



Impact Assessment Institute

The Institute for Impact Assessment and Scientific Advice on Legislation and Regulation

"Impartial Analysis for Policy Making"

Rules for Procedure

April 2015

IAI-RfP-160404f

Impact Assessment Institute – Rules for Procedure

Article 1: Applicability

These Rules for Procedure and any related regulations apply to the functioning of the Impact Assessment Institute (“the IAI” or “the Institute”) and are without prejudice to the Institute’s official statutes.

They apply to all bodies and committees of the Institute, unless indicated otherwise in the respective Article.

Article 2: Annual report

No more than six months after the end of the calendar year the Board of Directors (“the Board”) shall adopt and publish an annual report, including the following information:

- A statement by the Chairperson;
- The income and expenditure for the year in question;
- The planned budget for the current year;
- A statement by the Chairperson of the Oversight Board signed by the members of the Oversight Board attesting to the adherence of the Institute’s activities during the year to the Four Principles, incorporating if necessary any joint or individual statements of qualification or dissent;
- A report on the activities of the Institute during the year and its planned activities;
- A statement on the prospects for the current and future years.

In compiling the annual report, the Board shall rely on the Managing Director and the Secretariat. The content shall be adopted by decisions of the Board and the Oversight Board.

Article 3: Oversight Board

The adherence of the Institute to the four principles and the quality of its analysis and publications are overseen by the Oversight Board (OB). Members of the OB are senior academics, policy makers, civil servants or other persons with expertise in policy, impact assessment, better regulation and institutional governance. They are individuals able to demonstrate objectivity in their analysis. As a group, the members of the OB provide a balance of expertise and backgrounds that contribute to the productive fulfilment of their oversight of the Institute. They fulfil their duties to the Institute part-time in an impartial manner.

Members of the OB may be remunerated commensurate with their role as part time non-executive directors.

Article 4: Composition of the Oversight Board

The OB shall be composed of at least 3 and no more than 12 members, with 5 members being the preferred minimum in order to provide the desired balance of expertise and background.

The members of the OB shall be invited by the Board of Directors, in cooperation with the existing OB members and the Stakeholder Council.

The members of the OB shall select from amongst their number a Chairperson and up to two Vice-Chairpersons, between them to exhibit a balance of expertise and backgrounds.

Article 5: Activities and decision making of the Oversight Board

To fulfil its role overseeing the adherence of the Institute to the four principles and the quality of its analysis, the OB performs the following functions:

- Monitoring the expertise and background of the impact assessment experts in the Secretariat and any external expertise employed. Special regard is to be paid to the experts' appropriateness for adherence to the four principles, in particular their lack of ties to parties interested in the results of studies.
- Monitoring of the compilation of studies by the Secretariat and any external expertise employed, in particular the scientific, factual and impartial conduct of the studies, which should support the four principles.
- Formal feedback to the Board, Secretariat and Stakeholders of the results of the above monitoring, in particular recording occasions on which adherence to the four principles and the Institute's impartiality have not been adequately demonstrated.
- Advice to the Board and the Secretariat on the governance and operations of the Institute.
- The role of ombudsman providing stakeholders with an independent channel to express specific or general concerns about the Institute and its studies.

The OB makes its decisions by consensus. Where a consensus cannot be reached, a simple majority decision may be reached, whereby dissenting opinions are clearly recorded and published in the relevant documents.

Due to its role scrutinising regularly the conduct of studies, the OB may reach its decisions in an ad hoc manner using electronic means of communication, coordinated by the Chairperson.

The OB shall meet in person at least once per year. At least one meeting per year will include a joint session of the OB and the Board of Directors. The members of the OB may decide to

convene on additional occasions at the discretion of the Chairperson or by simple majority of its members. This shall normally be by electronic means.

The Oversight Board's work does not constitute explicit endorsement by its members of the Institute's studies.

Article 6: Sponsorship

The Institute's official Sponsors are organisations or individuals who have provided financial assistance to the Institute exceeding a threshold to be determined by the Board. Sponsors have the following obligations:

- To pay a sponsorship fee to support the activities of the Institute.
- To contribute their time and expertise to the development and reputation of the Institute.

