



ReSPA

Regional School
of Public Administration

Resolution of the ReSPA Governing Board N°GB-ML R/03-2016

1. Having regard to Articles 11 and 15(1)(j) of the Agreement Establishing the Regional School of Public Administration (ReSPA) (hereinafter "ReSPA Agreement"),
2. Whereas Article 4(2)9 of the Rules of Procedure of the ReSPA Governing Board provides that the Governing Board at Ministerial level shall adopt the Rules of Procedure of the Governing Board,
3. Whereas the Governing Board at Ministerial level adopted, by its Resolution N°GB-ML R/03-2015, adopted on 11 November 2015 in Danilovgrad, the Rules of Procedure of the ReSPA Governing Board,

Now, therefore, the Governing Board of ReSPA by this Resolution No GB-ML R/03 -2016, by unanimous vote of all Members of the Governing Board, has decided:

- To amend the Rules of Procedure of the ReSPA Governing Board in the following way:
 - To insert in Article 4(2)5 the words "and Budget,"
 - To delete from Article 5(2)1 the words "and Budget,"
- This Resolution enters into force on the date of its adoption.

At Danilovgrad, 12 December 2016


Ms. Ana Bimabic

Chair of the Governing Board at
Ministerial level



**Rules of Procedure
of the Regional School of
Public Administration (ReSPA) Governing Board**

I Introduction

Article 1 Purpose and Application

1. These Rules regulate the procedures of the ReSPA Governing Board operations and, in particular, the preparation and conduct of its business through its sessions, decision making process and follow up, and the role of the ReSPA Secretariat and Governing Board subsidiary bodies in this regard.
2. These rules and procedures shall apply to all Governing Board sessions and its operations between the sessions.
3. The general principles and procedures envisaged in these Rules shall apply, *mutatis mutandis* to operations of the Governing Board's subsidiary bodies.

Article 2 Definitions

For the purpose of this Rules the following terms shall be understood as follows:

- (a) "*The Governing Board*" shall mean the single decision making body of ReSPA that exercises its competences through two levels of representation from ReSPA Members:
 - a. ReSPA Member's representatives at the ministerial level;
 - b. Permanent ReSPA Member's representatives for its meetings at senior official level;
- (b) "*Resolutions*" shall mean all Governing Board decisions adopted within in accordance with the competences entrusted to it by the Agreement Establishing the Regional School of Public Administration (Article 15(1));
- (c) "*Decisions*" shall mean other Governing Board decisions adopted within its general competences to perform other tasks necessary for the achievement of ReSPA's objectives (Article 15(4) of the Agreement Establishing the Regional School of Public Administration);
- (d) "*Subsidiary bodies*" shall mean operational and consultative bodies composed of Member's representatives with specific mandates related to the achievement of ReSPA's objectives and activities, and established by the Governing Board on a permanent or *ad hoc* basis;
- (e) "*Unanimity*" in decision making and voting shall mean requirement for all ReSPA Members to be in

- agreement before a Resolution can be adopted;
- (f) “*Consensus*” in decision making and voting shall mean requirement that no ReSPA Member formally objects to the proposed decision
 - (g) “*Agreement of all ReSPA Members*” in decision making and voting shall mean requirement that ReSPA Members agree on the proposed decision through concessions made by all parties, and to which all parties then subscribe unanimously as an acceptable solution.

II Governing Board functioning

Article 3 Format of the Governing Board sessions

1. The Governing Board operates through its sessions held at the level of ministerial representatives and permanent representatives at the senior official level, appointed in accordance with Article 14 of the Agreement Establishing the Regional School of Public Administration.
2. ReSPA Members and Observers shall inform and provide the ReSPA Secretariat with the credentials of their appointed representatives and any subsequent changes in the appointment.

