

I sottoscritti, dott. Carmelo Celentano, dott. Eugenio Albamonte e dott.a Silvia Coppari, Magistrati addetti alla Segreteria trasmettono il resoconto avente ad oggetto: partecipazione della delegazione consiliare all'assemblea della Rete Europea di Formazione Giudiziaria – Aja 7 – 9 dicembre 2004.

La delegazione consiliare, composta dal presidente della IX Commissione dott. Giuseppe Meliadó, dai componenti della Commissione dott. Ernesto Aghina, dott.ssa Giuliana Civinini, dott. Carmine Stabile e dai magistrati segretari dott. Eugenio Albamonte, dott. Carmelo Celentano, dott.a Silvia Coppari, ha partecipato, in esecuzione della delibera consiliare del 1.12.2004, all'assemblea della Rete Europea di Formazione Giudiziaria – Aja 7 – 9 dicembre 2004.

All'assemblea erano presenti i delegati delle istituzioni appresso specificate:

Academy of European Law Trier (ERA): **Heusel Wolfgang; Maiso Leyre**

Austria, Federal Ministry of Justice: **Germ Hermann; Obereder Doris**

Belgium, Conseil Supérieur de la Justice: Hamaide Jacques; Van den Broeck Edith; Warson Dave

Czech Republic, Czech Judicial Academy: Opravil Jaroslav; Pachman Jan;

Denmark , Domstolsstyrelsen: **Krag Mette;**

Finland, Oikeusministeriö: **Hirvonen Jorma ;**

France, École Nationale de la Magistrature : **Cavrois Marie-Luce, Ceccaldi-Guebel Sylvie ; Charbonnier Gilles**

Germany, Federal Ministry of Justice, Bavarian Ministry of Justice: **Gressmann Michael; Palder Helmut;**

Greece, National School of Judges: **Athineos Antonios ; Grammatikoudis Mimis;**

Hungary, Office of the National Council of Justice, Office of the Prosecutor General: Csiszár Judit; Körmendy Gyöngyi

Ireland, Judicial Studies Institute: **McCracken Brian;**

Latvia, Latvian Judicial Training Center: Kalnina Solvita ;

Luxembourg, Ministère de la Justice: Nilles Max ;

Malta, Judicial Studies Committee: *Camilleri Joseph David*;

Netherlands, Stichting Studiecentrum Rechtspleging: *De Jong Branda, Langbroek Martin, Quak Perry*

Poland, Ministry of Justice: Damasiewicz-Radwan **Janina; Golik-Dobiszewska **Elzbieta**; *Kujawa Inona Madurowicz Monika***

Portugal, Centro de Estudos Judiciários: *Miranda Rodrigues Anabela, Rato João*;

Slovenia, Judicial Training Centre: *Kmecl Andrej*;

Spain, Escuela Judicial del Consejo General del Poder Judicial, Centro de Estudios Jurídicos de la Administración de Justicia (CEJAJ): *Azón Felix V., Salinas Molina Fernando, Dominguez Elena*

United Kingdom, England and Wales, Judicial Studies Board: *Hall Victor*

Osservatori:

Estonia, Office of the Prosecutor General: *Sepp Raivo*

Segretariato:

EJTN Secretary General: *D'Alterio Armando*

EJTN Secretariat: Heusel Wolfgang, Maiso Leyre

I lavori si sono svolti secondo l'agenda seguente:

8 dicembre 2004

- 1) Approvazione del resoconto dell'Assemblea Generale tenuta a Roma;
- 2) Rapporto del Segretario Generale e del Segretariato;
- 3) Esame delle modifiche statutarie proposte dal Comitato Direttivo e dibattito;

9 dicembre 2004

- 4) Ammissione dei nuovi Membri;
- 5) Rapporti sulle attività svolte da ciascun gruppo di lavoro;
- 6) Elezione degli organi del Network (in carica dal 14 marzo 2005);

