MEDREG INTERNAL RULES

As approved by the 16th MEDREG General Assembly meeting
19 November 2013
Preamble of the Internal Rules

Considering:

(1) the opportunity to contribute to the achievement of the goals approved by the Euro-Mediterranean Ministerial Conference on Energy held in Athens on 21 May 2003;
(2) the opportunity to contribute to facilitate the commitments defined by the Euro-Mediterranean Ministerial Meeting held in Rome on 1-2 December 2003;
(3) the conclusions of the workshop on “The energy regulators community in the Mediterranean basin”, held in Rome on 29 May 2006, and the establishment of the MEDREG Working Group.
(4) MEDREG Constitutive Act, signed in Rome on 15 November 2007.

Recognizing that:

- the foreseen gradual integration and opening of national and regional markets of Mediterranean countries is facilitated by the implementation of a stable, harmonized, transparent and consistent regulatory framework;
- the establishment of such a regulatory framework within the Mediterranean basin would make the region more attractive to investments in energy;
- close cooperation and information exchange between regulatory authorities are essential for the successful monitoring of the Mediterranean energy markets;
- the final customers will benefit from a uniformed and harmonized regulatory framework with a clear set of rules, designed to ensure consumer protection and to promote competition in the area.

The Members of MEDREG resolve to act in good faith and adhere to these Internal Rules and all their provisions.
Article 1
President and Vice Presidents

1.1 In accordance with article 11.3 of MEDREG constitutive act statutes, the GA shall elect a President and two Vice-Presidents selected among Members on a rotating basis with a mandate of two years. No representative of an Energy Regulatory Authority may serve a second term as President before the rotation of all countries is completed, unless the GA decides otherwise.

1.2 In order to guarantee the continuity of MEDREG activities, the President should preferably be chosen among the members who served as Vice-Presidents during the previous mandate and without prejudice to the balance principle between EU and non-EU countries.

1.3 In case the President decides to delegate some activities to the non-elected permanent Vice-president in order to contribute to an effective and efficient management of the Association in accordance with MEDREG President and GA instructions, this will be laid down in a proxy.

1.4 The proxy should concern the support and advice provided by AEEG to the Secretariat according to his needs for the implementation of its operative tasks like the assumptions of legal obligations assumed by the Association in its ordinary tasks according to Italian laws, provisions to the Secretariat with appropriate accommodations, logistic, information and telecommunications supports. In accordance with article 11.7 and 11.8 of MEDREG constitutive act statutes, in case of the President’s absence or resignation, the oldest Vice-President performs all duties of the President in his absence and in case of resignation until a new President is elected.

1.5 The permanent Vice-President reports on the execution of the proxy at least on a quarterly basis to the President and the GA.

1.6 The proxy is established without prejudice to the powers of the President and the General Assembly as they are stipulated in the Statutes.
Article 2
Decision Making Process

2.1 When the President considers that a matter is urgent, and requires a decision between two meetings of the GA, the President may seek agreement on a position or document by electronic procedure. In such case, the President shall ensure that each Member is informed and receives the relevant documentation, including a clear deadline for producing comments and vote. Once the deadline has expired, the position or document is considered approved or rejected by the GA based on the votes received, in accordance with articles 6.1 and 15 of MEDREG constitutive act statutes.

2.2 Dissenting opinions of individual Members from GA decisions should be explained in writing and made public upon request.

2.3 For the election of MEDREG President, Vice-Presidents, WG and TF Chairs, the voting procedure takes place through secret ballot. The President can propose to the GA to vote through secret ballot on other particular issues when considered relevant.

2.4 Each Member is invited by the President to express his vote to the GA on the corresponding decision.

2.5 The President, with the support of the Secretariat, shall verify that the majority of MEDREG Members is present or represented at the voting procedure. In the case a Member is not in a position to attend a meeting, he may delegate his vote to another Member present through a formal proxy or provide the Secretariat with a formal vote by electronic procedure until 24 hours before the meeting.

2.6 In the case of a vote through secret ballot, the Secretariat prepares and distributes the voting ballots, one for each Member and one for each proxy he has received. According the principle “one country—one vote”, the vote is expressed on each ballot through a clear and visible cross next to the preferred proposal(s).

2.7 The Secretariat collects all ballots and, in coordination with the President, informs the GA Members on the final result of the vote.

2.8 Without prejudice to the provisions of article 14.4 of MEDREG constitutive act statutes concerning the modification of the statutes, the proposal(s) having obtained a total of at least two-thirds of the expressed votes is (are) considered as adopted by the GA.

