



Fuel Cells and Hydrogen 2 Joint Undertaking (FCH 2 JU)

*Rules of Procedure of
the Scientific Committee (SC)*

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Article 1. Role and Mandate

The Scientific Committee is an advisory body of the Fuel Cells and Hydrogen 2 Joint Undertaking (Article 4 of the Statutes of the Fuel Cells and Hydrogen 2 Joint Undertaking) and shall conduct its activities in close liaison, and with the support of the Programme Office.

The role of the Scientific Committee has been established by Council Regulation (EU) No 559/2014 of 6 May 2014 establishing the Fuel Cells and Hydrogen 2 Joint Undertaking.

Article 10 of the Statutes of the Fuel Cells and Hydrogen 2 Joint Undertaking stipulates that the Scientific Committee shall have the following tasks:

- (a) advise on the scientific priorities to be addressed in the annual work plans;
- (b) advise on the scientific achievements described in the annual activity report.

The members of the Scientific Committee should provide consistent and consolidated feedback in writing at the request of the FCH 2 JU.

Article 2. Composition

The Scientific Committee consists of no more than 9 members appointed for a renewable period of two years.

The members of the Scientific Committee are appointed by FCH 2 JU Governing Board according to a specific procedure ex Article 10.3 of the Statutes. They are selected following the specific criteria and selection process established and adopted by the Governing Board on 4 February 2015.

Selection of new members and renewal shall follow the same procedure unless the GB decides otherwise.

Additional experts may be appointed if necessary for specific ad-hoc tasks and limited duration. They shall be selected following the same procedure as that applicable to the permanent members of the Scientific Committee.

The members of the Scientific Committee shall reflect a balanced representation of worldwide recognized experts from academia, industry and regulatory bodies as well as NGOs or similar representative bodies. Collectively, the members of the Scientific Committee shall have the necessary scientific competencies and expertise covering the technical domain needed to make science-based recommendations to the FCH 2 Joint Undertaking.

Members participate in the Scientific Committee in their individual capacity and commit themselves to discuss questions put forward and provide advice in their relevant fields of expertise to the best of their ability and in the best interest of the FCH 2 JU.

Article 3. Chair and Vice-Chair

A Chair and a Vice-Chair shall be elected by consensus of the Scientific Committee from among its members.

The Chairperson tasks consist of:

- Proposing a planning of activities;
- Chairing the meetings and moderating the discussions of the Scientific Committee;
- Drawing up the agenda of each meeting in consultation with the Vice-Chair, based on a proposal from the FCH 2 JU Executive Director;
- Reviewing the minutes of the meetings that are prepared by the FCH 2 JU programme office, before they are approved by the committee;
- Reporting and providing the consolidated advice of the Scientific Committee to the Governing Board;
- Representing the Scientific Committee at external meetings and events.

The Chairperson of the Scientific Committee shall have the right, whenever issues falling within the tasks of the Committee are discussed, to attend meetings of the Governing Board as an observer and take part in its deliberations, but shall have no voting rights.

The Chairperson can delegate all or part of the tasks on an ad hoc basis to the Vice-Chair or in case this is not possible to another member of the Scientific Committee.

Should the Chair be unable to execute his/her duties, the Vice-Chair takes over the responsibilities of the Chair until a new election procedure takes place.

Article 4. Meetings

The Scientific Committee shall meet at least twice a year. Meetings shall be convened by the Chair. Notifications shall be sent out by the FCH 2 JU Executive Director at least twenty working days before the proposed date.

The meetings shall normally take place in Brussels at the seat of the FCH 2 Joint Undertaking. No quorum is necessary for a meeting to be valid. However, when needed (i.e. important decisions to be taken) and clearly requested by the SC Chair and the FCH 2 JU Executive Director, quorum is achieved if at least two thirds of the total number of SC members attend the meeting.

Additional meetings can be convened at the request of the Chair or Vice-Chair of the Scientific Committee, the Governing Board or the Executive Director.

The agenda and the minutes from the previous meeting shall be adopted at the beginning of each meeting. At request of any member and with the consensus of the Committee, urgent questions may be added to the agenda at any time prior to the end of the meeting. Any items on the agenda may be deleted or carried over to a subsequent meeting.

The Chair can invite other persons to take part in a meeting as observers, on his/her initiative or following a proposal of the FCH 2 JU's Executive Director.

The FCH 2 JU Programme Office, as Secretariat of the SC, will draft the minutes of the meetings in consultation with the SC Chair and Vice-Chair. Minutes shall be made available no later than 20 working days after the meeting and shall be considered as accepted if, within 15 working days from sending, no member has objected in writing to the Chair and the Programme Office with respect to the accuracy of the draft text. The formal approval of the minutes shall take place at the following SC meeting.

The FCH 2 JU Executive Director and/or other staff of the Programme Office as well as representatives of the Members of the FCH 2 Joint Undertaking (IG/RG/EC) and the States Representatives Group Chair may attend the meetings of the Scientific Committee as observers.

Article 5. Advice

The Scientific Committee shall provide its advices in written form.