Nel corso dei lavori dell'Assemblea la delegazione italiana ha assunto, sui diversi argomenti all'ordine del giorno, le posizioni già deliberate dal Consiglio nella seduta del 1.12.2004 ed in particolare:

- a) per quanto attiene alle **riforme statutarie relative agli organismi associativi** le proposte avanzate dal comitato direttivo e raccolte in un documento riassuntivo redatto dalla Stichting Studiecentrum Rechtspleging olandese sostanzialmente prevedevano l'eliminazione del Segretariato quale organismo autonomo e la sua sostituzione con un ufficio di segreteria con compiti di collaborazione materiale alle attività del Segretario Generale; il rafforzamento dei poteri del Segretario Generale con particolare riguardo alla sua funzione di promozione del Network verso le istituzioni comunitarie e verso i paesi non appartenenti; il prolungamento della durata dell'incarico del Segretario Generale da due a tre anni e la sua elezione in base alla presentazione della candidatura congiuntamente ad un programma delle attività e delle finalità perseguite durante il mandato (all.to A).

Durante il dibattito è stato convenuto che le modifiche da apportare avrebbero determinato l'aggiornamento dello statuto del Network e non la Carta Costitutiva dell'organizzazione. Tale documento conserverà il valore di un atto storico ma cesserà di avere natura di fonte di disciplina dell'associazione;

- b) quanto alla **modifica statutaria dell'art. 8**, volta ad introdurre un **sistema di auto-finanziamento** del Network da parte dei suoi membri, è stato calcolato che l'importo necessario per fronteggiare i costi dell'ufficio di segreteria e del Segretario Generale ammonta ad un totale di Euro 200.000. Tale somma è stata ritenuta idonea, in particolare, a coprire i costi relativi all'affitto di un ufficio, alla retribuzione di un impiegato ed una segretaria, a coprire le spese di viaggio del Segretario Generale.

La proposta avanzata dal Comitato Direttivo era quella di raccogliere le somme necessarie alle attività del Network tramite contribuzione dei membri. L'importo della contribuzione richiesta ai membri era calcolato in ragione del prodotto interno lordo di ciascun paese e previo determinazione della contribuzione minima in Euro 5.000 e della contribuzione massima in Euro 20.000. La delegazione italiana, in proposito, ha presentato alcuni emendamenti alle proposte di modifica avanzata dal Comitato Direttivo. In particolare è stato accolto dall'Assemblea l'emendamento volto ad attribuire all'Assemblea Generale e non al Comitato Direttivo, il potere di stabilire periodicamente l'entità della contribuzione a carico degli appartenenti. Tale emendamento era finalizzato a garantire la massima partecipazione al dibattito ed alle decisioni relative agli oneri economici a carico dei membri del Network.

La modifica statutaria in esame (All.to B) è stata approvata con l'astensione della delegazione tedesca in ordine al § 1, che prevede l'obbligo di contribuzione e con l'astensione della delegazione spagnola

in ordine al §. 3 che prevede che il finanziamento a carico dei Paesi con il PIL maggiore non potrà comunque eccedere i 20.000 Euro. La delegazione portoghese, invece, ha espresso riserve in ordine al fatto che il medesimo §. 3 non preveda l'entità del contributo minimo a carico dei Paesi con il PIL più basso.

- c) con riferimento alla **contribuzione per l'anno 2005** sono state consultate le delegazioni presenti al fine di verificare se ciascun membro del Network fosse in grado di versare la somma richiesta in base alle modifiche statutarie adottate ed ai calcoli redatti con riferimento al PIL di ciascuna Nazione (All.to C). Hanno dichiarato di essere in grado di sostenere il contributo relativo al 2005 le delegazioni dei seguenti Paesi membri: Era, Austria, Belgio, Finlandia, Francia, Ungheria, Italia, Lussemburgo, Portogallo, Spagna, Regno Unito ed Olanda. Hanno invece espresso riserve le delegazioni di: Repubblica Ceca, Danimarca, Germania, Grecia, Irlanda, Lettonia, Malta, Polonia e Slovenia. In base ai calcoli effettuati e tenuto conto del limite di contribuzione massima approvato **la contribuzione a carico del Consiglio Superiore della Magistratura, per l'anno 2005, è stata determinata in Euro 20.000.**

Recependo un'indicazione espressa dal Comitato Direttivo, l'Assemblea Generale ha deliberato, inoltre, che i nuovi membri del Network, ammessi alla chiusura dei lavori, sarebbero stati esentati del pagamento del contributo per l'anno 2005.