Article 4 The Governing Board proceedings at the ministerial level

1. The Governing Board at the ministerial level acts as a decision making body of the regional cooperation in Public Administration among ReSPA Members by deliberating upon, and determining, mid-term and long-term common policy challenges, defining goals and priorities and reviewing and guiding progress towards reform targets of relevance to the region and ReSPA’s Member’s, through enhanced regional cooperation.
2. The Governing Board at the ministerial level is the highest decision making authority of ReSPA and executes the responsibilities set out in Article 15 of the Agreement Establishing The Regional School of Public Administration, and in particular it shall:
 - Provide General Policy Guidelines for ReSPA, in line with ReSPA’s Objectives (Article 15(1) a);
 - Ensure that ReSPA’s activities contribute to the European integration process (Article 15(1)b);
 - Adopt Resolutions on application of other countries to accede to the present Agreement in accordance with Article 7 of the Agreement Establishing the Regional School of Public Administration (Article 15(1) e);
 - Adopt Resolutions on applications of other countries to become Observers in ReSPA for a two year period in accordance with Article 8 of the Agreement Establishing The Regional School of Public Administration as well as Resolutions on renewal of the status of Observers (Article 15(1)f);
 - Adopt Resolutions on application of other countries and organizations to participate in ReSPA activities in accordance with Article 9 of the Agreement Establishing the Regional School of Public Administration including the establishment of charges for such participation (Article 15(1)g);
 - Set out an envelope for ReSPA’s annual Core Budget and Budget (Article 15(1)i);
 - Appoint and dismisses the Director (Article 15(1)l);
 - Approve proposals for amendments of the present Agreement Establishing the Regional School of Public Administration (Article 15(1)q);
 - Adopt the Rules of Procedure (Article 15(1)j).

3. The Governing Board at ministerial level shall decide on any other issue, within its responsibilities set out in the Agreement Establishing the Regional School of Public Administration.

Article 5 The Governing Board proceedings at the senior officials level

1. The Governing Board at the level of permanent representatives for its meetings at the senior officials level shall provide support and guidance of ReSPA activities towards common policy goals and objectives as agreed at the ministerial level and shall, *inter alia*:

- a) Establish subsidiary bodies and define their responsibilities;
- b) Facilitate cooperation and coordination with Member's authorities in the design, implementation and evaluation of ReSPA activities;
- c) Ensure the necessary conditions for the proper functioning of ReSPA;
- d) Follow on and monitor ReSPA's performance on a regular basis;
- e) Regularly inform ministerial representatives of the outcomes of its ordinary sessions and provide annual reports on its performance;
- f) Perform other tasks necessary for the achievement of ReSPA Objectives.

2. When the Governing Board at the level of permanent representatives meets at the senior officials level, it acts as the decision making authority by exercising the responsibilities set out in Article 15 of the Agreement Establishing The Regional School of Public Administration, and in particular it shall:

- Adopt the ReSPA Annual Programme of Work (Article 15(1)c);
- Receive and act upon all reports including the reports of the Independent Auditors (Article 15(1) d);
- Adopt the Financial Regulations of ReSPA (Article 15(1)h);
- Adopt Staff Regulations of ReSPA (Article 15(1)k);
- Decide the method of selection of Independent Auditor(s) to verify the regular execution of the Core Budget and the implementation of "directly managed funds" provided to ReSPA in order to finance its activities, recognizing INTOSAI principles concerning the auditing of International organizations, particularly the role of the Supreme Audit Institutions (Article 15(1)m);
- Nominate the Independent Auditor(s) (Article 15(1)n);
- Adopt the method and criteria for the selection of trainers and experts (Article 15(1) o);
- Approve the Headquarters Agreement (Article 15(1)q).
- Establish the Rules of Procedures for the recruitment of the ReSPA Director

Article 6 Frequency of the sessions

1. The Governing Board shall meet at least once a year at ministerial level and quarterly in ordinary sessions at the level of permanent representatives. The Chair of the Governing Board shall ensure that each session shall fix the date for the subsequent session or agree on a method to fix such date.

