

**EUROPEAN UNION AGENCY FOR THE OPERATIONAL
MANAGEMENT OF LARGE-SCALE IT SYSTEMS
IN THE AREA OF FREEDOM, SECURITY AND JUSTICE**

DECISION NO 2019-254 OF 30/01/2020

on the

RULES OF PROCEDURE

of the

ECRIS-TCN PROGRAMME MANAGEMENT BOARD

THE ECRIS-TCN PROGRAMME MANAGEMENT BOARD,

- Having regard to Regulation (EU) 2018/1240 of the European Parliament and of the Council of 17 April 2019 establishing a centralised system for the identification of Member States holding conviction information on third-country nationals and stateless persons (ECRIS-TCN) to supplement the European Criminal Records Information System and amending Regulation (EU) 2018/1726,
- Having regard to the Management Board decision 2019-215 of 20 September 2019 appointing its representatives to the ECRIS-TCN Programme Management Board,
- Having regard to Commission's decision appointing its representative of the ECRIS-TCN Programme Management Board,

HAS ADOPTED THESE RULES OF PROCEDURE:

Article 1

Composition of the ECRIS-TCN Programme Management Board

1. Pursuant to Article 11(5) of the ECRIS-TCN Regulation, during the design and development phase, a Programme Management Board composed of a maximum of 10 members shall be established. It shall be composed of eight members appointed by eu-LISA's Management Board, the Chair of the ECRIS-TCN Advisory Group referred to in Article 39 and one member appointed by the Commission. The members appointed by the Management Board shall be elected only from those Member States which are fully bound under Union law by the legislative instruments governing ECRIS and which will participate in ECRIS-TCN.
2. The representatives of the Management Board mentioned in Article 1(1) are appointed by the Management Board according to its standard procedures. The Management Board shall ensure that the members it appoints to the Programme Management Board have the necessary experience and expertise in the development and management of IT systems supporting judicial and criminal records authorities.

Article 2

Chairmanship of the ECRIS-TCN Programme Management Board

1. According to Article 11(7) of the ECRIS-TCN Regulation, the chairmanship shall be held by a Member State which is fully bound under Union law by the legislative instruments governing ECRIS and the legislative instruments governing the development, establishment, operation and use of all the large-scale IT systems managed by eu-LISA.

2. The Chairmanship of the ECRIS-TCN Programme Management Board will be rotated among the representatives of the Member States as referred to in Article 2(1) and as agreed by the ECRIS-TCN Programme Management Board.
 - Q1-Q2 2020 - DE
 - Q3-Q4 2020 - SI
 - Q1-Q2 2021 - tbc
 - Q3-Q4 2021 - tbc
 - Q1-Q2 2022 - tbc
 - Q3-Q4 2022 - tbc
3. The Deputy Chairmanship will be rotated in the same order, starting from the following Member State: SI.
4. The Chairperson is responsible for:
 - a) Convening the meeting;
 - b) Chairing the meeting;
 - c) Distribution of the minutes of the meeting, as adopted by the ECRIS-TCN Programme Management Board;
 - d) Submitting the monthly written reports, as adopted by the ECRIS-TCN Programme Management Board, to the Management Board;
 - e) Presenting the progress made in the ECRIS-TCN Programme Management Board at the Management Board meeting;
5. In case of the absence of the Chairperson, the Deputy-chairperson will replace him/her.

Article 3

Attendance at Meetings of the ECRIS-TCN Programme Management Board

1. Members of the ECRIS-TCN Programme Management Board should attend all the meetings of the group. In case they cannot be present, their alternates representing the same Member State (i.e. the member/alternate representing the same Member State in the eu-LISA Management Board) can substitute them.
2. The Chairperson or the Deputy-chairperson of the Management Board (if they are not members of the ECRIS-TCN Programme Management Board) and the eu-LISA Executive Director (or its representative) may attend all the meetings of the ECRIS-TCN Programme Management Board.
3. Members of the ECRIS-TCN Programme Management Board may be assisted by one expert.
4. The ECRIS-TCN Programme Management Board may invite experts whose opinion may be of interest, to attend its meetings as an observer/expert. The participation shall be limited to duly justified cases based on necessity.