In esito alla discussione è stato, inoltre, approvato il regolamento che disciplina i tempi e le modalità del pagamento da parte dei membri (all.to D). Viene ivi previsto che **le contribuzioni dovranno essere versate entro il 31 marzo 2005**; che i membri i quali, per ragioni di bilancio, non potranno effettuare il versamento della quota entro il termine stabilito per l'anno 2005, saranno tenuti comunque a corrispondere la somma entro il 31 marzo 2006 unitamente a quanto dovuto, sempre a titolo di contribuzione, per l'anno 2006.

In base ad emendamento proposto dalla delegazione italiana è stato, inoltre, previsto che le somme raccolte dal Network, tramite i suddetti conferimenti, verranno destinate, in primo luogo al pagamento delle spese necessarie alla costituzione della segreteria amministrativa (affitto dei locali e retribuzione dei dipendenti), mentre le spese ulteriori e diverse (quali ad esempio le spese sostenute dal Segretario Generale) verranno rimborsate dal Network solo nel caso e nei limiti di eventuali rimanenze di bilancio.

Al fine di adempiere, con la maggior celerità possibile –tenuto anche conto della presentazione, da parte della Rete, della propria candidatura per l’ottenimento di un sovvenzionamento europeo nell’ambito del programma AGIS-, alle attività volte all’individuazione ed all’affitto dei locali destinati ad ufficio del Network ed all’assunzione del personale dipendente, l’Assemblea Generale ha deliberato la costituzione di un apposito gruppo di lavoro. Tale gruppo sarà composto dal Segretario Generale in carica Dr. A. D’Alterio, dal Dr. W. Heusel, rappresentante del Segretariato e dal Segretario Generale nominato all’esito dei lavori dell’assemblea.

I lavori sono, quindi, proseguiti attraverso l’esame e l’approvazione delle **modifiche al Regolamento** del Network (All.to E). In tale ambito la delegazione dell’ERA ha proposto di inserire nel Regolamento un nuovo art. 9 che stabilisca regole puntuali per il finanziamento del Network e per la destinazione delle somme. La proposta dell’ERA è stata adottata dall’Assemblea Generale con alcuni emendamenti avanzati anche dalla delegazione italiana (All.to F)

Per quanto attiene al **rinnovo degli organi** del Network l’Assemblea Generale ha nominato il Dr. G. Charbonnier, della Ecole Nazionale de la Magistrature, quale Segretario Generale.

Quali componenti del Comitato Direttivo sono stati eletti le istituzioni che rappresentano il Belgio, La Germania, l’Irlanda, l’Italia, l’Olanda, il Portogallo, la Spagna, l’Inghilterra e Galles nonché l’ERA.

Per quanto attiene i Gruppi di Lavoro si è proceduto al rinnovo nel modo seguente:

Gruppo Programmi: coordinatore del gruppo è stata eletta la Escuela Judicial della Magistratura spagnola; componenti del gruppo saranno: l’Ecole Nazionale de la Magistrature francese, il Consiglio Superiore della Magistratura, le istituzioni che rappresentano il Belgio, la Danimarca, la Finlandia, la Germania, la Grecia, la Lettonia, l’Olanda, nonché l’ERA.

