



REPUBLIC OF SLOVENIA  
THE MINISTRY OF AGRICULTURE, FORESTRY  
AND FOOD OF THE REPUBLIC OF SLOVENIA

Dunajska cesta 22, 1000 Ljubljana

P: +386 1 478 90 00

F: +386 1 478 90 21

E: [gp.gs@gov.si](mailto:gp.gs@gov.si)

[www.mkgp.gov.si](http://www.mkgp.gov.si)

*Courtesy translation*

# RULES OF PROCEDURE OF THE MONITORING COMMITTEE OF THE OPERATIONAL PROGRAMME FOR THE IMPLEMENTATION OF THE EUROPEAN MARITIME AND FISHERIES FUND IN THE REPUBLIC OF SLOVENIA FOR THE PERIOD 2014–2020

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On the basis of the Decision of the Government of the Republic of Slovenia on the establishment, organisation, functions and appointing of the members and deputies of the Monitoring Committee of the Operational Programme for the implementation of the European Maritime and Fisheries Fund in the Republic of Slovenia for the period 2014–2020, and to implement Articles 47, 48 and 49 of Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347 of 20 December 2013; hereinafter referred to as 'Regulation (EU) No 1303/2013'), and Article 113 of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149 of 20 May 2014; hereinafter referred to as 'Regulation (EU) No 508/2014'), the Monitoring Committee adopts the following

## **RULES OF PROCEDURE OF THE MONITORING COMMITTEE OF THE OPERATIONAL PROGRAMME FOR THE IMPLEMENTATION OF THE EUROPEAN MARITIME AND FISHERIES FUND IN THE REPUBLIC OF SLOVENIA FOR THE PERIOD 2014–2020**

### **I. General provisions**

#### **Article 1**

These Rules of Procedure regulate the organisation, tasks and manner of operation of the Monitoring Committee of the Operational Programme for the implementation of the European Maritime and Fisheries Fund in the Republic of Slovenia for the period 2014–2020 (hereinafter referred to as 'the Monitoring Committee') and its Secretariat in detail.

#### **Article 2**

The terms used in the Rules of Procedure that are in male gender are used as neutral for both genders.

#### **Article 3**

(1) The Committee's head office is at the head office of the ministry responsible for the implementation of the Operational Programme for the implementation of the European Maritime and Fisheries Fund in the Republic of Slovenia for the period 2014–2020, i.e. the Ministry of Agriculture, Forestry and Food which provides technical resources for the work of the Committee and its Secretariat.

(2) Committee meetings may also be held outside the Committee's head office.

### **II. Composition of the Committee**

#### **Article 4**

(1) The composition of the Committee is determined on the basis of the Decision of the Government of the Republic of Slovenia on the establishment, organisation, functions and appointing of the members and deputies of the Monitoring Committee of the Operational Programme for the implementation of the European Maritime and Fisheries Fund in the



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Republic of Slovenia for the period 2014–2020.

(2) Depending on the agenda, Committee meetings may be attended by representatives of other state authorities and partners that do not have representatives in the Committee. The invited representatives do not have the right to vote.

(3) Consultative working groups, which may include external experts, may be established to address individual issues of the Committee.

(4) The President, members, their deputies and other persons invited to participate at Committee meetings are not eligible for the reimbursement of costs and meeting fees.

### **III. Tasks of the Committee**

#### **Article 5**

(1) The Committee carries out tasks set out in Article 49 of Regulation (EU) No 1303/2013 and Article 113 of Regulation (EU) No 508/2014:

- the Committee meets at least once annually, and reviews the implementation of the programme and progress towards attaining its objectives by taking into account financial information, general indicators and indicators of programme, including changes in the value of result indicators, and progress towards achieving numerical target values, milestones set out in the performance framework, and if necessary, the results of quality analyses;
- the Committee studies all issues that affect the implementation of the programme, including the findings of performance reviews;
- a consultation with the Committee is carried out; if the Committee deems necessary, it issues an opinion on all changes to the programme proposed by the Managing Authority;
- the Committee may submit its comments to the Managing Authority regarding the implementation and evaluation of the programme, including measures to reduce the administrative burden on beneficiaries. The Monitoring Committee monitors all measures taken in view of its comments;
- within six months of making the decision to approve the programme, the Committee advises and approves the criteria for the selection of operations that will be financed; the selection criteria are revised on the basis of the programme needs;
- the Committee studies the activities and effects of the programme evaluation plan;
- the Committee studies the measures from the programme that refer to the fulfilment of all required prerequisites;
- the Committee studies and approves annual reports on implementation prior to them being sent to the European Commission;
- the Committee studies measures to promote gender equality, equal opportunities and non-discrimination, including accessibility for disabled persons.

(2) If individual authorities disagree about a certain issue, they inform the Committee which proposes further solutions.

### **IV. Tasks of the President of the Committee**

#### **Article 6**

The President of the Committee:

- manages and organises the work of the Committee;
- represents the Committee;



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- informs the public of the work of the Committee;
- signs acts of the Committee, and carries out other tasks determined by these Rules or a decision of the Committee.