2.9 In case of an election, if the two-third majority of the expressed votes is not reached for one or several positions to be fulfilled, a second round of vote is organised immediately with the candidates that have not obtained the two-third majority. On the second round, candidate(s) having obtained more votes is/are appointed according to the simple majority principle and to the number of positions available.

2.10 In case a GA member decides to temporary delegate his voting right and to be represented by another GA member, he should send the proxy template (see Annex 1 of the Internal Rules) to the President and the Secretariat in advance of the meeting. The attorney can only accept one delegation per meeting.
Article 3
Structure of Working Groups and Task Forces

3.1 The General Assembly can set up WGs and TFs, dealing with the topics addressed by MEDREG as defined in the Action Plan.

3.2 The GA defines and approves the structure of WGs and TFs, the duration of their mandate and their terms of reference.

3.3 The GA is responsible for appointing the Chairperson and the Vice-Chairperson of each WG and TF. Decisions are taken in accordance with article 6 of the statutes.

3.4 Depending on MEDREG’s financial situation, the annual budget should foresee a budget line for consultancy in order to support the WG / TF in their work. The WG/TF Chairpersons may propose to call upon the services of a consultant to conduct a study. The proposals shall respect the scope of the Action Plan. Based on the annual budget of MEDREG, the General Assembly will decide on the proposal(s) that can be financed.

3.5 The organisation of work within WGs and TFs is based on the principle of subsidiarity. Subject to prior approval from the GA, WGs and TFs decide on their own working structure in order to implement their work programme in the best way possible.

Article 4
Participation in Working Groups and Task Forces

4.1 Members should strive to ensure to be continuously represented within all WGs and TFs.

4.2 In nominating a representative to a WG or TF, Members are delegating to that person the responsibility of representing their institution in the relevant activities of the WF / TF including, in particular, the contribution to technical issues and the representation of the Member’s position on the discussed items.

4.3 If a Member cannot be represented at a given WG / TF meeting, he should send written comments on draft documents before the meeting or within a timeframe pre-arranged with the Chairperson.

4.4 Each Member will appoint a member of its staff who will act as a communications officer. His/her task will consist in facilitating the relevant information exchange between his/her organisation and the other Members.
Article 5
Working Procedures in the WG and TF

5.1 Chairpersons have the responsibility to call, chair and prepare the minutes of the WGs and TFs meetings.

5.2 Chairpersons and Vice-Chairpersons are responsible for developing and updating the WG/TF work plan, identifying how the work will be taken forward, the frequency and nature of meetings.

5.3 To facilitate the decisional process of WGs and TFs, comments on draft documents should be sent by e-mail before the relevant meeting. Comments or dissenting opinions received after the established timeframe may not be considered in the final documents. Should the Chairperson receive back an ‘out-of-office’ message from a Member, he should make sure to contact another available person in the institution to be named in the “out-of-office” message.

5.4 Appropriate communication means should be used to facilitate participation to WGs and TFs meetings, including the use of conference call and video conference facilities.

5.5 When WGs and TFs seek agreement on a position paper by electronic procedure, the Chairperson shall make sure that each Member has received complete information and define a clear timeframe to respond by e-mail. This timeframe should not be less than 10 working days, unless under exceptional circumstances. Failure to answer by electronic procedure will result in a ‘no-objection’ position.

5.6 Draft minutes of MEDREG meetings should be issued within three weeks after the meeting and circulated to the concerned groups.

5.7 Two weeks should be allowed for comments on draft minutes. Draft minutes are subject to approval at the next relevant meeting.

5.8 Minutes should at least incorporate the following information: date and venue of the meeting; list of participants; approval of the agenda; approval of the minutes of the previous meeting; summary of the discussion held during the meeting; clear set of agreed deadlines and actions needed.

5.9 WGs/TFs are required to use the common Templates (provided by the Secretariat/ on the website) for all MEDREG documents and slide presentations.

5.10 The Secretariat prepares an Annual Report describing the activities and main achievements of the WGs and TFs, with the support of the WGs and TFs Chairpersons.
Article 6
Working procedures at GA level

6.1 The President, with the support of the Secretariat, shall prepare the draft agenda for the SC and GA meetings. The agenda shall clearly indicate subjects to be discussed during the meetings.

6.2 The Secretariat shall circulate the proposed agenda of the SC and GA meetings to the Members at least two weeks ahead of the meeting. Members may request the inclusion of other issues within 5 days from the reception of the agenda. The President can modify the agenda accordingly. All supporting documentation shall be circulated at least 7 days before the date of the meeting.

6.3 After the SC and GA meeting, the Secretariat shall circulate the draft minutes of the meeting within 3 weeks to the Members for information and possible comments within a 2-week delay.