Gruppo Relazioni Esterne: coordinatore del gruppo è stato eletto il Centro de Estudos Judiciários portoghese; componenti del gruppo saranno il Consiglio Superiore della Magistratura, le istituzioni che rappresentano il Belgio, l’Austria, la Germania, Malta e la Spagna (CEJAJ).

Gruppo “website”: coordinatore del gruppo è stato eletto il Consiglio Superiore della Magistratura; componenti del gruppo saranno le istituzioni che rappresentano la Francia, il Portogallo, la Spagna, l’Inghilterra e Galles.

Revisori: sono stati nominati quali international auditors i Dottori H. German (Austria) e D. Mc Farland (Irlanda del Nord).

In conclusione dei lavori L'Assemblea Generale ha adottato all'unanimità una risoluzione proposta dalla delegazione italiana con la quale viene dato mandato al Comitato Direttivo del Network di studiare le differenti opzioni tecnico-giuridiche al fine di favorire il riconoscimento dell' EJTN da parte delle istituzioni comunitarie.

dott. Carmelo Celentano
Vice Segretario Generale

dott. Eugenio Albamonte
Magistrato addetto alla Segreteria

dott.a Silvia Coppari
Magistrato addetto alla Segreteria

(All.to A)

Modifiche apportate allo Statuto:

Article	Version proposed by the Steering Committee (proposed amendments in bold):	Version adopted by the General Assembly (finally adopted amendments in red):
9	The EJTN will consist of a General Assembly, a Steering Committee, and a Secretary General. (without Secretariat)	The EJTN will consist of a General Assembly, a Steering Committee, and a Secretary General. [<i>without Secretariat</i>]
10: (2)	The Secretary General shall convene the Assembly by letter, fax, electronic mail or by any other suitable means of communication at least 30 days before the General Assembly. The convening documents shall include the agenda which shall be determined by the Steering Committee.	The Secretary General shall convene the Assembly by letter, fax, electronic mail or by any other suitable means of communication at least 30 days before the General Assembly. The convening documents shall include the agenda which shall be determined by the Steering Committee.
10: (5)	The General Assembly has the power to determine the policy and activities of the EJTN. It appoints the members of the Steering Committee (without the Secretariat) from the members of the EJTN. It also appoints the Secretary General in accordance with the provisions of these Articles of Association.	The General Assembly has the power to determine the policy and activities of the EJTN. It appoints the members of the Steering Committee [<i>without the Secretariat</i>] from the members of the EJTN. It also appoints the Secretary General in accordance with the provisions of these Articles of Association.
10:(7)	The Secretary General, the Steering Committee, (without the Secretariat) ad hoc Committees and Working Groups will report to the General Assembly. The General Assembly shall approve the budget and the accounts.	The Secretary General, the Steering Committee, [<i>without the Secretariat</i>] ad hoc Committees and Working Groups will report to the General Assembly. The General Assembly shall approve the budget and the accounts.
11: (5)	Proceedings and decisions of the General Assembly will be communicated to all members by the Secretary General . Decisions and the minutes adopted by the General Assembly shall be recorded in a register signed by the	Proceedings and decisions of the General Assembly shall be communicated to all members by the Secretary General . Decisions and the minutes adopted by the General Assembly will be recorded in a register signed by the Secretary General and lodged with the secretariat .

