

**RULES OF PROCEDURE
OF THE COUNCIL OF THE
EUROPEAN ORGANISATION FOR THE EXPLOITATION
OF METEOROLOGICAL SATELLITES**

EUMETSAT

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RULE 1

COMPOSITION

- 1 The Council shall be composed of not more than two representatives of each Member State, one of whom should be a delegate of his country's National Meteorological Service. The representatives may be assisted by advisors during meetings of the Council.
- 2 Changes in the names of the representatives and advisers of a delegation shall be submitted to the Director-General by each Member State not later than one week before a meeting of the Council.

RULE 2

CHAIRMANSHIP

- 1 The Council shall elect from among its members a Chairperson and a Vice-Chairperson who shall hold office for two years and may be re-elected not more than once. The terms of office of the Chairperson and of his Vice-Chairperson shall begin on 1 September following the election, unless Council decides otherwise.
- 2 Whenever the Chairperson is unable to preside, the Vice-Chairperson shall preside and shall have the same powers as the Chairperson.
- 3 The provisions of paragraph 2 of this Rule shall also apply in the event of resignation or death of the Chairperson. In such a case, the Vice-Chairperson shall act as Chairperson until the end of the term of office of the original Chairperson, unless the Council decides to appoint a new Chairperson.
- 4 At each meeting, at the start of which neither the Chairperson nor the Vice-Chairperson is available the Director-General shall act as temporary Chairperson until an Acting Chairperson is elected. The Acting Chairperson shall hold office for the duration of that meeting only.
- 5 The Chairperson and Vice-Chairperson shall be elected unanimously, if possible. Otherwise, they shall be elected in a secret ballot, by a simple majority of the Member States present and voting, each Member State having one vote.

RULE 3

MEETINGS

- 1 The Council shall meet at EUMETSAT Headquarters unless it decides otherwise.
- 2 The Council shall meet in an ordinary meeting at least once a year. The Council shall at each meeting determine the date of its next meeting. When necessary, the Chairperson may, after consulting the Director-General, alter the date fixed for a meeting after notification of at least one month.
- 3 The Council may meet in an extraordinary meeting at the request of either the Chairperson or one-third of the Member States. The request shall state the agenda items proposed for discussion. The meeting shall be convened at one month's notice as soon as practicable, but not later than 3 months after notification of the request to the Director-General.
- 4 Meetings of the Council shall not be held in public unless the Council decided otherwise.
- 5 To deal with items not considered appropriate for discussion in the presence of Observers, the Council shall meet in "confidential" sessions. The Director-General shall determine, in consultation with the Chairperson, those items which he deems to be "confidential".
- 6 To deal with matters of particular confidentiality, the Council shall meet in "in camera" session. Attendance at "in camera" sessions shall be restricted to Heads of Delegation and the Director-General. The Director-General shall determine, in consultation with the Chairperson, those items to be dealt with in the "in camera" sessions.
- 7 Notices convening ordinary meetings shall be sent by the Director-General to all Member States at least 2 months before the scheduled date of the meeting.

RULE 4

FUNCTIONS OF THE DIRECTOR-GENERAL

- 1 The Director-General shall be Secretary of the Council; he may designate a member of the staff of EUMETSAT to exercise this function in his stead.
- 2 The Director-General and the staff members of EUMETSAT designated by him shall attend the meetings of the Council unless the Council decides otherwise. The Director-General, or a staff member designated by him as his representative, may submit to the Council orally or in writing, statements on any matter before it.
- 3 The Director-General shall provide the necessary secretarial support for the Council. He shall, in particular, prepare the meetings of the Council and provide the meetings of possible subsidiary bodies and working groups of the Council with the necessary technical and administrative assistance.

RULE 5

AGENDA

- 1 After consultation with the Chairperson, the Director-General shall prepare a draft agenda which shall be distributed to Member States together with the notice convening the meeting.
- 2 The draft agenda shall comprise, in particular, matters which at a previous meeting the Council has decided to include, any matter whose insertion a delegation may have requested, either during a previous meeting or in a letter addressed to the Director-General not later than two months before the meeting, matters proposed by subsidiary bodies of the Council and matters which the Director-General may deem necessary to submit to the Council.
- 3 Documents concerning matters on the draft agenda must be circulated to Member States no later than three weeks before each meeting. Documents related to items declared to be "Confidential" shall not, as a general rule, be distributed to Observers unless they exceptionally attend discussion on the item in line with Rule 14, paragraph 1 of these Rules.
- 4 The draft agenda shall be discussed and adopted by the Council, after any necessary modifications, immediately after the opening of the meeting. Other items may be added to the draft agenda if the majority of the delegations agrees.

