

Rules of Procedure for the Partnership Board of the Co-programmed European Partnership for Globally Competitive Space Systems

Introductory remarks

The Memorandum of Understanding of the Co-programmed European Partnership for Globally Competitive Space Systems mentions that the Parties should establish a Partnership Board as the main body for dialogue and steering to reach the objectives set out in the Memorandum. The Partnership Board as the Partnership's sole decision-making body is responsible for the proper implementation of the MoU.

The MoU also mentions that the Partnership Board adopts the Rules for Procedure, based on a harmonised proposal provided by the European Commission, covering inter alia rules on confidentiality, transparency, and avoidance of conflicts of interest.

Section 1 – Members of the Partnership Board and their nomination

The Association¹ which signed the Memorandum of Understanding, and which represents the Partners other than the Union, **nominates its Partnership Board Members**, selected among its/their constituent entities. The Association tries to ensure an adequate representation of all stakeholders, an adequate geographical balance as well as an adequate gender balance among its nominated Partnership Board Members.

The Members from the Partners other than the Union will consist of **up to 5 representatives** with adequate representation from each TYPE of partner. In case of absence of a Board Member, they may appoint a substitute, provided that the substitute is from the same TYPE of partner.

The European Commission lead service(s)² in charge of the European Partnership **nominates the European Commission's Partnership Board Members**. These Members will consist of **up to 2 representatives**. In case of absence of a Board Member, the European Commission lead service(s) can nominate a substitute member.

If the position of a representative **falls vacant**, the respective Partner will nominate a new representative and notify the Partnership Board about this, in time for the next Partnership Board meeting. Board Members are appointed for 3 years and can be renewed indefinitely.

The **Partnership is co-chaired by one representative of the European Commission** (which an official from the European Commission lead service in charge of the European Partnership)

¹ S.P.A.C.E. AISBL

² DG Defence Industry and Space (DEFIS)

and one representative of the Partners other than the Union selected among the members of the Board.

A **States Representatives Group (SRG)** will be established for the present European Partnership to interface with Member States and Associated Countries representatives on Partnership matters. The SRG may designate **1 representative** to participate in any Partnership Board meeting upon invitation of the Partnership Board. The SRG representative will receive the full documentation made available to Board Members, and will abide to Board members information policy (i.e. treat all documents as sensitive non-classified unless stated otherwise). The SRG representative may be invited to deliver an SRG opinion on any matter of the Partnership Board agenda as seen relevant.

The meetings of the States Representatives Group can be convened by the Partnership Board or the States Representatives Group.

Section 2 – Meetings of the Partnership Board

The **meetings are co-chaired** by the co-chairs of the partnership.

The Partnership Board can invite to its meetings external participants to act as observers or reporting entities on specific subjects of interest. They can be the chairperson of the Advisory Committee and/or States Representatives Group, reporting entities from S.P.A.C.E. aisbl, representatives of other European Partnerships, civil society organisations, standardisation bodies, certification bodies, regulators, public procurers as well as experts in the areas covered by the scope of the present European Partnership. The Partnership Board may decide to examine specific items of the agenda without the presence of observers, due to the confidentiality of such specific items.

Meetings are convened in writing by the co-chairs, no later than 28 days before the meeting. The meeting notice will be sent to each Board Member and observer chosen for the meeting. It will be accompanied by the provisional agenda. The relevant documents for decision-making will accompany the meeting notice or will be provided 14 days before the meeting.

The Partnership Board may meet physically or virtually. This will be communicated by the Board, for each meeting.

There will be **at least one meeting** of the Partnership Board **per year**.

Decisions will be taken by consensus³ among the Board Members present at a meeting. They will be documented in the minutes. A minimum quorum of 100% Board members from the European Commission and 50% Board members representing partners other than the Union is

³ When a decision is taken by consensus, no formal vote is taken. A consensus is understood as the absence of objection rather than a particular majority.

required for decision-making, including by consensus. If this appears not possible and in exceptional circumstances, the co-chairs may decide to organise a vote. The decision is adopted by simple majority of the votes; or voting purposes, each Board Members holds the votes as given in the annex to this Rules of Procedure. The members who have voted against or abstained will have the right to provide a document summarising the reasons for their position that will be annexed to the opinions, recommendations or reports.

The European Commission (DG DEFIS) will act⁴ as **secretariat** and will draft the agenda in coordination with the Members of the Partnership Board as well as the minutes of the meetings. The secretariat will also ensure the proper and timely distribution of all Board communications. The secretariat shall treat all Board related information, documents and drafts as sensitive non-classified items unless stated otherwise.

The **draft agenda is adopted** at the beginning of each meeting.

The **draft minutes** will be sent to the Board Members within 5 working days after the meeting, and comments will be accepted if received before the following meeting. The minutes **will be adopted** at the following meeting⁵. The minutes will contain the agenda, a summary of the discussions, the decisions taken, a listing of the items for information, the follow-up actions and the conclusions, as well as a list of attendance.

The Members from the Partners other than the Union **will not be reimbursed** from European Commission funds for attendance and participation at meetings, nor for any travel and subsistence expenses incurred, or for any work associated with fulfilling their tasks.

Section 3 – Tasks of the Partnership Board

The Partnership Board is the **main body for steering** the European Partnership, with the ultimate purpose of implementing the MoU, and achieving the partnership objectives set out in the MoU and its Strategic Research and Innovation Agenda (SRIA). It is responsible for **taking decisions** for the European Partnership, including the **approval of results and proposals from the high-level meetings** on strategic issues foreseen in the Memorandum of Understanding.

The Partnership Board ensures that the annual planning of activities from both sides steers towards the high-level objectives, including through regular monitoring and assessment.