	Secretary General and lodged with the Secretary General’s secretariat. The Secretary General will make them available to members on request.	The Secretary General shall make them available to members on request.
11: (6)	Needs being re-numbered to 11 (5): Article 11 (6) is inaccurately numbered in the English version of Articles of Association.	
13: (1)	The Steering Committee will consist of nine members. The General Assembly shall appoint for a term of office of three years the members of the Steering Committee from among the members of the EJTN.	The Steering Committee will consist of a minimum of five members and maximum of nine members. The General Assembly shall appoint for a term of office of three years the members of the Steering Committee from among the members of the EJTN.
13: (3) New	An EJTN member from the country of the Secretary General shall not be a member of the Steering Committee.	Members from the country of the Secretary General shall not be members of the Steering Committee.
14: (1)	The Committee shall meet at the request of one or more members of the committee or at the request of the Secretary General and be convened by the Secretary General’s secretariat.	The Committee shall meet at the request of one or more members of the committee or at the request of the Secretary General and be convened by the secretariat.
15: (2)	Decisions shall be recorded in a register signed by a member of the Steering Committee and lodged with the Secretary General’s secretariat. The Secretary General will make them available to members of the association on request.	Decisions will be recorded in a register signed by a member of the Steering Committee and lodged with the secretariat. The Secretary General shall make them available to members of the association on request.
16.(1)	The Secretary General will be appointed by the General Assembly for a period of three years on the basis of the candidate’s “plan of action” . At the conclusion of this term of office he will not be eligible for immediate reappointment and the General Assembly will then appoint a new Secretary General who is a citizen of a different Member State of the European Union and from a different member of the Network.	The Secretary General will be appointed by the General Assembly for a period of three years on the basis of the candidate’s “plan of action” . At the conclusion of this term of office he will not be eligible for immediate reappointment and the General Assembly will then appoint a new Secretary General who is a citizen of a different Member State of the European Union and from a different member of the Network.
16: (3)	Major tasks and responsibilities of the Secretary General consist of: – the administration as	Major tasks and responsibilities of the Secretary General consist of: – the administration as

	<p>administrative director of the secretariat and the network</p> <ul style="list-style-type: none"> – the management of the finances of the network – the co-ordination and monitoring of EJTN activities – the management of the EJTN Website – the external representation of EJTN. 	<p>administrative director of the secretariat and the network</p> <ul style="list-style-type: none"> – the management of the finances of the network – the co-ordination and monitoring of EJTN activities – the external representation of EJTN.
16: (7 and 8) New	<p>7. The Steering Committee can, on the basis of at least three quarters of the votes cast, suspend the Secretary General during his tenure in the case of grave faults.</p> <p>8. The General Assembly shall ratify the Steering Committee proposal of discharge of the Secretary General on the basis of at least three quarters of the votes cast.</p>	<p>7. The Steering Committee may, on the basis of at least three quarters of the votes cast, suspend the Secretary General during his tenure and may propose to the General Assembly to discharge the Secretary General in the case of grave faults and may appoint an interim Secretary General.</p> <p>8. Following such a proposal, the General Assembly may discharge the Secretary General on the basis of at least three quarters of the votes cast.</p>
17:(1)	EJTN shall have a permanent secretariat functioning as administrative unit under the authority of the Secretary General.	The EJTN shall have a permanent secretariat functioning as an administrative unit under the authority of the Secretary General.
17: (2)	The secretariat will be instructed by the Secretary General as to the administrative support to be provided in the coordination of the activities of the EJTN, the dissemination of information to members, and for practical support relevant to its activities.	The secretariat will be instructed by the Secretary General as to the administrative support to be provided in the coordination of the activities of the EJTN, the dissemination of information to members, and for practical support relevant to its activities.
18: (2)	Funding from the European Union, or given by the members for the purpose of financing the structure and administration of the EJTN, is to be used by the Secretary General; who will be accountable to the General Assembly.	Funding from the European Union, or given by the members for the purpose of financing the structure and administration of the EJTN, is to be used by the Secretary General; who will be accountable to the General Assembly.
18: (4)	Any funding from the European Union for training activities must, immediately on receipt by the Secretary General, be sent to the members concerned with the project for which the monies have been advanced. The members will be accountable to the Secretary General for the use to which such	<i>[this paragraph has been deleted]</i>

	monies have been put.	
18: (5)	The Secretary General will draw up an annual budget plan for general running costs which is approved by the General Assembly for the following calendar year. The Secretary General has the duty to submit the previous year's accounts to the General Assembly for approval.	The Secretary General will draw up an annual budget plan for general running costs which is approved by the General Assembly for the following calendar year. The Secretary General has the duty to submit the previous year's accounts to the General Assembly for approval.

