



FUSION FOR ENERGY

The European Joint Undertaking for ITER and the Development of Fusion Energy

THE GOVERNING BOARD

DECISION BY THE GOVERNING BOARD OF FUSION FOR ENERGY APPROVING THE SECOND AMENDED RULES OF PROCEDURE OF THE TECHNICAL ADVISORY PANEL

Having regard to the Statutes annexed to the Council Decision (Euratom) No 198/2007¹ of 27/03/2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy (hereinafter "Fusion for Energy") and conferring advantages upon it, and in particular to Article 9 thereof;

Whereas the Scientific Advisory Panel of Fusion for Energy should adopt its rules of procedure subject to the prior approval of the Governing Board,

THE GOVERNING BOARD HAS ADOPTED THIS DECISION:

Article 1

The rules of procedure for the Technical Advisory Panel annexed to this decision are hereby approved.

Article 2

The Technical Advisory Panel is invited to adopt the rules referred to in Article 1.

Article 3

This Decision shall have immediate effect.

Done at Barcelona, 1st June 2010

For the Governing Board

Carlos Varandas
Chair of the Governing Board

¹ OJ L90, 30.03.2007, p. 58.

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ANNEX

DECISION OF THE TECHNICAL ADVISORY PANEL (TAP) OF FUSION FOR ENERGY ADOPTING ITS RULES OF PROCEDURE

I. COMPOSITION

Rule 1

Members

1. The Scientific Programme Board (hereinafter "Technical Advisory Panel" or "TAP") shall be composed of thirteen members.
2. The members of the TAP (hereinafter "the members") shall be appointed by the Governing Board from among persons of recognized standing and professional experience in engineering, scientific, and technical matters relevant to ITER, the Broader Approach and demonstration fusion reactors (DEMO).
3. The members shall not be bound by any instructions. They shall be completely independent in the performance of their duties, in the general interest of Fusion for Energy.
4. The term of office for members shall be two years renewable. Every two years at least four of the members who are reaching the end of their second mandate shall be replaced.
5. On expiry of their term of office, members shall remain in office until their appointment is renewed or they are replaced. If a member resigns, he² shall remain in office until he is replaced.
6. Alternate members are not admissible.

II. CHAIRMANSHIP

Rule 2

1. The Governing Board shall appoint one of its Vice-Chairs to be Chair of the TAP.
2. The Governing Board shall appoint from among the members of the TAP a Vice-Chairperson (the "Vice-Chair") who shall each serve for a term of two years and who may be re-elected once.

² "He" shall include "he/she" throughout

3. If the Chair is unable to fulfil his³ functions, the Vice-Chair shall act as the Chair. If both the Chair and the Vice-Chair are unable to fulfil their functions, the meeting of the TAP shall be re-scheduled unless it is urgent, in which case the meeting of the TAP shall be chaired by a member elected by the TAP for that meeting only.
4. When acting as Chair, the Vice-Chair, or the Representative elected in accordance with paragraph 2, shall have the same powers and duties as the Chair.

III. SECRETARY

Rule 3

1. The Director of Fusion for Energy (hereinafter “the Director”), in consultation with the Chair, shall designate a secretary for the TAP (hereinafter “the Secretary”), who shall be a member of the staff of Fusion for Energy.

IV MEETINGS

Rule 4

The Convening of and Attendance at meetings

1. The TAP shall meet when convened by the Chair. The TAP may also be convened at the request of the Chair of the Governing Board or the Director.
2. The meetings shall normally take place at the seat of Fusion for Energy, unless the Chair decides otherwise.
3. Any member who is unable to attend a meeting shall notify the Chair in advance.
4. The Chair of the Governing Board, the Chair of the Executive Committee, the Chair of any subsidiary bodies established by the EFDA Steering Committee for scientific and technical matters and the Director of Fusion for Energy together with authorised members of staff, shall be entitled participate in the TAP meetings.
5. The Chair may invite experts to attend specific meetings.
6. The TAP may establish ad-hoc expert groups or convene workshops to aid its deliberations in agreement with the Chair of the Governing Board and Director.

³ “His” shall include “his/her” throughout

7. Meetings of the TAP shall not be held in public unless otherwise decided by the TAP in agreement with the Chair of the Governing Board.

Rule 5

Quorum

1. At least seven members shall constitute the quorum necessary for a meeting of the TAP to be valid.
2. In the absence of a quorum, the Chair shall close the meeting and convene another as soon as possible.

