

EMCDDA, Management Board
Lisbon, 2-4 July 2008

37th meeting
Agenda
Item VI.2.

Document: EMCDDA/08/08 Final

Rules of procedure of the Scientific Committee

Summary

The EMCDDA Scientific Committee unanimously agreed on its rules of procedure at its constituting meeting 14-15 February 2008. The rules of procedure foresee the endorsement by the Management Board.

Decision

The Management Board endorses the rules of procedure of the EMCDDA Scientific Committee and adopts the provisions for payment of indemnities and reimbursement of Scientific Committee members for their attendance at Management Board, institutional or external meetings as presented in Article 10.



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EUROPEAN MONITORING CENTRE FOR DRUGS AND DRUG ADDICTION

SCIENTIFIC COMMITTEE RULES OF PROCEDURE

The Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction:

whereas Article 13 of REGULATION (EC) No 1920/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 December 2006 on the European Monitoring Centre for Drugs and Drug Addiction (recast) stipulates that 'the Management Board and the Director shall be assisted by a Scientific Committee which shall deliver an opinion where provided for in this Regulation and on any scientific matter concerning the Centre's activities which the Management Board or the Director may submit to it';

whereas Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances gives the Scientific Committee of the EMCDDA a central role in the assessment of the risks associated with a new psychoactive substance;

whereas Annex III of the Rules of Procedure of the Management Board of the EMCDDA of 5 July 2007 stipulates that the members of the Scientific Committee will be entitled to an indemnity for day of meeting they attend¹ and that members will also receive travel and subsistence allowance in accordance with the applicable EMCDDA rules for the reimbursement of travel and accommodation expenses;

has adopted the following rules of procedure, subject to endorsement by the EMCDDA Management Board.

¹ Equivalent to the amount paid by DG RDT for independent experts, which is currently 450 €.



Rules of Procedure

ARTICLE 1

Appointment of the Scientific Committee Chair and Vice-Chair

1. The Scientific Committee shall elect a Chair and a Vice-Chair at the first meeting of its mandate.
2. The Chair and the Vice-Chair of the Scientific Committee shall be elected among and by its members, with a two-thirds majority, for a term of three years, with a possibility of one renewal for a maximum of three years.
3. The Vice-Chair will carry out the duties of Chair in his/her absence.
4. If the Chair or Vice-Chair resigns, a new Chair or Vice-Chair is elected for the remaining mandate.

ARTICLE 2

Meetings of the Scientific Committee

1. The Scientific Committee shall meet on a regular basis at least once a year. However, normally two yearly meetings will be held.
2. In addition, risk assessment meetings according to Council Decision 2005/387/JHA on new psychoactive substances may be convened. For these meetings, the specific rules of this decision which are specified in Article 13 of these rules of procedure apply.
3. Further meetings of the Committee may be convened at the duly justified request of its Chair, the Chair of the Management Board or the Director.
4. For each convocation, the Chair will notify each member of the date of the meeting not less than four weeks in advance. A draft agenda, approved by the EMCDDA Director, will be sent simultaneously.
5. Meetings of the Scientific Committee will normally be held at the EMCDDA's offices.
6. The members of the Management Board will be informed with four weeks' notice about the date and the draft agenda of each Scientific Committee meeting.

ARTICLE 3

Agenda

1. At the beginning of a meeting, the Scientific Committee shall adopt the agenda, on the basis of the draft agenda referred to in Article 2 (4) above and any other item proposed by the Chair or, in accordance with paragraph 2 of this Article, by one or more of the members.
2. Any request by one or more members of the Scientific Committee for the inclusion of an item on the agenda or the deletion or substitution of an item shall give reasons for this request, to be sent in writing to the Chair at least five working days before the date of the meeting. The Chair shall bring any such requests to the attention of the Director as well as to all the other members.

ARTICLE 4

Attendance at meetings

1. Members are expected to attend all Scientific Committee meetings as well as risk assessment meetings according to Council Decision 2005/387/JHA on new psychoactive substances. If the member does not attend two consecutive regular Scientific Committee meetings, without justified reasons, the Management Board can decide to withdraw the membership.
2. The Scientific Committee or the Director may request the presence at its meetings of EMCDDA staff qualified in matters under consideration.
3. The spokesperson of the national focal points may be invited to the Scientific Committee's meetings as an observer.
4. The Scientific Committee may decide, on an ad hoc basis and in agreement with the Director, to invite experts to attend meetings of the Committee, when this is considered essential for its deliberations.
5. The presence of at least half of the Scientific Committee members shall constitute the quorum for valid decisions.
6. The Scientific Committee may decide to hold meetings or address specific agenda items in restricted session, i.e. excluding non-members.

