stating that the copies are identical to the originals. **For meetings not organised by MEDAC, the participant is also required to prepare a report of the meeting.**
- The boarding cards or in the case of e-tickets, a print-out of the ticket that indicates class, dates of travel and the amount paid.
- Any other **original** tickets/travel vouchers relating to public transport used (ferries, trains, busses).
- Restaurant, taxi, parking and highway tools receipts are not accepted.
- The original invoice, or a certified copy from your organisation or the digital invoice of the hotel is required to claim the *per diem* amount.

### Article 19- Participation in projects

The assessment process would be structured as follows:

1. The decision on participation in projects should be first discussed within the Chair's office and then by the Evaluation Committee
2. Set up of a balanced evaluation committee within MEDAC to assess and analyse the project proposal, composed by 5 components, 3 from 60% and 2 from 40% and the duration of their mandate is 2 years;
3. The assessment of each proposal should comprise an analysis from both a technical and a financial/administrative perspective, considering the following:
  - Technical analysis
    - Is the proposal relevant for MEDAC?
    - Does the proposal fit within the work of a specific WG?

- Could the expected outcome of the project improve/contribute to MEDAC activities?
  - Does the project proposed contain clear and significant points of conflict with the goals and interests of the members of the MEDAC?"
- Administrative & Financial analysis
- Which are the budget implications?
  - Is there co-funding request?
  - Is the proposed timeline feasible internally?
  - Do we have the internal expertise to participate in the project?
  - Do we need to hire external temporary staff for the project?
  - Which are the reporting needs?
4. The analysis should be both qualitative and quantitative. The qualitative analysis would be mainly a series of specific comments to each of the criteria. Also, a score should be assigned to each of the criteria, and then average for a final scoring.
5. In case of lack of consensus and on specific cases, the Executive Committee should be consulted. The Chair's office might request additional inputs/analysis to the assessment committee.

## **Article 20- Contracts for implementing the action**

Reasons must be given for contracting out implementation work.

Contracts must be awarded to the tender offering best value for money, that is to say, to the tender offering the best price-quality ratio, care being taken to avoid any conflict of interest.

The Commission recommends following its procurement rules as a means to obtain "best value for money". If Commission rules are not used, then the beneficiary must demonstrate to the Commission how best value for money has been secured. Commission's rules on procurements are as follows:

1. A negotiated procedure with consultation of at least three candidates may be used for contracts with a value of EUR 15.000,01 to 60 000.
2. For contracts with a value of EUR 1 000,01 to 15 000, the procedure referred to in paragraph 1 with consultation of one candidate may be used.
3. Supplies or services of a value less than or equal to EUR 1 000 may be paid against invoicing. Where the potential value of the contract is more than EUR 60,000, the Commission should be consulted on the procedure to follow.

## **Article 21 – Amendments of the Internal Rules**

Anything not covered by these Internal Rules or the Statutes will be dealt with by the Executive Committee with a proposal for a specific resolution, to be brought to the attention of the next General Assembly meeting for approval of the measure.

## **Article 22- Use of languages**

22.1 The official languages of MEDAC are Croatian, French, Greek, English, Italian, Spanish, Maltese and Slovenian. The official working languages of MEDAC are French, English, Italian and Spanish. The Secretariat, in consultation with the Chair's office, depending on the budget and attendance can provide translation and interpretation in the other official non-working languages.

22.2 The official working languages of the meetings of the Executive Committee, of the General Assembly and of the working groups, as well as for the documentation, will be established within the limits of the available financial resources.

## **Article 23- Performance Reviews**

MEDAC will be subject at least once every five years to an independent performance review. This review shall aim to identify best practices and shortcomings, review processes and procedures aiming at improving the functioning of MEDAC and assess its overall contribution to the objectives of the Common Fisheries Policy as set out in Regulation (EU) No 1380/2013. The results of these reviews shall be made public and, where shortcomings in the functioning of the MEDAC are identified, shall be accompanied by an action plan setting out concrete actions and a clear timeframe for its implementation.