2. The Governing Board shall meet in extraordinary session when deemed necessary. The Chair of the Governing Board Member shall convene an extraordinary session within six weeks of the submission of a proposal from a Board Member, the Director or Observer, provided that such proposal is supported by at least one third of the overall Governing Board Members.

3. In addition to the decisions adopted at its sessions, the Governing Board may adopt Resolutions and

other Decisions by written procedure in accordance with these Rules.

Article 7 Chairing

1. The Chairing of the Governing Board shall be based upon the principle of annual rotation, in alphabetical order, in accordance with Article 16 of the Agreement Establishing the Regional School of Public Administration. The ReSPA Member responsible for chairing, shall inform the Secretariat of the credentials of the person(s) who is chairing prior to the actual handover.
2. The ReSPA Member in the Chair shall host annual Governing Board meeting at the ministerial level.
3. The Governing Board at the level of senior officials shall meet at ReSPA premises, unless it decides differently.

Article 8 *Ex officio* Participation

1. A representative of European Commission shall participate in the Governing Board on an *ex officio* basis. The European Commission representative may be invited to make oral as well as written statements to the Governing Board on any matter under consideration and shall keep the Governing Board informed on any matter related to the European Commission's participation at ReSPA.
2. Permanent Member's representatives for the senior official meetings shall participate at the Governing Board sessions at the ministerial level on *ex officio* basis. Prior to the session, he/she shall brief the respective representative at the ministerial level on the topics under consideration and may be invited to make oral as well as written statements to the Governing Board at ministerial level on matters related to the functioning of the Governing Board at the level of permanent representatives for the senior official level.
3. Representative(s) of the ReSPA EU integration Programme Committee and Budget Committee shall participate at the Governing Board session at ministerial level on *ex officio* basis. He/she may be invited to make oral as well as written statements to the Governing Board at ministerial level on matters related to the functioning of the respective subsidiary bodies.
4. Observers in ReSPA (granted such status in accordance with Article 8 (1,2 and 3) of the Rules of Procedure of the Governing Board and Article 15(1)f of the Agreement on Establishment of ReSPA, may attend meetings and participate fully in the work of the Governing Board.
5. Participants attending in accordance with the Article 8 (1,2 and 3) of the Rules of Procedure of the Governing Board, may make oral or written statements on the subjects under discussion upon receiving the Chair's permission but have no right to move motions or procedural rights at the meeting.
6. Participants attending in accordance with the Article 8 have no voting rights in the Governing Board decision-making process.

Article 9 Other Participants

1. The representative of a ReSPA Member at the Governing Board meeting may be accompanied by two additional advisors.

2. The ReSPA Member chairing may be accompanied by his/her substitute during the chairing period.
3. The Governing Board may invite representative of other states and organizations, representatives of other subsidiary bodies or experts to attend its meetings and participate in its deliberations. Such invitation may refer to the whole session or to particular agenda items.
4. Participants attending in accordance with this Article may make oral or written statements on the subjects under discussion upon the Chair's permission but have no motion or procedural rights at the meeting.
5. Participants attending in accordance with this Article have no voting rights in the Governing Board decision-making process.

Article 10 Quorum

The presence of at least 2/3 of the Member's representatives is required for conducting a session of the Governing Board.

Article 11 Requests for waiver of privileges and immunities and cooperation

1. The Governing Board shall consider on a priority basis requests that:
 - a) It waive any of the privileges and immunities of the Director or a staff member;
 - b) It cooperate with the authorities of a Member.
2. If the request is made while the Governing Board is in session the Director shall promptly refer the request, with all relevant papers, to the Governing Board, with a recommendation on how to respond to that request. The Governing Board shall make a Decision as soon as possible.
3. If the request is made while the Governing Board is not in session the Director shall promptly circulate the request, with all relevant papers, to Members with a recommendation on how to respond to that request. Members shall communicate their views on the request within 7 days utilizing email or telephonic means.
4. The Decision of the Governing Board shall be promptly communicated to the authorities concerned.