Rule 6

Agenda

1. Having received approval of the draft agenda from the Chair, the Secretary shall send it by electronic means together with relevant material to the members and the Director at least 7 calendar days before the date of the meeting.
2. The provisional agenda shall consist of those items in respect of which a request for inclusion by members or the Chair of the Governing Board or the Director is received by the Chair at least 14 calendar days before the date of the meeting of the TAP.
3. The agenda shall be adopted by the TAP at the beginning of each of its meetings.
4. If the TAP so decides, the agenda may be changed and relevant documentation circulated at any time prior to the end of the meeting.
5. An item may be removed from the agenda at the request of the Chair or of at least four members if the related documents were not submitted to the members in due time.



V. CONDUCT OF BUSINESS

Rule 7

1. The TAP shall adopt opinions by common consensus without voting.
2. For each opinion adopted by the TAP, the result shall be recorded. The decision shall be accompanied by a written statement of the views of the minority, where the latter so requests.
3. The TAP may decide not to adopt a draft opinion submitted and discussed at the meeting, but it shall be deemed to have been adopted, if the Secretary does not receive any written objections within a period to be fixed by the TAP case by case. The Secretary shall inform the members about the adoption of the opinion without delay.
4. Decisions taken by written procedure shall be recorded in the minutes of the subsequent meeting of the Committee.

VI. RECORD OF DECISIONS AND MINUTES

Rule 8

1. At the conclusion of each meeting, the TAP shall approve its Summary of Discussions on the basis of a draft prepared by the Secretary under the direction of the Chair.
2. After each meeting of the TAP, the Secretary shall prepare the draft minutes of the meeting. After approval by the Chair, draft minutes shall be submitted by the Secretary to the members before the next meeting of the TAP and in any case within 21 calendar days after the date of the meeting.
3. The minutes shall include *inter alia*:
 - (a) The list of those present;
 - (b) The substance of the discussions and the conclusions reached.
4. Proposals for amendments to the draft minutes shall be sent by the members to the Secretary before the next meeting of the TAP.
5. The final version of the minutes shall be approved by the TAP at the beginning of its next meeting.
6. Once approved, the minutes and supporting documents shall be signed by the Chair and the Secretary and be kept by the secretariat.

7. A copy of the approved minutes of the TAP shall be sent to the members of the TAP, the Chair and Representatives of the Governing Board, the Chair of the Executive Committee and the Director.

VII. RELATIONS WITH THE GOVERNING BOARD AND EXECUTIVE COMMITTEE

Rule 9

1. In accordance with Article 9 of the Statutes, the TAP shall advise and provide opinions to the Governing Board, as necessary, on the adoption and implementation of the project plan and work programmes.
2. Upon request of the Governing Board or the Director of Fusion for Energy, the TAP shall transmit advice and provide opinions, as necessary, to the Governing Board, Executive Committee or Director on any other matters than referred to in Paragraph 1.
3. The Chair shall attend meetings of the Governing Board unless the Governing Board decides otherwise.
4. The Chair may attend meetings of the Executive Committee upon invitation of the Executive Committee Chair.
5. In agreement with the Executive Committee Chair, the TAP may organise joint meetings with the Executive Committee.

Rule 10

Reimbursement of Expenses

Travel and subsistence expenses incurred:

- a) by the Chair to attend meetings of the TAP and other meetings in his official capacity as Chair;
- b) by members attending meetings of the TAP and experts or other persons invited by the TAP in connection with its meetings,

shall be reimbursed by Fusion for Energy in accordance with the rules applied by Fusion for Energy for the reimbursement of expenses to experts⁴.

⁴ These rules are based on Commission Decision C(2007)5858) on the "Rules of reimbursement of expenses incurred by people from the Commission invited to attend meetings in an expert capacity".

Rule 11

Correspondence

All correspondence intended for the TAP shall be addressed to the Secretary of Fusion for Energy who shall inform the Chair accordingly.

Rule 12

Declaration of Conflicts of Interest and Confidentiality

Members shall comply with the rules of Fusion for Energy concerning confidentiality, independence and conflicts of interest.

Rule 13

Language Regime

The TAP shall conduct its business in English.

Rule 14

Amendment

Upon proposal of the TAP or Governing Board, these rules may be amended with the prior approval of the Governing Board.

Rule 15

Interpretation

In the event of any conflict between any provision of these rules and the Statutes of Fusion for Energy or the Rules of Procedure of the Governing Board or Executive Committee, the latter three shall prevail.

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Rule 16

Entry into Force

These Rules shall enter into force on the date of their adoption by the TAP and shall be published on the official website of Fusion for Energy.

Done at Barcelona,

For the TAP of Fusion for Energy.

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Chair of the TAP