

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 Articles 10(2)(j) and 13(4) thereof;

Having regard to the Decision of the EMSA Administrative Board of 25 July 2019 adopting the EMSA Financial Regulation, and in particular Article 42(4) thereof;

Having regard to the Decision of the Administrative Board of 20 November 2012, as amended by the Decisions of 14 November 2013 and 2 June 2015 adopting Rules of Procedure of the Administrative Board of the European Maritime Safety Agency, and in particular Article 16 thereof;

Having regard to the Decision No 2018/036 of the Executive Director amending EMSA Rules for reimbursement of expenses to experts and high level experts;

HAS DECIDED AS FOLLOWS:

Article 1

Article 12 paragraph 1 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency shall be replaced as follows:

“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 annually and at the beginning of each term of office.”

Article 2

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

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 expenses to high level experts (Decision of the Executive Director No 2018/036 of 23 November 2018).”

Article 3

Annex 1 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency shall be replaced by the model as provided in Annex to this Decision.

Article 4

Point 5.1 of Annex 2 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency 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 annually 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, an annual 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 a CV and whenever necessary an updated version thereof. "

Article 5

Point 7 first paragraph of Annex 2 of the Rules of Procedure of the Administrative Board of the European Maritime shall be replaced as follows:

"7 Transparency

The Policy and the model declaration of commitment and confidentiality for a given year 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 annual 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 8 November 2019,

A handwritten signature in black ink, appearing to read "A. Nordseth", written in a cursive style.

Andreas Nordseth
Chairman of the Administrative Board

Annex: Annex 1 of the Rules of Procedure of the Administrative Board of the European Maritime Safety Agency

EMSA ADMINISTRATIVE BOARD**DECLARATION OF COMMITMENT AND CONFIDENTIALITY FOR THE YEAR XXX**

I, the undersigned,, in my function as [alternate] member of the Administrative Board of the European Maritime Safety Agency (EMSA), representing,

- hereby undertake to make all reasonable efforts to fulfil my duties as [alternate] member of the Administrative Board of EMSA. In particular, I am aware of my responsibility to sign the present declaration annually and to declare at each meeting of the Administrative Board any interest which might be considered prejudicial to the treatment of items on the agenda.
- hereby declare that I am aware of my obligation to respect confidentiality, even after my duties have ceased, if the information is subject to a request for confidentiality or for reasons of professional secrecy. I shall also respect the confidential nature of the opinions expressed by other members during discussions in meetings or provided in written form.

I understand that this declaration will be entered in a register held by EMSA, which is accessible to the public.

DONE IN _____ ON _____

SIGNATURE