Testo dell'art. 8 dello Statuto approvato dall'Assemblea Generale:

Article 8: Contributions

- 1. Members shall pay an annual membership fee which will be used to cover the operational costs of the association. The annual membership fee shall be determined annually by the General Assembly, on a proposal from the Steering Committee, on the basis of the gross national income of the European Union Member State to which the member belongs and according to the association's needs.**
- 2. For the members referred to in Article 7(1), second sentence, the fee is determined on the basis of the budget of the member concerned.**
- 3. The annual membership fee thus fixed may not exceed the sum of EUR 20.000 per European Union Member State represented in the association.**
- 4. Further arrangements for fixing annual membership fees, their payment and collection can be laid down in a financial regulation adopted by the General Assembly on the proposal of the Steering Committee.**

(All.to C)

Prospetto riepilogativo delle contribuzioni economiche richieste a ciascun membro del Network in esito alla modifica dell'art. 8 dello Statuto:

EU Member State	Members of the EJTN	Membership fee 2005
Austria	Federal Ministry for Justice, Vienna	5.000,00 €
Belgium	Conseil Supérieur de la Justice, Brussels	6.000,00 €
Czech Republic	Judicial Academy, Straž pod Ralskem	2.000,00 €
Denmark	Domstolsstyrelsen, Copenhagen	4.000,00 €
Finland	Oikeusministeriö, Helsinki	3.000,00 €
France	Ecole Nationale de la Magistrature, Paris / Bordeaux	20.000,00 €
Germany	Federal Ministry of Justice, Berlin	20.000,00 €
Greece	Ecole Nationale de la Magistrature, Thessalonica	4.000,00 €
Hungary	- Office of the Prosecutor General, Budapest - National Council for the Judiciary, Budapest	2.000,00 €
Ireland	Judicial Studies Institute, Dublin	3.000,00 €
Italy	Consiglio Superiore della Magistratura, Rome	20.000,00 €
Latvia	Latvian Judicial Training Centre, Riga	1.000,00 €
Lithuania	Ministry of Justice, Vilnius	1.000,00 €
Luxembourg	Ministère de la Justice, Luxembourg	1.000,00 €
Malta	Judicial Studies Committee, Valetta	1.000,00 €
Netherlands	Stichting Studiecentrum Rechtspleging, Zutphen	10.000,00 €
Poland	Ministry of Justice, Warsaw	4.000,00 €
Portugal	Centro dos Estudos Judiciários, Lisbon	3.000,00 €
Slovenia	Judicial Training Centre, Ljubljana	1.000,00 €
Spain	- Consejo General del Poder Judicial, Barcelona - Ministry of Justice, Centro de Estudios Jurídicos de la Administración de Justicia (CEJAJ), Madrid	16.000,00 €
Sweden	Domstolsverket, Jönköping	6.000,00 €
United Kingdom	- Judicial Studies Board for England and Wales, London - Judicial Studies Board for Northern Ireland, Belfast - Judicial Studies Committee for Scotland, Edinburgh	20.000,00 €
	ERA	3.000,00 €

(All.to D)

Decision of the General Assembly of the European Judicial Training Network determining membership fees for the year 2005

Considering article 8 of the Articles of Association, as modified by the General Assembly on 7 December 2004;

On the proposal of the Steering Committee;

The General Assembly decides:

Art. 1. The membership fees for the year 2005 are fixed as follows:
(riproduce la tabella già illustrata all'All.to C)

Art. 2. For members belonging to the same Member State of the European Union, the fee is divided as they see fit among the members concerned.

Art. 3. The membership fee fixed according to the 1st and 2nd article of this decision must be paid at the latest by 31 March 2005.

The members who, for budgetary reasons, are not able to pay the membership fee within the deadline fixed in the first paragraph, must pay the fee as soon as possible and in any case no later than 31 March 2006.

Disputes concerning the application of the present article will be settled by the Steering Committee, after having heard the member concerned.