Subject to certain conditions to be determined by the Board, sponsors have the following rights:

- A position on the Stakeholder Council.
- A position on the Studies Committee.
- A say in the selection of policy dossiers to be scrutinised by the Institute, proportional to their sponsorship contribution.
- Free training and seminars on Impact Assessment and Better Regulation as stipulated in the sponsor agreement.

Article 7: Associate status

The Institute's Associates are organisations or individuals that are not Sponsors, but are deemed by the Board to be in a position to make a valuable contribution to the Institute's objectives. The Board shall decide whether an organisation shall be given Associate status. Organisations may apply to the Board for Associate status or may be invited by the Board.

Associates have the following obligations:

- To contribute to the development and reputation of the Institute.

Associates have the following rights:

- A position on the Stakeholder Council.
- A position on the Studies Committee.
- At the discretion of the Board, a say in the selection of policy dossiers of a proportion to be determined by the board.

- At the discretion of the Board, free training and seminars on Impact Assessment and Better Regulation.

Article 8: Stakeholder Council

The Stakeholder Council is an advisory body of the Institute, being the representative body of the Sponsors and Associates. It is comprised of senior representatives of the Sponsors and Associates. Each Sponsor and Associate shall nominate a primary representative and may nominate an alternate representative.

The Stakeholder Council shall select a Chairperson and two Vice-Chairpersons from amongst its primary representatives, by consensus where possible or otherwise by simple majority. The three positions are to be selected such that a reasonable balance of stakeholder types is achieved, ideally covering industry, civil society and institutions. In the absence of a formally selected Chairperson, meetings of the Stakeholder Council shall be chaired by the Managing Director.

The Stakeholder Council meets in person at least once per calendar year, in advance of the Annual General Meeting. Additional meetings, either in person or by electronic means, may be convened at the discretion of the Chairperson, of both Vice-Chairs or on request of at least one third of its members. Decisions of the Council are made by consensus where possible or otherwise by simple majority.

The Stakeholder Council may make formal representations to the Board of Directors at any time during the year to advise on issues of relevance to the Institute's activities. The Board is obliged to respond formally to all representations within 4 weeks.

The Chairperson of the Stakeholder Council formally addresses the Board at the Annual General Meeting in the presence of the Vice-Chairpersons of the Stakeholder Council. In particular the Chairperson advises the Board on the Stakeholder Council's opinion on newly nominated Board members.

The Managing Director acts as Secretary to the Stakeholder Council and in exceptional cases may delegate this task to a member of the Secretariat.

Article 9: Studies Committee

The Studies Committee advises the Institute on matters related to Impact Assessment, policy and Better Regulation. It is comprised of expert representatives of the Sponsors and Associates and acts as a subcommittee of the Stakeholder Council. Each Sponsor and Associate shall nominate a primary representative and may nominate an alternate representative. The nominated individuals may or may not be the same as those nominated for the Stakeholder Council

The Managing Director Chairs the Studies Committee and may delegate this task to another member of the Secretariat. The Studies Committee shall select three Stakeholder Co-Chairpersons from amongst its primary representatives, by consensus where possible or otherwise by simple majority.

The Studies Committee has the formal right to decide on the work programme of the Institute, specifically the policy dossiers on which scrutiny studies are to be performed. The details of this decision making are contained in the Study Procedures. Other decisions of the Committee are made by consensus where possible or otherwise by simple majority

The Studies Committee meets four times per year, with at least two of the meetings being in person. These meetings coincide with the quarterly studies review, as detailed in the Study Procedures.

The Managing Director accompanied by the Co-Chairs where possible shall present a report on the Committee's activities to each meeting of the Board of Directors.

Article 10: Changes to the Rules for Procedure

Without prejudice to the Statutes, the Rules for Procedure may be amended by the Board of Directors by a simple majority, paying due regard to the advice and opinion of the Oversight Board and Stakeholder Council.

Done in two original copies, in Brussels, on 18th March 2016.

Signatures