

The General Assembly has adopted the following Rules of Procedure:

EUROPEAN JUDICIAL TRAINING NETWORK (EJTN)

Rules of Procedure

Preamble

The activities of the institutions of the Network have shown the need to adopt internal rules to ensure their proper functioning. The following Rules of Procedure, which have been adopted by the General Assembly on the basis of Article 7 (3) of the Charter, reflect the experience gained to date. They are based on mutual trust and the will to cooperate, safeguarding the independence of each Member.

Article 1 General

- (1) These rules of procedure shall apply to all institutions of the EJTN, in particular to the General Assembly, the Secretary General, the Steering Committee, the Working Groups and any other body of the Network, and without prejudice to the Charter.
- (2) Where “members” are referred to, these are the member institutions of the respective body. Otherwise the term “EJTN member” shall be used.

Article 2 Voting

- (1) The Steering Committee and the Working Groups are quorate when half of the members are present.
- (2) Unless otherwise stipulated in the Articles of Association, a simple majority of the votes is sufficient for elections or decisions. Each member has one vote. No proxies are allowed.

Article 3 Terms of Office and Chair

- (1) The term of office shall be three years for the Steering Committee and for the Working Groups, both renewable. In as far as they are not elected members of the Steering Committee, those EJTN members representing EU Member states holding the previous, current or next presidency of the European Union are explicitly invited to attend the meetings of the Steering Committee without voting rights during the relevant period.
- (2) The Steering Committee shall be convened by the Secretary-General or by the EJTN-member holding the presidency of the European Union at the request of any of the members of the Steering Committee. Meetings are hosted by a Member appointed by the Committee or by the secretariat. They are chaired by the member of the Committee hosting the meeting or by the EJTN-member holding the presidency of the European Union.

- (3) The General Assembly shall elect the Working Group Conveners on the basis of the candidates “plan of action”. The convener shall co-ordinate the activities of the group. Meetings shall be held at the request of the Convener in co-ordination with the Secretary General or at the request of a majority of the members, at a place designated by the Convener. They shall be chaired by a representative of the Convener or by the Secretary General.

Article 4 Preparation of meetings

- (1) The Secretary General shall draw up invitations and an agenda in consultation with the Convener and/or Hosting Member which shall be circulated at least one month before the date of the meeting to all members of the EJTN. Members may submit proposals for the agenda and put forward motions for resolutions up to two weeks before the meeting. The final version of the agenda shall be drawn up on the basis of these submissions and circulated at least one week before the date of the meeting to all members of the EJTN.
- (2) EJTN members are allowed, provided giving a seven days notice to the hosting member, to attend all meetings of the Steering Committee and of the Working Groups they want to.
- (3) A Rapporteur shall be appointed to deal with individual items on the agenda and to prepare a proposal for a resolution to be circulated preferably two weeks before the meeting but at least one week before. During the meeting the Rapporteur shall report on any comments he has received.
- (4) The Convener, the Hosting Member or the Secretary General can decide, after consultation and provided the members do not object, to invite representatives from other organisations to attend the meeting or to act as Rapporteur.
- (5) Persons outside the Network may attend meetings at the invitation of the Members indicated above and, in the absence of any veto, by a single Member.

Article 5 Organisation of meetings

- (1) The final agenda shall be approved at the beginning of each meeting.
- (2) General working languages are English and French. Working documents may be provided in either of these languages. Members present may unanimously decide to use other working languages.
- (3) Simultaneous interpretation is only provided for meetings of the General Assembly. Should Members require or the Chair decide to use other languages, interpreting into the working languages shall be provided.

Article 6 Minutes

- (1) Minutes are to be kept for each meeting. The Secretary General is responsible for the minutes of Steering Committee meetings. Minutes of working group meetings are drafted by the Convener who may request assistance by the secretariat.
- (2) Draft minutes shall be circulated among Members one month after the meeting at the latest. Members shall be given the opportunity to register objections within a reasonable period of time.
- (3) In the absence of comments or objections, which must be lodged in due time, the minutes shall become final acts; if not they shall be approved in the following session.
- (4) Final minutes shall be circulated to all EJTN members. If objections have not been allowed they shall be annexed to the final minutes.

Article 7 Report to the General Assembly

The Secretary General and, at their request, the Conveners of the Working Groups shall report – orally and in writing – to the General Assembly on the activities of the Network and on the basis of their plans of action.

Article 8 Secretary General

- (1) The Secretary General shall assist the General Assembly, the Steering Committee and the Working Groups in their work. He/she shall be given every support by all EJTN members. The Secretary General shall ensure the circulation to members all necessary information, in particular that relating to the preparation and organisation of meetings. As far as possible this shall be done electronically.
- (2) The secretariat hosts and maintains the EJTN Website. The Secretary General is responsible for the management of the EJTN Website.
- (3) The secretariat acts under the authority of the Secretary General as a contact and information point for all EJTN members and for third parties.
- (4) The Secretary General represents the Network vis-à-vis third parties. For other than routine business or in emergencies, he/she may only act with the authorisation of the General Assembly or the Steering Committee.
- (5) The Secretary General shall co-ordinate the work of the Steering Committee and the Working Groups, having regard to the functions of the conveners. He/she has the right to attend all meetings.
- (6) The Secretary General will report on a regular, six month basis to the Steering Committee on the progress of his/her plan of action and of the Working Groups.
- (7) Save as the General Assembly may otherwise determine, the Secretary General shall be employed by the EJTN on a full-time basis.

Article 9 Accounts

- (1) The accounts shall be administered by the Secretary General who may appoint an accountant in charge from among the staff of the secretariat or use external accounting services.
- (2) Transactions within the framework of the budget approved by the General Assembly may be implemented by the Secretary General on his/her own responsibility. Other transactions require the approval of the Steering Committee if they exceed € 2,500.
- (3) Funds received from the European Union for the general administration of the Network or for training activities shall only be forwarded to individual members on a pro rata basis and if sufficient evidence has been submitted to document the proportion of own contribution of direct costs to be covered by members. Final payments will be made only on presentation of original invoices and evidence documenting the proportion of own contribution and once the Commission has accepted the final reports. Members must send these documents as soon as possible to the secretariat.
- (4) Half yearly status reports of the accounts are to be sent to the members of the Steering Committee.
- (5) The General Assembly shall elect two internal auditors to audit the administration of the accounts of the Network within six months after the end of the business year. The auditors shall report to the General Assembly in its meeting of the year following the respective business year. The term of office of each auditor shall be three years.
- (6) For each business year the Secretary General will also submit the report of an external auditor to the General Assembly. The external auditor may be reappointed not more than twice.
- (7) No later than 1 month prior to the General Assembly the Secretary General shall send the draft accounts to the members of EJTN and shall formally present them to the General Assembly for debate.

Article 10 Entry into Force

These Rules of Procedure shall enter into force once approved by the General Assembly.

Approved by the General Assembly, on 9 December 2004 in The Hague.