Art. 4. The balance endowments obtained through the payment of the contributions from the partners will be destined, first of all, for the payment of the expenses for the constitution of the administrative secretariat. Other and different expenses will be covered only with the possible remaining balance.

Modifiche al Regolamento del Network:

Article	Version proposed by the Steering Committee (proposed amendments in bold):	Version adopted by the General Assembly (finally adopted amendments in red):
1: (1)	These rules of procedure shall apply to all institutions of the EJTN, in particular to the General Assembly, the Secretary General, (without Secretariat) the Steering Committee, the Working Groups and any other body of the Network, and without prejudice to the Charter	These rules of procedure shall apply to all institutions of the EJTN, in particular to the General Assembly, the Secretary General, [without Secretariat] the Steering Committee, the Working Groups and any other body of the Network, and without prejudice to the Charter
2: (2)	Unless otherwise stipulated in the Articles of Association , a simple majority of the votes cast is sufficient for elections or decisions. Each member has one vote. No proxies are allowed.	Unless otherwise stipulated in the Articles of Association , a simple majority of the votes cast is sufficient for elections or decisions. Each member has one vote. No proxies are allowed.
3: (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.	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.
3: (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 .	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: (3)	The General Assembly shall elect the Working Group Conveners on the	The General Assembly shall elect the Working Group Conveners on the

	<p>basis of the candidate’s “plan of action”. The convener shall coordinate 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.</p>	<p>basis of the candidate’s “plan of action”. The convener shall coordinate 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.</p>
4: (4)	<p>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.</p>	<p>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.</p>
6: (1)	<p>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 from the Secretary General.</p>	<p>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 from the Secretary General.</p>
7	<p>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.</p>	<p>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.</p>
8 (title)	<p>Article 8 Secretary General</p>	<p>Article 8 Secretary General</p>
8: (1)	<p>The Secretary General shall assist the General Assembly, the Steering Committee and the Working Groups in their work. Him shall be given every support by all EJTN members. The Secretary General shall ensure the circulation to members of all necessary information, in particular that relating to the preparation and organisation of meetings. As far as possible this shall be done electronically.</p>	<p>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 of all necessary information, in particular that relating to the preparation and organisation of meetings. As far as possible this shall be done electronically.</p>
8: (2)	<p>The Secretary-General’s secretariat hosts and maintains the EJTN Website. The Secretary-General is responsible for the management of the EJTN</p>	<p>The secretariat hosts and maintains the EJTN Website. The Secretary-General is responsible for the administration of the EJTN Website.</p>

	Website	
8: (3)	The Secretary-General may appoint the permanent secretariat as a contact and information point for all EJTN members and for third parties.	The secretariat acts under the authority of the Secretary General as a contact and information point for all EJTN members and for third parties.
8: (4)	The Secretary-General represents the Network vis-à-vis third parties. For other than routine business or in emergencies, he may only act with the authorisation of the General Assembly or the Steering Committee. (No change)	The Secretary-General represents the Network at an official level vis-à-vis third parties. For other than routine business or in emergencies, he may only act with the authorisation of the General Assembly or the Steering Committee.
8: (5)	The Secretary-General shall coordinate the work of the Steering Committee and the Working Groups. He has the right to attend all meetings.	The Secretary-General shall coordinate 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.
8: (6) New	The Secretary General will report on a regular, 6 month basis to the Steering Committee on the progress of his plan of action and of the Workings Groups.	The Secretary General will report on a regular, 6 month basis to the Steering Committee on the progress of his plan of action and of the Workings Groups.
8: (7) New	To the extent necessary the Secretary General will formally be released from his national institution's duties in order to work for EJTN.	Save as the General Assembly may otherwise determine, the Secretary General shall be employed for the EJTN on a full-time basis.

