



THE EUROPEAN JOINT UNDERTAKING FOR ITER AND THE DEVELOPMENT OF FUSION ENERGY

DECISION OF THE GOVERNING BOARD CONCERNING THE MANDATE AND RULES OF PROCEDURE FOR THE SCIENTIFIC PROGRAMME BOARD ("TECHNICAL ADVISORY PANEL (TAP)")

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 "the Joint Undertaking") and conferring advantages upon it (hereinafter "the Statutes") and in particular to Article 9 thereof,

Whereas:

- (1) The Scientific Programme Board (hereinafter "Technical Advisory Panel" or "TAP") should advise the Governing Board and the Director, as necessary, on the adoption and implementation of the project plan and work programmes;
- (2) The mandate of the TAP should be defined explicitly taking into account the main tasks to be carried out by the Joint Undertaking during the first years of its operation, in particular for ITER construction;
- (3) The mandate of the TAP should be established by the Governing Board taking into account the need for synergy with activities carried out in Euratom Fusion Associations and within the framework of the European Fusion Development Agreement,

THE GOVERNING BOARD OF THE JOINT UNDERTAKING HAS ADOPTED THIS DECISION:

Article 1

Mandate

1. In accordance with the principles laid down in Article 9 of the Statutes, the TAP shall assist the Governing Board and Director in engineering, scientific and technological matters related to ITER, the Broader Approach and preparations for demonstration fusion reactors (hereinafter "DEMO"), in particular by:
 - (a) Preparing opinions and recommendations on the objectives and content of project plans, work programmes and their possible revisions;

¹ O.J. L90, 30.03.2007, p. 58.

- (b) Monitoring the technical implementation of the project plans and work programmes and providing reports to the Governing Board at appropriate intervals;
 - (c) Promote coherence with the activities of the Associations, in particular, within the frame of the European Fusion Development Agreement (EFDA);
 - (d) Providing advice or recommendations on specific engineering, scientific and technological issues upon request of the Director or the Governing Board;
 - (e) Performing any other functions as may be delegated to the Scientific Programme Board by the Governing Board.
2. The TAP mandate shall be reviewed by the Governing Board no later than the end of the ITER construction phase.

Article 2

Composition

1. The TAP shall be composed of 13 members 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 DEMO.
2. The term of office for members shall be two years renewable.
3. The TAP may, acting upon a proposal of the Chair, invite experts to attend specific meetings.
4. 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.

Article 3

Chair and Vice Chair

The Chairman (hereinafter “the Chair”) and Vice-Chairman (hereinafter “the Vice-Chair”) of the TAP shall be appointed by the Governing Board from among the members of the TAP to serve a term of two years, renewable once.

Article 4

Meetings

1. The TAP shall meet when convened by the Chair or at the request of the Governing Board or the Director of the Joint Undertaking.
2. 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 the Joint Undertaking together with authorised members of staff, shall be entitled participate in the TAP meetings.
3. The meetings shall normally take place at the seat of the Joint Undertaking.
4. The TAP shall adopt opinions by common consensus without voting.

Article 5

Rules of Procedure

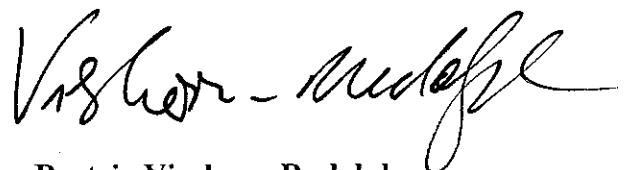
1. Subject to the prior approval of the Governing Board, the TAP shall adopt its rules of procedure.
2. The rules of procedure for the TAP annexed to this decision are hereby approved.
3. The TAP is invited to adopt the rules of procedure and any amendments referred to in paragraph 2.

Article 6

This Decision shall have immediate effect.

Done at Barcelona, 17 July 2007

For the Governing Board



Beatrix Vierkorn-Rudolph

Chair of the Governing Board

ANNEX

**RULES OF PROCEDURE FOR THE SCIENTIFIC PROGRAMME BOARD
("TECHNICAL ADVISORY PANEL" OR "TAP")**

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. Unless decided otherwise by the Governing Board, members shall not serve as Representatives on the Governing Board or as members of the Executive Committee.
4. 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 the Joint Undertaking.
5. The term of office for members shall be two years renewable.
6. 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.
7. Alternate members are not admissible.

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

II. CHAIRMANSHIP

Rule 2

1. The Governing Board shall appoint from among the members of the TAP a Chairperson (hereinafter “the Chair”) and a Vice-Chairperson (the “Vice-Chair”) who shall each serve for a term of two years and who may be re-elected once.
2. 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.
3. 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 the Joint Undertaking (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 the Joint Undertaking.

IV MEETINGS

Rule 4

The Convening of and Attendance at meetings

1. The TAP shall meet when convened by the Chair, typically twice per year. The Scientific Programme Board 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 the Joint Undertaking, unless the TAP decides otherwise.
3. Any member who is unable to attend a meeting shall notify the Chair in advance.

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

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 the Joint Undertaking together with authorised members of staff, shall be entitled participate in the TAP meetings.
5. The TAP, acting upon a proposal from 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.
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.

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.

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 the Joint Undertaking, 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.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Rule 10

4. The Commission shall act as the Chair until such time as the Chair has been appointed by the Governing Board.
5. The Commission shall provide the secretariat for the TAP until such time as the Joint Undertaking can make staff available to assume this function.

Rule 11

Reimbursement of Expenses

All travel and subsistence expenses incurred by members attending meetings of the TAP and experts or other persons invited by the TAP in connection with meetings of the Governing Board, shall be paid by the Joint Undertaking in accordance with the scales laid down in Annex VII of the Staff Regulations of Officials and the conditions of employment of other servants of the European Communities⁴.

⁴ OJ L 56, 4.3.1968, p. 1. as amended by Regulation (CE, Euratom) no. 723/2004 of 22 March 2004 (OJ L 124, 27.4.2004) and as last amended by Corrigendum (OJ L 051, 24/02/2005 p. 0028)

Rule 12

Correspondence

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

Rule 13

Declaration of Conflicts of Interest and Confidentiality

Members shall comply with the rules of the Joint Undertaking concerning confidentiality, independence and conflicts of interest.

Rule 14

Language Regime

The TAP shall conduct its business in English.

Rule 15

Amendment

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

Rule 16

Interpretation

In the event of any conflict between any provision of these rules and the Statutes of the Joint Undertaking or the Rules of Procedure of the Governing Board or Executive Committee, the latter three 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 the Joint Undertaking.

Done at Barcelona,

For the Scientific Programme Board of the Joint Undertaking.

.....

Chair of the Scientific Programme Board