

**PROCEDURAL ACT No 01/2009
OF THE REGULATORY BOARD OF THE ENERGY COMMUNITY**

2009/01 ECRB-EnC: Decision of 25th February 2009 of the Energy Community Regulatory Board on the amendment of the Internal Rules of Procedure, Procedural Act 2007/01.

The Regulatory Board of the Energy Community,

Having regard to the Treaty Establishing the Energy Community (hereafter "Energy Community Treaty") and in particular Article 60, 86 and 87 thereof,

Having regard to the proposal, made by the President and Vice-President on January 27, 2009,

Acting in accordance with the procedure laid down in Article 82 and 83 of the Energy Community Treaty,

Acting in accordance with the procedure laid down in Article 13.3 of the Internal Rules of Procedure of the Regulatory Board of the Energy Community, Procedural Act No. 01/2007

HAS DECIDED AS FOLLOWS:

Article 1

Procedural Act No. 2009/01 amending Procedural Act 2007/01 on the Internal Rules of Procedure of the Regulatory Board of the Energy Community as laid down in the Annex to this Act is hereby adopted.

Article 2

This decision is addressed to all Parties and institutions under the Treaty Establishing the Energy Community.

Article 3

The Director of the Energy Community Secretariat shall make this decision and its annex available to all Parties and institutions under the Energy Community Treaty within 7 days after its adoption.

Article 4

This decision shall enter into force upon adoption.

Done in Athens on 25th February 2009.

For the Regulatory Board

The President
Ljubo Macic

ANNEX TO PROCEDURAL ACT No 01/2009 OF THE REGULATORY BOARD OF THE ENERGY COMMUNITY

Article 1

1. Article 7 - Working Groups of Procedural Act 2007/01 is amended by the following new paragraphs:

7.4. In addition to exercising the powers conferred upon him/her elsewhere in these rules, the Chair shall declare the opening and closing of each Working Group meeting, shall direct the discussion, shall ensure the observance of these Rules, shall accord the right to speak and announce decisions. The Chair may also call a speaker to order if his or her remarks are not relevant to the subject under discussion.

7.5 The Working Group Chairs are elected by the ECRB for a period of two years, which may be extended for a period of up to two years. Proposals for candidature shall be put forward to the President and Vice President of the ECRB. The President brings the candidacies to the attention of the members of the ECRB in agreement with the Vice President.

7.6 The Working Group Chairs' term can be terminated upon a decision of the ECRB pursuant to Article 7.7. In the case of resignation of the Chairperson during its term, a new Chairperson will be appointed under the same terms for a period of up to two years.

7.7 The election of Working Group Chairs by the ECRB requires the presence of two thirds of Members and simple majority of the votes cast.

Article 2

1. In Article 9 – Conclusions and Minutes of Procedural Act No 2007/01 the following new paragraphs are inserted after paragraph 9.2:

9.3 The minutes shall include

- *The scope of the agenda item (for discussion/information/approval);*
- *The related document(s);*
- *A brief reference to the core discussion points raised by members;*
- *The decision(s) taken and action points following including responsibilities and the timeline for completion;*
- *A summary table of the main conclusion(s).*

The final minutes shall normally not exceed a maximum number of 5 (five) pages excluding annexes.

9.4 The minutes of the ECRB meeting and its working groups established by ECRB shall be treated confidentially and not be published. A summary table of the main conclusion(s) per agenda item (see 9.3) shall be published on the ECRB website.

2. Following the insertion of two new paragraphs 9.3 and 9.4 (see (1)), paragraphs 9.3 to 9.5 Procedural Act 2007/01 are re-numbered and shall read paragraphs 9.5 to 9.7.

3. Paragraph 9.3 Procedural Act 2007/01 is modified as follows:

The phrase "..., the conclusions and minutes..." are deleted from sentence one.

Article 3 - Transitional Provisions

1. This Procedural Act comes into force immediately upon adoption.