



## 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 RULES OF PROCEDURE OF THE TECHNICAL ADVISORY PANEL

THE GOVERNING BOARD:

HAVING REGARD to the Council Decision (Euratom) No 198/2007<sup>1</sup> of 27/03/2007 establishing the European Joint Undertaking for ITER and the Development of Fusion Energy (hereinafter "Fusion for Energy") as last amended by Council Decision 2015/224/Euratom of 10 February 2015<sup>2</sup>;

HAVING REGARD to the Statutes annexed to the aforementioned Council Decision in particular to Article 9 thereof;

Whereas the Technical Advisory Panel of Fusion for Energy should adopt its rules of procedure subject to the prior approval of 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 enter into force with immediate effect.

Done at Barcelona, 19 March 2015

For the Governing Board

**Stuart Ward**  
Chair of the Governing Board

---

<sup>1</sup> OJ L90, 30.03.2007, p. 58.

<sup>2</sup> OJ L37, 13.02.2015, p. 8

For the Secretariat

**Raymond Monk**  
Secretary of the Governing Board

## **ANNEX**

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

#### **I. MANDATE**

The Technical Advisory Panel (hereinafter "TAP") shall advise the Governing Board (hereinafter "the Board") and the Director, on the adoption and implementation of the project plan and work programme and scientific and technical matters as requested by the Governing Board or the Director.

#### **II. COMPOSITION**

##### *Rule 1*

##### **Members**

1. The TAP shall be composed of thirteen members.
2. The members of the TAP (hereinafter "the members") shall be appointed by the Board from among persons with relevant professional experience in scientific and engineering matters concerning fusion and associated activities.
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, he<sup>3</sup> shall remain in office until he is replaced.
6. Alternate members are not admissible.

#### **III. CHAIRMANSHIP**

##### *Rule 2*

1. The Governing Board shall appoint one of its Vice-Chairs to be Chair of the TAP.
2. The Chair shall not have the capacity of a member.

---

<sup>3</sup> "He" shall include "she" throughout

3. The 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.
4. If the Chair is unable to fulfil his<sup>4</sup> 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.
5. 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.

#### **IV. 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.
2. The Secretary shall perform his duties independently with a view solely to the interests of the TAP and shall neither seek nor take instructions from person, organisation or authority other than the TAP, except that he shall remain subject to all of the rules and regulations of Fusion for Energy and any other conditions of his employment contract.

#### **V. MEETINGS**

##### *Rule 4*

##### **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 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 physically participate in a meeting may participate remotely having obtained the approval of the Chair in advance.
4. Remote attendance at PCC meetings shall be subject to the strict confidentiality requirements of PCC meetings.
5. Any member who is unable to attend a meeting in person or remotely shall notify the Chair in advance.
6. The Director of Fusion for Energy together with authorised members of staff, shall be entitled participate in the TAP meetings.
7. The Chair may invite experts to attend specific meetings.

---

<sup>4</sup> "His" shall include "her" throughout

8. The TAP may establish ad-hoc expert groups or convene workshops to aid its deliberations in agreement with the Chair of the Board and Director.
9. Meetings of the TAP shall not be held in public unless otherwise decided by the TAP in agreement with the Chair of the 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 agenda shall be adopted by the TAP at the beginning of each of its meetings.
3. If the TAP so decides, the agenda may be changed and relevant documentation circulated at any time prior to the end of the meeting.
4. 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.

**VI. CONDUCT OF BUSINESS**

*Rule 7*

**Adoption of Decisions**

1. Whenever possible, the TAP shall adopt decisions by consensus. If such a consensus cannot be reached, opinion decision shall be adopted if supported by a majority of the TAP members attending a meeting.
2. For each decision adopted by the TAP, the result shall be recorded. Members who have voted against a decision shall clearly state the reasons for their divergent position. The divergent positions of and the names of the members expressing the divergent positions shall be described in the minutes.
3. Between TAP meetings, the Chair, through the Secretary, may transmit proposals for a decision to the TAP members in writing. They shall be deemed adopted if the Chair does not receive any written objections within a period to be fixed by the Chair case by case. The Secretary shall inform the members about the adoption of the decision without delay.