RULE 6

FUNCTIONS OF THE CHAIRPERSON AND CONDUCT OF BUSINESS

- 1 The Chairperson shall, subject to the provision of these Rules, conduct the discussions of the Council. He shall in particular declare the opening and closing of each meeting, direct the discussions and, if necessary, sum them up, ensure observance of these Rules, accord or withdraw the right to speak, decide points of order, put proposals to the vote and announce decisions. He may propose adjournment or closure of the debates or adjournment or suspension of a meeting. He shall ascertain before each vote that a quorum is present.
- 2 The Chairperson shall not have the capacity of a representative of a Member State.
- 3 No one shall take the floor in the Council without first having obtained the Chairperson's authorisation. Subject to the provisions of Rule 7, the Chairperson shall call upon the speakers in the order in which they have asked to speak.

The Chairperson may close the list of speakers or limit the time given to each speaker or the number of speeches by each representative on a given question.

The Chairperson may call to order a speaker whose remarks have no bearing on the subject at issue.

RULE 7

PROCEDURAL MOTIONS

- 1 During the meeting, any delegation may move a point of order. The Chairperson shall give an immediate ruling on this motion. Any delegation may appeal against the Chairperson's ruling, in which case the appeal shall be debated and put to the vote. Unless the appeal is upheld by a majority of delegations present and voting, the Chairperson's ruling shall stand. Delegations speaking on a point of order may not deal with the substance of the point at issue.
- 2 Priority over all other propositions or motions shall be given, in the following order, to motions for:
 - suspending the sitting,
 - closing the sitting,
 - adjourning the question under discussion,
 - closure of the debate on the question under discussion.

RULE 8

VOTING

- 1 The Council shall vote under the conditions provided for in Article 5 of the Convention.
- 2 Delegations shall normally vote by a show of hands, except that any delegation may request a roll-call, which shall then be taken in the English alphabetical order of the names of the Member States, beginning with the delegation that requested the roll-call. In order to determine unanimity or the majorities stipulated, account shall not be taken of a Member State not having the right to vote. The vote or abstention of each Member State shall be recorded in the minutes.

Member States shall endeavour to send their own representatives to meetings of Council in accordance with Rule 1 of these Rules of Procedure. If, however, for exceptional reasons, any Member State cannot send its own representatives to a meeting of Council, it may give to the delegation of another Member State the power to vote in its name, provided that each delegation may vote by proxy for one other Member State only. Such power to vote shall be granted in a document signed by the Head of the Delegation and submitted to the Director-General. In the absence of proxy nominations, and for the purposes of achieving unanimity, the Chairperson may invite a Member State who was not represented at a Council meeting to express in writing its vote or abstention within a period decided by the Chairperson.

- 3 Upon demand of at least two delegations present at the meeting, voting shall be by secret ballot. Voting by secret ballot shall take precedence over vote by roll-call if both have been requested. In all votings by secret ballot, two tellers shall be appointed from among the delegates to count the votes, assisted by a representative of the Secretariat.

The number of votes for and against and the number of abstentions shall be included in the minutes.

Delegations not able to vote for or against a motion may vote in favour of a motion 'ad referendum' until the approval of their national authorities has been obtained. In such cases, Council may define, in consultation with the Director-General, a deadline by which an ad referendum vote shall be completed. The ad referendum vote shall not be taken into account until it has become final.

- 4 A vote by correspondence as provided for by Article 5, paragraph 5 of the Convention, may be called by the Chairperson at the request of a Member State or the Director-General of EUMETSAT with regard to Council decisions which can not await the next Council meeting.

Voting by correspondence shall be conducted by the Director-General. Any proposal submitted to a vote by correspondence shall be arranged so that independent questions are voted separately.

Votes by correspondence must be received by the Director-General within 30 days of the date on which the invitation to vote was sent to the Member States. Votes received after this date shall be considered invalid.

The quorum for voting by correspondence shall be the same as that required for a meeting of the Council. If the number of replies received by the Director-General during the 30 days' period specified above does not reach the required quorum, the proposal shall be considered to be rejected. It may, however, be resubmitted at the next meeting of the Council.

Each Member State shall designate a person or governmental institution authorised to vote in a vote by correspondence. In the case of an individual, a deputy shall be designated. The names of these persons or governmental institutions shall be communicated to the Director-General.

A statement certifying the results of the voting by correspondence shall be established by the Director-General. The voting slips shall be retained by the Director-General until the end of the subsequent meeting of the Council, unless the Council at this meeting decides otherwise.

The results of a vote by correspondence shall be communicated to all Member States, in the form of the numbers of votes cast for and against and the number of abstentions. A list showing the votes of individual Member States shall be sent to all Member States.

Rules of Procedure

5. An accelerated vote by correspondence may be called by the Chairperson at the request of the Director-General of EUMETSAT with regard to unexpected issues requiring very urgent decisions by Council which can neither await the next Council meeting nor the results of a written procedure as foreseen in paragraph 4 of this Rule.