3

ARTICLE 5

Adoption of opinions

1. Consensus finding shall be the fundamental principle of the Scientific Committee's work.
2. If consensus is not possible, opinions of the Scientific Committee shall require a two-thirds majority of members present, including proxy votes, for their adoption.
3. The Scientific Committee shall take into account the various positions expressed in national expert opinions, if available, before delivering its own opinion.
4. The opinions of the Scientific Committee shall be published on the EMCDDA public website.

ARTICLE 6

Voting Arrangements

1. Where the Chair considers that consensus cannot be reached, he/she may initiate a voting procedure.
2. Voting shall be by show of hands, or by roll call in cases of dispute in a vote by show of hand. The vote will be by secret ballot, if a majority of members request it.
3. If a member is unable to attend the meeting, another member can vote by proxy. In the case of a vote by proxy, the member concerned should address a letter to the Chair of the Scientific Committee, stating the name of the member of the Scientific Committee authorised to vote for him/her and items for which the member is entitled to vote by proxy; this authorisation will be valid only for the duration of the concerned meeting.
4. Every motion to exclude questions from the Scientific Committee or to postpone consideration of a matter shall be subject to a majority vote before dealing with the substance of the matter.
5. A draft opinion or decision which deals with several questions shall be divided into its individual parts if so requested.
6. Where several draft opinions or decisions are tabled on the same question, the Chair shall put the most far-reaching draft opinion or decision to the vote first. In the case of amendments, that amendment which departs furthest from the basic text shall be put to the vote first.
7. The voting figures shall be stated for each opinion or decision adopted by the Scientific Committee. The opinion or decision shall be accompanied by a written statement of the minority view, where the latter so requests.
8. The final vote shall be taken on the version of the text which resulted from previous voting.

ARTICLE 7

Closure of debates

1. The Chair may move for the closure of the debate when he/she considers that all members have had an opportunity to express their views. The members may also move for closure.
2. Any members asking to speak on closure shall be given precedence.

ARTICLE 8

Written procedure

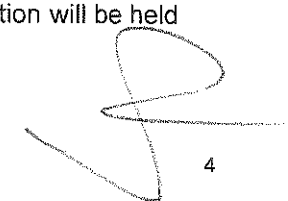
1. In the event of an opinion having to be expressed in between meetings, the Chair may initiate a simplified written procedure.
2. The draft opinion shall be forwarded to the members, who may make written objections within the deadline fixed by the Chair but not less than two weeks following receipt of the communication. If no objections are lodged, the opinion shall be considered adopted. If objections are lodged, the Chair shall decide either to suspend the simplified written procedure and call an extraordinary meeting of the Scientific Committee, or to circulate an amended draft decision with the objections attached. In the latter case, the deadline shall be extended by a new period of seven working days.

ARTICLE 9

Minutes of Scientific Committee meetings

1. The secretariat shall take minutes of each meeting of the Scientific Committee. These shall include:
 - List of participants
 - Record of proceedings
 - Opinions or decisions adopted with a record of the voting figures for each vote
 - Any declaration of conflict of interest made by the Scientific Committee members regarding the items on the agenda.
2. The Scientific Committee shall adopt the text of the minutes at the next meeting, or by written procedure.
3. The draft minutes shall be submitted for adoption only if a draft copy has been sent to members at least two weeks before the meeting. Should this draft not have been sent in time, the adoption will be held over until the following meeting or by written procedure.

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4. Motions to amend the draft minutes shall be submitted in writing to the Chair no later than at the start of the meeting at which they are to be adopted.
5. The minutes and opinions shall be signed by the Chair to signify adoption.
6. The final minutes of the Scientific Committee meetings will be published on the EMCDDA website and members of the Management Board will be simultaneously informed, with the exception of minutes of restricted sessions.

ARTICLE 10

Remuneration of members of the Scientific Committee

1. The members of the Scientific Committee will be entitled to an indemnity for each Scientific Committee meeting day they attend, and when representing the Scientific Committee at Management Board meetings at the request of the Chair of the Management Board, and at institutional or external meetings at the request the Director. The amount of this indemnity shall be equivalent to the amount paid by DG Research of the European Commission for independent experts, which is currently 450 €.
2. Members will also be reimbursed for travel expenses and will receive a subsistence allowance in accordance with the rules applied for the payment of daily allowances and refunding of travel and accommodation expenses occurred in relation to meetings organised by the EMCDDA. The entitlement to these allowances shall be subject to the condition that this entitlement is stated in the invitation sent by the EMCDDA and that the participant has not received or is entitled to a similar allowance from another organisation or person for attending the meeting in question.