4. In case of objections, the Chair in consultation with the Director decides whether the written procedure should be suspended and an urgent TAP meeting convened or whether the draft decision, together with the objections, should be amended and the written procedure re-started. If one or more TAP members should raise an objection to the restarted written procedure, the decision shall be automatically deferred to the next TAP meeting
5. Decisions taken by written procedure shall be recorded in the minutes of the subsequent meeting of the Committee.

## **VII. SUMMARY OF DECISIONS AND MINUTES**

### *Rule 8*

1. At the conclusion of each meeting, the TAP shall approve its Summary of Decisions on the basis of a draft prepared by the Secretary under the direction of the Chair. The Summary of Decisions shall be submitted to the Director with a copy to the Chair of the Board.
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 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. The minutes shall be approved by written procedure. Members shall send written objections or comments on the draft minutes to the Secretary during a period of 21 calendar days.
5. Minor and editorial corrections shall be resolved at the discretion of the Chair in consultation with the concerned member(s) and Director. Major issues shall be forwarded to all members, together with a proposal from the Chair on how to resolve the matter. This could either be to not accept the corrections, propose amendments to the minutes, or that adoption of the minutes is postponed to the next meeting of the TAP. Members shall have a further period of 7 calendar days to agree or reject the revised minutes. Any further objections shall result in the approval of the minutes being postponed to the next meeting of the TAP.
6. Once approved, the minutes and supporting documents shall be signed by the Chair and the Secretary and be kept by the secretariat.
7. The approved minutes of the TAP shall be sent to the members of the TAP, and the Director.

## **VIII. RELATIONS WITH THE GOVERNING BOARD**

### *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, or Director on any other matters than referred to in Paragraph 1.
3. The Chair shall attend meetings of the Board unless the Governing Board decides otherwise.

## **IX. ADMINISTRATIVE PROVISIONS**

### *Rule 10*

#### **Reimbursement of Expenses**

1. 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 experts<sup>5</sup>.
2. In addition to travel and subsistence expenses, the Chair shall be entitled to claim indemnities according to the decision of the Board concerning the payment of indemnities.

### *Rule 11*

#### **Correspondence**

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

### *Rule 12*

#### **Management of Conflicts of Interest and Confidentiality**

1. The Chair, members, experts and other attendees (hereinafter “the Participants”) shall comply with the rules of Fusion for Energy concerning confidentiality, independence, preventing and managing conflicts of interest.
2. The Participants shall act in the general interest of Fusion for Energy and sign a declaration to that effect. Before taking up their duties they shall provide the Secretary with a completed and signed General Declaration of Interests form. In addition, the Participants shall provide the Secretary with information on their professional profile in the form of a simplified Curriculum Vitae.

---

<sup>5</sup> These rules shall provide conditions that are equivalent to those laid down in Annex VII of the Staff Regulations of Officials and the conditions of employment of other servants of the European Communities

3. The Participants undertake to inform the Secretary whenever there is a change in their circumstances that impacts on their declared interests and to submit an amended General Declaration of Interests form and Curriculum Vitae as appropriate.
4. Ahead of each TAP meeting the Participants shall declare any conflict of interest in relation to the specific agenda items to the Chair and Secretary. At the beginning of each meeting, the Participants shall declare to the Chair and Secretary whether they have a conflict of interest or for any items on the agenda. 20. If during a meeting, a Participant becomes aware that he has a conflict of interest and shall immediately inform the Chair.
5. In case a Participant has not provided a General Declaration of Interests form or Curriculum Vitae within one month of the request being made by the Secretariat, meeting documents and correspondence will not be sent to the Participant concerned until the aforementioned documents have been provided.

*Rule 13*

**Transparency**

The names and affiliations of the TAP Chair and members shall be published on the Fusion for Energy website along with their General Declarations of Interest and professional profile in the form of a short curriculum vitae.

*Rule 14*

**Language Regime**

The TAP shall conduct its business in English.

*Rule 15*

**Amendment**

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

*Rule 16*

**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 Board, the Statutes then the Board Rules shall prevail.



*Rule 17*

**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.

**Revision History**

This document replaces the following previous versions:

- F4E(11)-GB20-07e adopted by the Board on 1 June 2011;
- F4E(09)-GB10-18 adopted by the Board on 9 July 2009;
- F4E(07)-GB02-04.4 adopted by the Board on 17 July 2007.

Done at Barcelona, [Insert Date]

For the TAP

**[Insert Name]**  
Chair of the TAP