Article 12 Working language

1. The working language of the Governing Board and the Secretariat shall be English.
2. Documents shall be submitted in the working language of the Governing Board.

Article 13 Recording

1. The proceedings of the Governing Board shall be recorded in written. When possible, it may be recorded in audio files as well in line with available technical resources.

2. Audio recording may be suspended upon the justified request of a Governing Board member for the part or whole of the session concerned, in which case the ReSPA Secretariat shall take notes in writing.

3. The ReSPA Secretariat shall keep the written and audio files in its archives. Written records shall be available for the access to the Governing Board Member and members of its subsidiary bodies via ReSPA website or by other means. An access to audio files may be granted with the consent of the Chair of the Governing Board to the members of ReSPA Governing Board or its subsidiary bodies.

III Administration and support to the Governing Board

Article 14 ReSPA Director

1. The Director shall ensure that the Governing Board is provided with the necessary materials to conduct its sessions efficiently.

2. The Director shall participate in the Governing Board on an *ex-officio* basis. The Director may make oral as well as written statements to the Governing Board on any matter under consideration and shall keep the Governing Board informed of developments on any matter that may be brought before it for consideration.

3. If unable to attend a meeting or session of the Governing Board, the Director shall designate a member of the ReSPA staff to act as his/her representative.

4. The Director shall attend or designate representative from the ReSPA Staff for sessions of the subsidiary bodies.

5. The ReSPA Director shall report on the achievements and the performance of the ReSPA Secretariat annually to the Governing Board at ministerial level and quarterly at the level of senior officials. Reporting to other parties shall follow specific donors' requirements.

Article 15 ReSPA Secretariat

1. The ReSPA Secretariat shall act as the secretariat to the Governing Board and its subsidiary bodies.

2. It shall provide assistance to the Governing Board and its subsidiary bodies when required for the performance of their duties and shall be responsible for all administrative aspects of their operations that, *inter alia* shall include:

- a) Receipt, preparation and distribution of all documentation required for the sessions of the Governing Board or its work between two sessions, in line with provisions of these Rules draft agenda, reports and other documents, draft Resolutions and other Decisions, records and meeting minutes and maintaining the register of decisions of the Governing Board and bodies etc.);
- b) Have custody of the documents and records in the ReSPA archives; and
- c) Generally perform all other work required by the Governing Board or the Director.

3. ReSPA Staff members, technical and service employees, shall participate at the Governing sessions upon invitation of the Director or the Governing Board. Representative(s) of the Secretariat, and of

the technical and service employees, may attend Governing Board meetings and address the Board on matters related to conditions of service and staff and employee welfare.

Article 16 Subsidiary bodies

1. The Governing Board may establish subsidiary bodies for the accomplishment of specific functions or to utilise their expertise, on a permanent or *ad hoc* basis.
2. Decision on its establishment shall provide the scope of its mandate and responsibilities, composition and frequency of its sessions.
3. Subsidiary bodies shall provide recommendations required for the Governing Board's consideration and decision-making and shall report on their work to the Governing Board on the annual basis, unless decided differently.

IV Preparation of the session

Article 17 Draft Provisional agenda and attendance notification

1. The ReSPA Director shall prepare a Draft Provisional agenda for the Governing Board session and shall consult the Chair of the Governing Board on the proposed agenda items. The Draft Provisional Agenda shall reflect the requirements listed under Article 18 (2).
2. The Governing Board Chair shall convene the session through the Notice of the date and location of the session, accompanied with Draft Provisional agenda.
3. ReSPA Secretariat shall circulate the Notice and Draft Provisional agenda to appointed Member's representatives and their substitutes, Observers and other Participants at least 30 days prior to the session, inviting them to confirm their participation.
3. The Draft Provisional agenda shall remain open for amendments from the Member's representatives and Observers for the seven days after its distribution. Within the same deadline, the ReSPA Secretariat shall be notified of whether the Members, Observers or other participants, will attend the session.