For such very urgent cases, the deadline for reception of the votes by correspondence (by telefax or other means) by the Director-General shall be 72 hours. Signed hard copy of the vote shall follow as soon as possible.

In addition, the votes by Delegations shall be deemed to be positive if no objection has been received in writing by the Director-General within the 72 hours indicated above.

The provisions of paragraph 4 of this Rule relating to the conduction of the vote by the Director-General, the designation of authorised representatives from Member States and the certification and communication of the results of the vote shall also apply to the voting procedure established in this paragraph 5.

RULE 9

PROPOSALS AND AMENDMENTS

- 1 Any proposal in its final form shall be put to the vote. It shall be submitted to the meeting in writing if a delegation so requests. In such a case the Chairperson shall not put the proposal to the meeting until delegates so desiring are in possession of the text of the proposal.
- 2 Whenever an amendment to a proposal is moved, the amendment shall be put to the vote first. If two or more amendments are moved, the Council shall vote first on the one which the Chairperson rules to be in substance farthest from the original proposal. Where adoption of one amendment necessarily implies rejection of another amendment, the latter shall not be put to the vote.
- 3 Any delegation may request that parts of an amendment be put to the vote separately. If this request meets with objection, the motion to split the amendment shall be put to the vote.
- 4 If a delegation so requests, the Council shall then vote on the final amended proposal.
- 5 Where two or more proposals are moved in respect of one and the same matter, these proposals shall, unless the Council decides otherwise, be put to the vote in the order in which they were moved. After each vote the Council may decide whether or not to vote on the next proposal.
- 6 Once a proposal has been accepted or rejected by the Council, it shall not be permissible to request re-examination during the same meeting, except with the consent of the same majority as was necessary for the original decision. After such a period, re-examination may be proposed by any Delegation, the Chairperson of the Council or by the Director-General.

RULE 10

LANGUAGES

- 1 Speeches in meetings of the Council may be made in the official languages, English or French, and shall be interpreted into the other language.
- 2 The provisions of paragraph 1 shall also apply to meetings of subsidiary bodies and working groups, except by the unanimous agreement of their members.
- 3 The provisions under paragraph 1 and 2 apply also for documents.

RULE 11

MINUTES

- 1 After each meeting of the Council the Director-General shall prepare a list of decisions and summary minutes giving the substance of the discussions and recording the conclusions reached.
- 2 The list of decisions shall be distributed within two weeks after the end of the meeting. The draft minutes shall be distributed within six weeks after the end of the meeting.
- 3 Proposals for amendments to the draft minutes shall be sent by delegations to the Director-General in writing within thirty days after the date of their communication. Any disagreement on the subject of these corrections will be settled by the Chairperson after consultation with the Member State concerned.
- 4 Those parts of the minutes to which no objection has been made within thirty days of their postal dispatch in the two official languages shall be held to be adopted. Where objections have been received, the relevant parts of the minutes shall be held to be adopted, in their amended form if appropriate, once the Chairperson has decided on the text. The text of any amendment shall be distributed to all Member States at the next meeting of Council.
- 5 Mistakes in the list of decisions may be corrected. The Director-General shall distribute the updated version of the list of decisions to all Member States.

RULE 12

PRESS RELEASES

The Council shall decide upon press releases concerning its proceedings and conclusions.

RULE 13

SUBSIDIARY BODIES AND WORKING GROUPS

- 1 The Council may establish subsidiary bodies and working groups as it deems necessary for the achievement of the objectives of EUMETSAT.
- 2 The establishment, composition and terms of reference of such bodies, and the cases in which they have powers of decision, shall be determined by the Council by majority of the Member States present and voting.
- 3 The Chairperson of a subsidiary body or working group who is not a delegate of the Council shall be invited to attend meetings of the Council and participate in its discussions without the right to vote when business relating to the work of his subsidiary body or working groups or to any documentation connected therewith, is before the Council.
- 4 The Council's Rules of Procedure shall apply mutatis mutandis to the subsidiary bodies and working groups established by the Council. The dates of notices for convening meetings and distribution of documents may be different from those for the Council.
- 5 If the Council does not elect the Chairperson and Vice-Chairperson of any subsidiary body and working group, the subsidiary body or working group shall do so.

RULE 14

OBSERVERS

- 1 The Council may invite, by unanimous decision, governments of non-Member States, international organisations, institutions of Member and non-Member States as well as individual experts to attend meetings of the Council or an individual item of a meeting.

In accordance with Rule 3, paragraph 5 of these Rules, attendance at discussions on confidential items shall not normally be open to Observers. Observers may request exceptions to this Rule on a case-by-case basis. Such exceptions shall be decided upon at an "in camera" session preceding a Council meeting. Observers shall be informed of the Council's decision.

- 2 Attendance at a meeting shall in no way convey the right to vote.

RULE 15

FINAL PROVISION

The present Rules of Procedure may be amended by a decision of the Council.