Modifiche all'art. 9 del Regolamento:

Article 9 new	Draft proposed by ERA:	Version adopted by the General Assembly:
9: (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.	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.
9: (2)	Transactions within the framework of the budget approved by the General Assembly may be implemented by the Secretary General on his own responsibility. Other transactions require the approval of the Steering Committee if they exceed €2,500.	Transactions within the framework of the budget approved by the General Assembly may be implemented by the Secretary General on his own responsibility. Other transactions require the approval of the Steering Committee if they exceed €2,500.
9: (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 <i>and</i> 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.	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 <i>and</i> 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.
9: (4)	Quarterly status reports of the accounts are to be sent to the members of the Steering Committee.	Half yearly status reports of the accounts are to be sent to the members of the Steering Committee.
9: (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 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.	the respective business year. The term of office of each auditor shall be three years.
9: (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.”	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.
9: (7)		No later than one month prior to the General Assembly, the Secretary General shall send draft accounts to the members of the EJTN and shall formally present them to the General Assembly for debate.

EUROPEAN JUDICIAL TRAINING NETWORK
RESEAU EUROPEEN DE FORMATION JUDICIAIRE

EU Member State	Members of the EJTN	Membership fee 2005	Received
Austria	Federal Ministry for Justice	5.000,00 €	04.03.2005
Belgium	Conseil Supérieur de la Justice	6.000,00 €	10.03.2005
Czech Rep.	Judicial Academy	2.000,00 €	
Denmark	Domstolsstyrelsen	4.000,00 €	
Finland	Oikeusministeriö	3.000,00 €	
France	Ecole Nationale de la Magistrature	20.000,00 €	
Germany	Federal Ministry of Justice	20.000,00 €	
Greece	Ecole Nationale de la Magistrature	4.000,00 €	Non-availability declaration received
Hungary	Office of the Prosecutor General	1.000,00 €	17.02.2005
	National Council for the Judiciary	1.000,00 €	
Ireland	Judicial Studies Institute	3.000,00 €	
Italy	Consiglio Superiore della Magistratura	20.000,00 €	
Latvia	Latvian Judicial Training Centre	1.000,00 €	14.02.2005
Lithuania	Ministry of Justice	1.000,00 €	
Luxembourg	Ministère de la Justice	1.000,00 €	28.02.2005
Malta	Judicial Studies Committee	1.000,00 €	
Netherlands	SSR	10.000,00 €	
Poland	Ministry of Justice	4.000,00 €	Non-availability declaration received
Portugal	Centro dos Estudos Judiciários	3.000,00 €	
Slovenia	Judicial Training Centre	1.000,00 €	
Spain	Consejo General del Poder Judicial	8.000,00€	

	Centro de Estudios Jurídicos de la Administración de Justicia (CEJAJ)	8.000,00€	09.03.2005
Sweden	Domstolsverket,	6.000,00 €	28.02.2005
United Kingdom	- Judicial Studies Board for E&W - Judicial Studies Board for N. Ireland - Judicial Studies Committee Scotland	20.000,00 €	17.02.2005
ERA	ERA	3.000,00 €	01.02.2005



Mod. F/17

Att. to H

Consiglio Superiore della Magistratura
Servizio di Ragioneria

AL PRESIDENTE DELLA IX COMMISSIONE

S E D E

Con riferimento alla richiesta del 15 marzo u.s. in merito alla disponibilità di 20.000,00 Euro quale contributo del C.S.M. per il funzionamento della Rete Europea di Formazione Giudiziaria per il 2005, si comunica la sussistenza dei fondi richiesti.

Come rappresentato nella nota summenzionata la somma potrà trovare copertura nello stanziamento del capitolo 34 del bilancio di previsione per l'esercizio finanziario 2005 destinato alle spese per l'attività del Segretario Generale della R.E.F.G. che pur non avendo a tutt'oggi ancora comportato rimborsi per spese relative al 2005 certamente comunque non richiederà l'utilizzo che di una minima parte della spesa stanziata di € 30.000,00.

Roma, 16 marzo 2005.

IL DIRETTORE