Article 4

Preparation of the ECRIS-TCN Programme Management Board

1. Meetings of the ECRIS-TCN Programme Management Board shall be convened by the Chairperson or upon request by at least one third of the members of the board, or upon the request of the Executive Director of eu-LISA.
2. The ECRIS-TCN Programme Management Board shall hold at least one meeting in every three months. The ECRIS-TCN Programme Management Board may meet more often when necessary.
3. The provisional agenda, accompanied by the relevant material for conclusion making, shall be forwarded to the members of the ECRIS-TCN Programme Management Board at least one week prior to the meeting. The agenda shall be drafted by the Chairperson.

Article 5

Deliberations of the ECRIS-TCN Programme Management Board and voting

1. The presence of at least two thirds of all members shall constitute the quorum necessary for the meeting to be valid. In the absence of a quorum, the Chairperson shall close the meeting and convene another as soon as possible.
2. The Chairperson shall conduct the meeting giving priority to the members wishing to raise a question of procedure or a preliminary matter.
3. Conclusions of the ECRIS-TCN Programme Management Board shall be taken by the majority of its members with a right to vote.
4. Each member of the ECRIS-TCN Programme Management Board shall have one vote. In the absence of the member, his/her alternate shall have the right to vote.

Article 6

Communications

1. The draft minutes, the attendance list, and the conclusions shall be forwarded to members not later than a week after the end of the meeting.
2. Once approved, the minutes shall be signed by the Chairperson. The signed copy of the minutes shall be kept in the archives of the Agency.
3. The final text of the minutes shall be forwarded to the members not later than a week after the approval.
4. The monthly report of the ECRIS-TCN Programme Management Board shall be submitted to the Chairperson of the eu-LISA Management Board by the fifth day of the next month. This report should be forwarded to the other members of the Management Board without delay.

Article 7

Confidentiality and Access to Information

1. The deliberations of the ECRIS-TCN Programme Management Board shall be confidential. Members and others present at the meetings shall respect the confidential character of the deliberations and documents transmitted by the Agency.

Article 8

Venue of Meetings

1. Meetings of the ECRIS-TCN Programme Management Board shall be held in the locations of the Agency.
2. The ECRIS-TCN Programme Management Board can decide in justified cases to hold a meeting in a different location, if it is convenient to all members.
3. The ECRIS-TCN Programme Management Board may decide to hold a meeting via video conference or via other electronic means.

Article 9

Conflicts of Interest

1. According to the Rules for the prevention and management of conflict of interest (document 2018-183), adopted by the Management Board of eu-LISA with its decision 2018-168 of 22 November 2018, the members of the ECRIS-TCN Programme Management Board have the obligation to declare and update their interests annually by 31st of March, in line with the Declaration of Interest form - Annex 1 - and to complete a public statement of commitment annually by 31st of March, in line with the form in Annex 2.
2. At the beginning of each meeting of the ECRIS-TCN Programme Management Board the persons attending the meetings pursuant to Articles 3(3) and 3(4) respectively shall inform the Chairperson of any conflict of interest with regard to a particular item on the agenda.
3. In the event of such a conflict of interest, the person concerned shall, at the request of the Chairperson, withdraw from the meeting whilst the relevant items of the agenda are being dealt with.

Article 10

Protection of Personal Data

1. The processing of personal data by the ECRIS-TCN Programme Management Board shall be in conformity with Regulation (EC) No 2018/1725 of the European Parliament and of the Council, under the responsibility of the Chairperson acting as the controller.

Article 11

Secretariat and Correspondence

1. The Agency shall provide the ECRIS-TCN Programme Management Board with a secretariat and an appropriate administrative support to enable them to carry out their functions.
2. All correspondence with the ECRIS-TCN Programme Management Board shall be done via the Management Board Secretariat.

Article 12

Reimbursement of Expenses

1. All travel and subsistence expenses incurred by the members of the ECRIS-TCN Programme Management Board, or their alternates in case of replacement, and the persons mentioned in Article 3(2), in connection with meetings relating to ECRIS-TCN Programme Management Board meeting shall be paid by the Agency.
2. The costs related to the experts mentioned in Article 3(3) and 3(4) are not reimbursed by the Agency. When possible, the Agency will try to provide a connection via video conferencing tools.

Article 13

Revision of the Rules of Procedure

1. The ECRIS-TCN Programme Management Board may amend these Rules of Procedure.

Article 14

Entry into Force

These Rules of Procedure shall enter into force on 01.02.2020.

Done at Strasbourg,

Michael Küppers
Chairperson of the ECRIS-TCN
Programme Management Board