

DECISION OF THE ADMINISTRATIVE BOARD AMENDING THE RULES OF PROCEDURE OF THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY

THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY,

Having regard to the Regulation (EC) No 1406/2002 the European Parliament and of the Council of 27 June 2002, as amended, establishing a European Maritime Safety Agency, and in particular Article 13 (4) thereof;

Having regard to the Decision of the Administrative Board of 20 November 2012, as amended by the Decision of 14 November 2013, adopting Rules of Procedure of the Administrative Board of the European Maritime Safety Agency, and in particular Article 16 thereof;

Having regarding to the „Guidelines on the prevention and management of conflict of interest in EU decentralised agencies“ for coherent approach within the agencies to the prevention and management of conflict of interest aiming to support agencies to develop their own conflict of interest policies by providing a set of principles and tools the agencies may apply;

Having regard to the Report of 30 March 2015 on discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2013 (2014/2105(DEC)) of the Committee on Budgetary Control of the European Parliament;

Having regard to the Decision No 2015/002 of the Executive Director amending the rules of reimbursement of travel, subsistence and other expenses to experts and candidates in recruitment procedures.

HAS DECIDED AS FOLLOWS:

Article 1

Article 12 paragraphs 1, 2 and 3 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency shall be replaced as follows:

“Article 12 - Commitment, conflict of interest, confidentiality

1. Members of the Administrative Board and their alternates shall, when taking up their duties, make a written declaration of commitment and confidentiality in accordance with the model contained in Annex 1 and shall provide their CVs. The initial declarations are to be renewed at the beginning of each term of office.
2. Administrative Board members and their alternates appointed prior to the entry into force of the present decision shall also make a written declaration of commitment and confidentiality and provide their CVs.
3. In line with the Conflict of Interest Policy (Annex 2) the members of the Administrative Board and their alternates shall undertake to act independently in the public interest. For this purpose, at each meeting, members and their alternates shall declare any interest which could be considered to be prejudicial to their independence with respect to any point on the agenda. The Chairperson shall decide if the member or alternate declaring such interests is allowed to participate in any vote on the relevant point.”

Article 2

Annex 2 rev - Conflict of Interest Policy shall be renumbered as Annex 2.

Article 3

Article 13 paragraph 1 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency shall be replaced as follows:

"Article 13 - Reimbursement of expenses

1. Travel and subsistence expenses incurred by the members of the Administrative Board in connection with meetings relating to Administrative Board business shall be paid by the Agency in accordance with its rules on the reimbursement of high level experts (Decision of the Executive Director No 002/2015 of 11 February 2015)."

Article 4

Point 5.1 of Annex 2 Conflict of Interest Policy shall be replaced as follows:

"5.1 Declaration of commitment and confidentiality

Taking into account the sensitivity of the tasks to be performed by the Administrative Board of EMSA and the need to ensure that the principles of impartiality, fairness and transparency are properly applied, in the exercise of their functions, declarations of commitment and confidentiality are requested from each Board member. For the same purpose CVs of the Board members are also requested.

The Board members shall be subject to the requirements of confidentiality even after their duties have ceased.

For this purpose, the Board members shall complete and submit upon their appointment or for the current members as of 14th November 2013, a declaration of commitment and confidentiality, in accordance with Annex 1 of the Rules of Procedure. In addition, the Board members shall submit upon their appointment or for the current members as of the 2nd June 2015, a CV and whenever necessary an updated version thereof.

Article 5

Point 7 first paragraph of Annex 2 Conflict of Interest Policy shall be replaced as follows:

"7 Transparency

The Policy and the model declaration of commitment and confidentiality and CVs shall be published on the EMSA website as well as the list of the Board members which have signed a corresponding declaration. The declarations will be entered in a register held by the Agency, which is accessible to the public. "

Article 6

This Decision enters into force on the date of its signature.

Done at Lisbon on 2 June 2015,


Frans Van Rompuy
Chairman of the Administrative Board