ARTICLE 11

Conflict of interest

1. The members of the Scientific Committee are appointed on a personal basis by the Management Board.
2. Members are required to sign a declaration that they will act independently of any outside influence.
3. Members undertake to inform the EMCDDA Director through the Chair should he/she have a conflict of interest with any issue he/she is asked to examine. The Chair, in consultation with the EMCDDA Director, takes all the necessary steps in order to remove such conflicts of interest, e.g. by the member not participating in discussions on such issues.

ARTICLE 12


Secretariat of the Scientific Committee

1. EMCDDA staff, appointed by the Director, shall prepare and organise the work of the Scientific Committee and shall provide the secretariat for meetings under the directions of the Scientific Committee's Chair.
2. Correspondence intended for the Scientific Committee shall be addressed to the secretariat.
3. The secretariat is responsible for archiving Scientific Committee papers and opinions.
4. The secretariat is responsible for travel arrangements and reimbursement of daily indemnities according to Art 10 (1) and travel and subsistence allowance according to Art 10 (2).

ARTICLE 13

Risk-assessment of new psychoactive substances²

5. The Scientific Committee of the EMCDDA has a central role in the assessment of the risks associated with new psychoactive substances.
6. In order to carry out the assessment, the EMCDDA shall convene a special meeting under the auspices of its Scientific Committee. In addition, for the purpose of this meeting the Scientific Committee may be extended by a further five experts at most, to be designated by the Director of the EMCDDA, acting on the advice of the Chair of the Scientific Committee, chosen from a panel of experts proposed by Member States and approved every three years by the Management Board of the EMCDDA. Such experts will be from scientific fields that are either not represented, or not sufficiently represented, on the Scientific Committee, but whose contribution is necessary for the balanced and adequate assessment of the possible risks, including health and social risks. Furthermore, the Commission, EMCDDA, Europol and the EMEA (European Medicines Agency) shall each be invited to send a maximum of two experts to the meeting at their own costs.
7. On completion of the risk assessment, a Risk Assessment Report shall be drawn up by the Scientific Committee. The Risk Assessment Report shall consist of an analysis of the scientific and law enforcement information available, and shall reflect all opinions held by the members of the Committee. The Risk Assessment Report shall be submitted to the Commission and Council by the Chair of the



² OJ L 127, 20.5.2005, p. 32.

Committee, on its behalf, within a period of twelve weeks from the date of the notification of the request for risk assessment made by the General Secretariat of the Council to the EMCDDA.

ARTICLE 14

Entry into force and revision of the rules of procedure and annexes

1. The present rules of procedure of the Scientific Committee enter into force after endorsement by the EMCDDA Management Board.
2. The Scientific Committee can decide by a two-thirds majority of members present to revise the rules of procedure, to be subsequently endorsed by the Management Board.
3. Changes adopted shall take effect at the Scientific Committee meeting following the date of the endorsement by the EMCDDA Management Board. The secretariat will provide the members of the Scientific Committee with amended rules of procedure before the next meeting takes place.


Président de
Commission d'admission
Médicaments

Dr Michael Farrell
Chair
Scientific Advisory Board

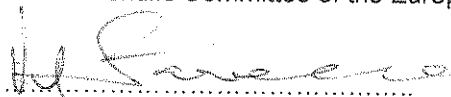
ANNEXES

Annex I

Declaration of commitment to the activities of the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction

Done at Lisbon on


For the Scientific Committee of the European Monitoring Centre for Drugs and Drug Addiction


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Chair

Endorsed by the EMCDDA Management Board at
Lisbon on 23 December 2008

For the Management Board
of the European Monitoring Centre for Drugs and Drug Addiction


.....

Chair



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Annex I

Declaration of commitment
to the activities of the Scientific Committee
of the European Monitoring Centre for Drugs and Drug Addiction

Name: MICHAELA FARRER

Expert in the field of Solid state chemistry, Molecular dynamics
 chemistry, physics

I, the undersigned, undertake:

To act independently and outside any influence in the work of the Scientific Committee.

Done at Lisbon on 26/2/09

Signature: [Handwritten Signature]
 Ms. Farrer