It is understood that the provision ex Article 10 (a) of the Statutes of the FCH 2 JU, as indicated in Art. 1 of the Rules of Procedure of the SC, includes also the possibility to provide advises on the occasion of a revision of the MAWP.

Advices are the result of discussions within the Scientific Committee and shall be achieved by consensus. However, in the event that a consensus cannot be found, for whatever reason, individual members may request to have divergent views recorded.

The members of the Scientific Committee may be consulted by email when the urgency of the matter so requires. An email consultation shall be carried out by the FCH 2 JU Executive Director on the request of the Chairperson. The representatives shall give their opinion within 10 working days from the reception of the consultation request. The Chairperson may shorten this period in the event of particular urgency, but not to less than 5 working days.

Article 6. Transparency

The FCH 2 JU Programme Office will make public the names of the members of the Scientific Committee on the FCH 2 JU web site.

The Scientific Committee's advices shall be subject to the provisions of Article 16 of the Regulation (EU) 559/2014 and measures taken for its implementation. They might be published on the FCH 2 Joint Undertaking's web site unless the FCH 2 JU Governing Board decides otherwise.

Without prejudice to Article 16 of the Regulation (EU) 559/2014, representatives and other participants at meetings of the Scientific Committee shall respect the confidential character of the discussions of the Scientific Committee.

Article 7. Confidentiality and Conflict of interest

Without prejudice to Article 339 of the Treaty on the Functioning of the European Union, members of the Scientific Committee are required not to divulge information given in the context of the work, unless it has been indicated that the information is public.

Members of the Scientific Committee, observers and experts shall sign confidentiality agreements and declarations of conflict of interest prior to their first attendance to Scientific Committee meetings. [Annex 1: Declaration of confidentiality and conflict of interest for the FCH 2 JU Scientific Committee members].

The declaration on conflict of interest shall be updated before subsequent attendances to Scientific Committee meetings, whenever relevant.

Members of the Scientific Committee must not seek or act in any way to take undue advantage of, or exercise undue influence on, the implementation of the FCH 2 JU.

Therefore members of the FCH 2 JU Scientific Committee should not be involved in any way in the evaluation or selection of proposals for funding under the FCH 2 JU.

Members of the Scientific Committee may participate in consortia under the FCH 2 JU, either in their personal capacity or as representative of the organisations to which they belong. However, should any item on the agenda or any subject discussed in a given meeting of a Scientific Committee be of relevance for projects or proposals under the FCH 2 JU that a member, or the organisation to which he/she belongs, has submitted or is likely to submit, the member should inform the FCH 2 JU and the Scientific Committee of the situation. He/she can be requested to abstain from the deliberations and/or leave the room for the discussion of the concerned item/subject.

Members of the Scientific Committee must inform the FCH 2 JU of all interests, not explicitly stated above, which could be considered prejudicial to their independence.

During a meeting any attendee whose participation in the work of the Scientific Committee leads or may lead to a conflict of interest with regard to a particular agenda item shall without delay inform the Chairperson who shall without delay and before any discussion is initiated decide on any specific measure in this respect.

Upon proposal by the Chairperson, the Scientific Committee may decide to examine such an item without the presence of the attendee concerned.

When a member of the Scientific Committee is in breach of the requirements set out above, he/she will be considered as no longer being in a position to remain as a member of the group.

Article 8. Reimbursement of costs

The Scientific Committee has no budget. Travel and subsistence expenses will be reimbursed according to the rules adopted by the European Commission on 5 December 2007.

Article 9. Secretariat and administrative support

The FCH 2 JU Programme Office shall provide the Secretariat and the appropriate administrative support to enable the Scientific Committee to carry out its work.

It shall assist the Scientific Committee in its operation through drafting and circulating agendas, meeting summaries and related documents. Where appropriate and requested, the Secretariat may collect and/or circulate information of potential interest to the Scientific Committee, in time for the next meeting.

All correspondence with the FCH 2 JU Scientific Committee shall be addressed to the seat of the FCH 2 Joint Undertaking.

Article 10. Entry into force

These Rules of Procedure shall come into force upon the adoption by consensus by the Scientific Committee. They may be amended at any time upon the request of the Chairperson.

The Rules of Procedure cannot contradict the FCH 2 JU Regulation and annexed Statutes and they cannot have budget implications.

Annex 1

Confidentiality and non-conflict of interest declaration of the FCH 2 JU Scientific Committee Members

The undersigned..... [Name],

..... [Function or Title].

Accepts to participate as a Member of the Fuel Cells and Hydrogen 2 Joint Undertaking Scientific Committee and hereby, undertakes during and after the course of his/her mandate:

1. To commit him/herself to strict confidentiality with regards to any and all oral or written information pertaining to the work of the Scientific Committee;
2. To declare promptly any conflict of interest that may arise from his/her participation in the Scientific Committee. I will therefore not participate in any discussion on the item, and leave the meeting room accordingly in case of conflict of interest.

I understand that the obligations of non-disclosure set forth above shall not extend to information which are or became publicly known or available through no fault of myself.

Made in, on

Signed