## **V. Committee meetings**

### **Article 7**

(1) The Committee works and decides at meetings convened by the President of the Committee at his own initiative or by a member of the Committee authorised in writing by the President of the Committee or at the initiative of a third of members of the Committee. An initiative of members of the Committee must be explained separately.

(2) The Committee decides at regular meetings that are generally convened via e-mail. Invitations with the material for the meeting are sent to members of the Committee at least ten working days prior to the meeting generally via e-mail or by publishing it on the website if the material is overly extensive to be sent via e-mail.

(3) Annual reports may only be addressed at regular meetings of the Committee.

(4) The Committee may also decide at meetings by correspondence that are usually convened and carried out via e-mail. The material is also usually sent via e-mail. If the Managing Authority does not have the e-mail address of a member or deputy of the Committee, the invitation and material for the meeting are sent by regular mail.

### **Article 8**

The Committee will monitor and study the implementation of the OP EMFF 2014–2020 if necessary, but at least once annually.

### **Article 9**

(1) Committee meetings are headed by the President of the Committee. If he is absent or detained, he is replaced by a (presiding) member of the Committee authorised in writing by the President.

(2) In the invitation, the President of the Committee proposes the agenda for the meeting.

(3) Initially, the President establishes the presence of members or their deputies. After the agenda of the meeting has been established, the Committee determines how individual issues not regulated by these Rules will be addressed.

(4) When determining the agenda, proposals for individual issues to be removed from the agenda are decided first, followed by proposals to expand the agenda.

(5) The agenda may be expanded by an explained proposal of a member of the Committee if the reason for consideration emerged after the meeting had been convened and the material for the meeting was sent to members of the Committee at least three days prior to the meeting.

(6) The agenda always includes the confirmation of the minutes of the previous Committee meeting, and a report by the President on the realisation of the decisions made at the previous meeting.

(7) A standard point at the end of the agenda should be a up-date given by the President on the evolution of the socio-economic conditions for the implementation of the EMFF OP.

### **Article 10**

(1) The quorum of the Committee is reached if the meeting is attended by more than a half of



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members or their deputies. If less than a half of members are present at a meeting, the President of the Committee may decide to suspend the meeting for thirty minutes. After thirty minutes, the quorum of the Committee is deemed reached, and the meeting may resume.

(2) In cases of meetings by correspondence, the quorum of the Committee is reached if the Secretariat of the Committee receives more than a half of ballots from members or their deputies.

(3) Members of the Committee excluded pursuant to the first paragraph of Article 13 of these Rules are deemed present at a meeting if necessary to reach the quorum.

## **VI. Decision making**

### **Article 11**

(1) Each member of the Committee has one vote. If a member is absent, he is replaced by his deputy appointed with a decision of the Government.

(2) At its regular meetings, the Committee decides with a majority vote of members or their deputies. In the event of a tied vote, the President has the casting vote. In his absence, the person heading the meeting with a written authorisation from the President has the casting vote. Decisions of the Committee enter into force on the day they are taken by the Committee at a meeting.

(3) Decisions of the Committee at meetings by correspondence are adopted if they are supported by most members of the Committee or their deputies who voted, and enter into force after voting has concluded. Voting at meetings by correspondence takes at least five working days. The voting shall run from the date on convening the correspondence meeting until 24 p.m. of the fifth working day. If members or their deputies do not respond within this period, they are deemed to agree with the proposal.

### **Article 12**

The Committee votes by a show of hands respectively voting cards, or via e-mail in cases of meetings by correspondence. If several proposals on the same issue are submitted to the Committee, the proposals are voted in the same order as they were submitted.

## **VII. Data protection and conflict of interest**

### **Article 13**

(1) Members of the Committee, their deputies and other persons referred to in the second paragraph of Article 4 of these Rules must protect all data from documents related to the internal functioning of the MC. We are referring to the data discussed at Committee meetings or sent by the Managing Authority for consideration or familiarisation outside discussions at meetings if determined as such by the President. The data from these materials may only be used in preparation for meetings or in relation with the tasks carried out by the Committee. They must not be disclosed to third parties who are not included in the work of the Committee. For the needs of the work of the Committee, members, deputies and other persons referred to in the second paragraph of Article 4 of these Rules may consult with the partners they represent. However, they must ensure that the partners are aware of their obligations regarding protection and nature of this data. The President of the Committee determines certain or all data in the material as data related to the internal functioning of the MC with a written notice and a suitable mark in the material. The data whose disclosure might produce conflict of interest and provide unjustifiable advantage for third parties are marked as such.. The President may decide to withdraw the obligation to data protect for all or certain data with a written notice and a suitable mark in the material.



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(2) Members and their deputies must without delay disclose all relevant circumstances (private interest) that could affect the impartial and objective performance of their tasks within the Committee. Private interest of members or deputies of the Committee means proceeds for, or damage to, members or deputies, their family members, and other natural persons or legal entities with which members or deputies have or had personal, business or political contacts.