Article 18 Provisional agenda and materials

1. The ReSPA Secretariat shall compile the amendments and circulate the Provisional agenda, the reports it will present to the session, reports submitted by Members and Observers and any other documents requested by the Governing Board including the draft decisions under consideration at the session, at least 21 day prior to the session.
2. The Provisional agenda shall include:
 - a) All matters due for consideration pursuant to the ReSPA Agreement;
 - b) Any matter the inclusion of which has been decided by the Governing Board at a prior session;
 - c) Any matter proposed by a Member, or an Observer; and
 - d) Any item that the Director considers desirable for the Governing Board to consider.

3. Questions and clarifications on particular items in the Provisional agenda, that may require the preparation of additional materials, shall be communicated in writing to ReSPA Secretariat at least 14 days prior to the session.

4. The Chair of the Governing Board shall make decisions in relation to the preparation of any extraordinary session. The Provisional Agenda for an extraordinary session shall be limited to the matters contained in the Decision convening the said extraordinary session.

V Conduct of the session

Article 19 General Powers of the Chair

1. In addition to exercising the powers conferred upon the Chair elsewhere in these Rules, the Chair shall declare the opening and closing of each meeting of the Governing Board, direct the discussions, ensure observance of these Rules, grant the right to speak, put questions to the vote and formally declare decisions made. The Chair, subject to these Rules, shall have complete control of the proceedings of the Governing Board and the maintenance of order at its meetings. He/she shall rule on points of order. He/she may propose to the Governing Board the closure of the list of speakers, a limitation of the time to be allowed to speakers, the adjournment or closure of the debate and the suspension or adjournment of a meeting. The Chair shall, in particular, ensure the clear and concise formulation of proposal being decided upon.

2. The Chair, in the exercise of his/her functions, is subject to the authority of the Governing Board.

Article 20 Opening and adoption of Agenda

1. The Chair of the Governing Board shall declare a session as open as soon as he/she confirms that a quorum is present, based on the List of Attendance, which shall be prepared by the Director for each session.

2. Before the adoption of the Agenda, a Governing Board Member, Observer or the Director may table additional item(s) for discussion and decision provided that he/she provides a reasonable justification for the necessity to consider such item for the urgent consideration.

3. The Governing Board shall adopt the Agenda of the meeting, based on the Provisional Agenda and any supplementary items proposed and agreed for the meeting.

Article 21 Points of order

During the discussion of any matter, a Member may raise a "point of order". The "point of order" shall be immediately decided by the Chair in accordance with these Rules. A Member may appeal against the ruling of the Chair, but may not speak on the substance of the matter under discussion. The appeal shall be immediately put to a vote, and the ruling of the Chair shall stand, unless overruled by a majority of the Members in attendance at the meeting.

Article 22 Speeches

No person may address the Governing Board without having previously obtained the permission of the Chair. The Chair may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

Article 23 Adjournment or closure of debate or meeting

1. During the discussion of any matter, a Member may initiate the adjournment or closure of the debate on the item under discussion. Permission to speak on the adjournment of the debate shall be accorded only to a Member opposing the motion, after which the procedural motion shall be immediately put to the vote.
2. During the discussion of any matter, a Member may initiate the suspension or the adjournment of the meeting. Such a motion shall be immediately decided upon.

VI Decision making

Article 24 Governing Board Decisions

1. Each Governing Board Member shall have one vote.
2. The Governing Board shall decide by Resolutions on matters within its competencies as by the Article 15(1) of the Agreement on the Establishment of ReSPA.
3. Resolutions shall be adopted by unanimity of all Members of ReSPA, except a Resolution deciding on the extension of the ReSPA Agreement, which shall require the agreement of 2/3 of all Members of ReSPA.
4. The Governing Board shall make other Decisions in line with its other responsibilities under Article 15 and other provisions of the Agreement on Establishment of ReSPA. The Governing Board shall strive to make Decisions by consensus. If the Governing Board cannot achieve consensus the Decision shall be taken with the agreement of all Members of ReSPA.