⁴ Unless agreed otherwise by the Partnership Board, the European Commission lead service will act as secretariat.

⁵ An alternative option is to request comments to the draft minutes within a certain time limit after the meeting and adopting the revised minutes by email.

The Members from the Partners other than the Union **are expected to provide input and advice** in their relevant fields of expertise to the best of their ability and in the best interest of the European Union research and innovation landscape.

The Members from the Partners other than the Union **give input and advice on annual research and innovation priorities and the definition of call topics** in a timely manner to enable the European Commission to prepare, draft and adopt the periodic Work Programmes. This may include presentations to the relevant Programme Committee configurations by a representative of the Members from the Partners other than the Union.

The inputs and advice to the European Commission are the result of discussions within the Partnership Board and **appropriate consultation processes implemented by the Partnership Board and the Partners other than the Union**. As the Partnership Board is expected to promote the public interest, these consultations are in particular intended to ensure an appropriate involvement of the Partnership's advisory bodies, as well as transparent and accessible processes for engaging the members of SPACE, as well as other stakeholders if useful and meaningful.

The **Members from the Partners other than the Union** are also responsible for preparing, in agreement with the European Commission, any necessary **updates of the SRIA**, which is the basis for developing the co-operation. The SRIA development process should ensure an extensive stakeholder consultation, including the involvement of Member States as appropriate.

The Partnership Board reviews, endorses and promotes the strategic plans and technology roadmaps proposed by the Association. In addition, it **ensures the consistency between the Partnership goals as stated in the MoU and the activities and plans** proposed.

The Partnership Board promotes synergies and coordination between the strategic plans and technology roadmaps proposed and any other relevant programme pursued at European or national level.

The Partnership Board endorses the European Partnership's annual Additional Activities Plan.

The annual **Additional Activities Plan is endorsed by the Partnership Board by 31 December of the year preceding the year for which the plan is made**. The Partnership Board may make updates to the Plan during the year.

The Partnership Board monitors, throughout the life of the European Partnership, the Partners' fulfilment of commitments and agreed contributions. This task includes monitoring that the contributions agreed are provided in full, and on time.

If the contribution by the Partners other than the Union is significantly lower than the overall estimation agreed in the Annual Additional Activities Plan, the Partnership Board may make recommendations to the Partners other than the Union on adjustment measures.

If the action taken by the Partners other than the Union is not sufficient to reach the contribution originally agreed, the Partnership Board may recommend the European Commission to adjust its own contribution to match the contribution *de facto* made by the Partners other than the Union.

The Partnership Board oversees the Partners' establishment of an effective monitoring and reporting system that allows the European Partnership as well as the European Commission to track progress over time towards the stated objectives and impacts and to provide implementation and management data.

The Partnership Board takes action to ensure that the Memorandum of Understanding's requirement for continuous monitoring and periodic reporting by the Partners is respected. This includes the requirement for a simplified reporting every one year and a full reporting every second year to the European Commission, as defined in the Memorandum. The monitoring and reporting will be done on the basis of evidence provided by Partners, respecting confidentiality of information and avoiding anti-competitive behaviour. The scope of monitoring and reporting is defined partly in the Memorandum and partly in the SRIA.

The Partnership Board also ensures that upon request, the Partners other than the Union provide the European Commission with additional necessary information for the assessment of the achievements of the European Partnership in the context of the overall Horizon Europe evaluation, respecting confidentiality of information, and in the context of the Strategic Coordinating Process for European Partnerships (e.g. input to the biennial monitoring of the European Partnerships).

The Partnership Board monitors that the European Partnership's activities and results are communicated and disseminated broadly and through various channels, in order to ensure that any necessary information in the area of the European Partnership is available to all possible stakeholders, all along its duration. This task includes ensuring that the EU support to the European Partnership is visible.

Section 4 – Transparency, confidentiality and avoidance of conflicts of interest

The Members from the Partners other than the Union undertake to put in place an open and transparent process for consulting their constituent entities and other relevant stakeholders on the identification of the priorities of the European Partnership and the design of its activities, as discussed in the Partnership Board. This should result in an appropriate involvement of all relevant stakeholders.

The Members from the Partners other than the Union **may not act in a way to take undue advantage** of their participation in the European Partnership.

The Board Members **may not divulge information which has been declared as confidential.**

Also, a Board Member **may not individually be involved in the evaluation of proposals for Union funding** if s/he has contributed to the preparation of the corresponding call for proposals.

Should any subject discussed in a given meeting represent a **potential conflict of interest**⁶, the Member will inform the co-chairs of the Partnership Board. In this case, the Governing Board may decide to examine and take a decision on specific items of its agenda without the presence of the Board Member whose participation may lead to a conflict of interest.

Section 5 – Publication of Partnership information

The European Commission will make publicly available, including on its website, information on the functioning of the European Partnership.

The Partnership will publish on its website information on the composition of the Partnership's **governance structures**, including the **names of all Members of the Partnership Board**.

In the interest of transparency, the Partnership will also publish on its website the **names of all members of the Association** representing the Partners other than the Union.

Information will also be published on the **decisions** taken by the Partnership Board, as well as any specific reports prepared by the Partnership or by the Board Members that are deemed to be of public interest.

Section 6 – Amendment of the Rules of Procedure

A Board Member may propose to amend these Rules of Procedure. The Rules of Procedure will be amended by **decision of the Partnership Board**.

⁶ For example, a potential conflict of interest could be if a Board Member from/representing a Partner other than the Union which has submitted a proposal to a specific call for proposals under Horizon Europe, would participate in the evaluation of the proposals to this call. This scenario is however not very likely, as the European Commission does not normally employ representatives from a European Partnership as evaluators.