Article 7
Approval of documents

7.1 All documents or proposals approved by the WGs or by the TFs should be addressed exclusively to the President and the MEDREG Secretariat. The President presents the documents finalized by the WGs and TFs to the GA for final approval. Only the General Assembly is entitled to approve MEDREG positions and documents, and to circulate them externally.

7.2 All documents submitted to the General Assembly should be accompanied by a short note explaining the key issues and messages dealt with by the core document and the actions/decision required by the General Assembly (i.e. approval or discussion). The note should clearly specify whether the document is an internal or public document.

7.3 The President proposes the MEDREG triennial Action Plan to the GA for approval, to be updated every year.

Article 8
Confidentiality of documents

8.1 Only documents approved by the General Assembly as public documents can be made public.

8.2 Documents that do not have the approval of the General Assembly to be published are to be regarded as confidential and be kept internal. Members as well as other WG/TF participants are obliged not to disclose information which has come to their knowledge through the work of the MEDREG or its WGs/TFs, unless their national laws provide differently.
8.3 Documents approved by the General Assembly as internal ones (i.e. not for public release) shall be made available only on the members’ area of the website and not be circulated outside Members’ institutions for any reason.

8.4 Documents approved by the General Assembly are to be uploaded on the MEDREG website.

**Article 9**
**Consultation and Transparency**

9.1 In order to develop the activities of the Association, MEDREG may consult relevant stakeholders (such as consumers, industrial organizations, regional institutions, financial institutions, partner regulatory associations and scientific organizations). Different tools can be used for such consultations (e.g. public consultations, hearings, bilateral meetings, expert groups, etc.). A clear consultation process may be defined.

**Article 10**
**Relations with third parties**

10.1 MEDREG may meet interested third parties as well as public national or international institutions to discuss matters of common interest.

10.2 The President represents MEDREG externally. He can delegate the representation temporarily to other MEDREG entities (Vice-Presidents, WGs and TFs Chairs, Secretariat representatives). Meetings with external parties must be coordinated through the Secretariat. In the interest of transparency, feedback should be given to the General Assembly on the meetings.

10.3 The GA may deliberate on the participation of MEDREG to other European or international organisations and to specific projects that are useful to fulfil the aims of the Association.
Article 11
Budget

11.1 The following articles are without prejudice to article 19 of MEDREG constitutive act statutes.

11.2 Members’ contribution to MEDREG activities shall take the form of in-kind support to regular WGs/TFs meetings (meeting rooms and related logistics) as well as a mandatory membership fee to be paid annually to the Association by each Member. In order to support the growing missions and tasks devoted to the Association, financial participation of MEDREG members should be gradually increased.

11.3 Derogations are valid for a maximum period of one year and can be renewed once by unanimous decision of the GA.

11.4 The membership fee is due on the first day of the financial year or on another date determined by the GA.

11.5 MEDREG can benefit from contributions by donors or sponsorship for activities related to the implementation of the Action Plan, insofar as such contribution is compatible with MEDREG independence, principles and priorities, and avoiding conflicts of interests of any kind.

Article 12
Working language

12.1 MEDREG’s official working language is English. Institutional material and communication tools (such as institutional brochure, annual report, website) may also be made available in French and Arabic.

Article 13
Publication and entry into force of the Internal Rules

13.1 MEDREG Internal Rules are published on the MEDREG website.

13.2 MEDREG Internal Rules shall enter into force on the day after the GA’s approval.

13.3 The GA can modify these rules at any time. The GA may amend the Internal Rules only if at least two thirds of MEDREG Member countries are present or represented.
14.1 In accordance with article 14 and 20 of MEDREG constitutive act statutes, the GA may deliberate on the winding-up and liquidating MEDREG only if at least two thirds of MEDREG Member countries are present or represented. This decision requires a four-fifth majority of the Member countries present or represented.
Internal Rules ANNEX 1 – Template for Power of Attorney

Power of Attorney

The Member: [name]

Hereby appoints as his/her attorney-in-fact: [name]

To represent him/her at the meeting of the [XX] General Assembly of the Association of Mediterranean Energy Regulators (MEDREG), to be held:
on [date]  
at [address]

With the following Powers

The attorney-in-fact may, on behalf of the Member:

1. Attend the meeting of the General Assembly

2. Participate to the discussion on the Agenda items with the following power:

   □ Participate to the vote (Vote for or against) on all the items of the Agenda

   □ Vote against on the following item(s): ______________________________

   □ Vote for on the following item(s): ______________________________

Further comments: __________________________________________________________

Signed in _______________________________ on _______________________________

Signature and name of the Signatory: _______________________________