(3) Members or deputies of the Committee are excluded from voting on a matter that affects their private interest or the interest of the institution or authority they represent. If members do not observe the provision of the previous sentence and still vote, their votes are invalid.

(4) If members or deputies with a conflict of interest do not exclude themselves from voting, the President or the presiding member decides on their exclusion. In this case, the member to whom the decision applies must not take part in consultations and voting.

(5) A dispute regarding the existence of a conflict of interest is decided by the Committee. In this case, the member to whom the decision applies must not take part in consultations and voting of the Committee.

(6) At the meeting of the adoption of the Rules of Procedure, members or their deputies fill in, sign and deposit their statement referred to in Annex 1 to these rules at the Secretariat of the Committee. A copy of the Rules of the Procedure and the statement referred to in Annex 1 must be sent to members or deputies who are not present at this meeting by registered mail within three working days of the adoption of the Rules, which must be filled in, signed and sent to the Secretariat of the Committee within eight days of reception. If an existing member or deputy is dismissed or a new member or deputy is appointed subsequently, he must act at the first meeting he attends in accordance with the previous sentence. Other persons referred to in the second paragraph of Article 4 of these Rules sign the statement from Annex 2 to these Rules just prior the commencement of the meeting they attend.

(7) Members, their deputies and other persons referred to in the second paragraph of Article 4 of these Rules are not informed of information regarding the work of the Committee until they have fulfilled the obligations referred to in the previous paragraph.

(8) Members, their deputies and other persons referred to in the second paragraph of Article 4 of these Rules must protect information referred to in the first paragraph of this Article even when their appointment has expired or after their attendance at a meeting.

(9) In cases of betrayal or exploitation of information, which have been gained through working in the MC and concealing or exploitation of conflicts of interest, members and their deputies are liable for damages, liable to disciplinary action and criminally liable. The same liabilities apply to other persons referred to in the second paragraph of Article 4 of these Rules if they betray or exploit information which have been gained through working in the MC

(10) Members or deputies of the Committee (except members or deputies who are representatives of the Ministry of Agriculture, Forestry and Food/the Managing Authority) who cooperated with the Managing Authority in the preparation of documents discussed by the Committee as outsourcers are not entitled to vote when adopting these documents, and must orally inform the Committee of this prior to voting.

## VIII. Minutes

### Article 14

(1) Minutes are kept on the work of the Committee, which include information about attendance at meetings, the work at meetings, proposals under discussion, decisions



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adopted and separate opinions of members of the Committee. Minutes are prepared by the Secretariat of the Committee.

(2) Draft minutes must be sent to members of the Committee within 15 working days of the meeting. The minutes of the previous meeting are confirmed at the next meeting.

(3) Comments about minutes are sent to the Secretariat of the Committee within ten working days after the minutes were sent.

(4) All minutes are kept by the Secretariat of the Committee.

(5) Confirmed minutes are published on the website of the European Maritime and Fisheries Fund in the Republic of Slovenia.

## **IX. Secretariat of the Committee**

### **Article 15**

The Secretariat of the Committee is responsible for the coordination of technical tasks. The tasks of the Secretariat of the Committee are carried out by the Secretariat of the Managing Authority.

## **X. Publicity of work**

### **Article 16**

The President of the Committee decides whether or not to inform the public of the work of the Committee and decisions adopted.

## **XI. Adaptation of the Rules of Procedure**

### **Article 17**

The Rules of Procedure are adopted by the Committee at its first meeting with a majority vote of all members or appointed deputies present.

### **Article 18**

Amendments to these Rules of Procedure are adopted at a Committee meeting in the same manner as the Rules of Procedure.

### **Article 19**

The Committee is responsible for the explanation of these Rules of Procedure.

## **XII. Final provision**

### **Article 20**

These Rules of Procedure enter into force on the day of its adoption by the Committee.

Tanja Strniša, M.Sc.

President of the Monitoring Committee



*Tanja Strniša*



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## Annex 1

### STATEMENT OF DATA PROTECTION AND CONFLICT OF INTEREST OF MEMBERS OF THE MONITORING COMMITTEE

I, the undersigned, hereby state:

1. that I have been informed of the provisions of these Rules of Procedure on data protection and conflict of interest.

2 (a). that there are no circumstances (private interest) that could affect my impartial and objective performance of tasks within the Monitoring Committee (hereinafter referred to as 'MC'), and that I will promptly inform the Secretariat of the MC of any such circumstances that will occur in my work.

or

2(b). that the following circumstances (private interest) could affect my impartial and objective performance of tasks within the MC:

- 
- 
- 

and that I will promptly inform the Secretariat of the MC if any new circumstances occur in my work.

Name and surname
Signature
Date



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## Annex 2

### STATEMENT OF DATA PROTECTION OF NON-MEMBERS OF THE MONITORING COMMITTEE

I, the undersigned, hereby state:

1. that I must protect all data from documents discussed at Committee meetings, and that I must not disclose them to third parties that are not included in the work of the MC.
2. that I am liable for damages, liable to disciplinary action and criminally liable in cases of betrayal or exploitation of these information.

Name and surname
Signature
Date



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