Article 25 Voting proposals and amendments

1. Voting shall take place based on the draft Resolution or Decision prepared by ReSPA Secretariat prior to the session or on a clearly formulated proposal in writing from a Member in relation to the item in Agenda.
2. A Member may request that parts of a proposal, or any amendment to a proposal, should be voted on separately. If an objection is made to the request for such division, a motion requiring such division shall be voted upon.

3. Permission to speak on the motion for division shall be given to only one Member in favour of the motion and one Member opposed to the motion. If the motion for division is carried, those parts of the proposal or amendment that are subsequently approved shall be put to a vote as a whole. If all operative parts of the sustentative proposal, or of any amendment thereto, have been rejected, the proposal, or the amendment, shall be considered to have been rejected as a whole.

Article 26 Voting on proposals and amendments

1. If two or more proposals relate to the same question, the Governing Board, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Governing Board may, after each vote on a proposal, decide whether or not to vote on the next proposal.

2. When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Governing Board shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed, and so on, until all the amendments have been put to a vote.

3. Where, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

4. A motion is considered as an amendment to a proposal if it adds to, deletes from, or revises part of the proposal.

Article 27 Voting at the session

1. The Governing Board shall vote by a show of hands.

2. A Member may request a recorded roll-call vote. The roll-call vote shall be taken in the English alphabetical order of the names of Members, beginning with the name of the Member drawn by lot.

3. A Governing Board Member unable to attend the session shall strive to provide the position and vote of its ReSPA Member on the basis of the Provisional agenda prior to the session, but at latest within the three days from the receipt of the Minutes from the meeting. After this deadline, no response from the said Member shall be considered as approval providing that receipt of email or official letter has been confirmed.

4. The Chair of the Governing Board shall inform its Members on the outcome of any such voting.

5. Decisions adopted at the session shall be effective as of the date of the meeting and/or as of the deadline date for voting by the absent Governing Board Members in accordance with this Rule.

Article 28 Conduct of voting

1. After the Chair has announced the beginning of voting, no Member shall interrupt the voting except to raise a point of order in relation to the actual conduct of the voting. The Chair may permit Members to explain the reason for their votes, either before or after the voting.

Article 29 Voting by written procedure

1. The Governing Board may adopt Resolutions and other Decisions between sessions by written procedure. The Chair shall decide whether a matter warrants a decision being made between sessions of the Governing Board and, if so, whether and under what circumstances provision should be made to permit amendments to the proposed Resolution or Decision.
2. If the Chair decides to seek a vote by written procedure he/she shall instruct the Director to transmit the proposed Resolution or Decision to all Members and in so doing Chair shall provide a precise deadline for return of Member's vote(s). No response from the voting Members shall be considered as approval, unless decided otherwise and providing that receipt of email or official letter has been confirmed.
3. The Chair and the Director shall jointly verify votes cast by correspondence or by electronic means and the Chair shall inform Members of the result.
6. Decisions adopted by the written procedure shall be effective from the deadline established for voting, as fixed by the Governing Board Chair.

VI Meeting evidence and Reporting

Article 30 Minutes of Meetings

1. A record of discussions and the decision making of the Governing Board shall be registered in the Minutes and Report of its sessions.
2. The ReSPA Secretariat shall prepare and, with the agreement of the Chair, circulate Draft Minutes from the Governing Board session within the three days of the end of the meeting. The draft minutes shall be addressed to the Governing Board at the level that held the meeting, their substitutes, Observers and other Participants in the meeting.
3. The Draft Minutes shall provide:
 - a) an outline of the discussion on each agenda item, and
 - b) a record of all Resolutions and Decisions adopted.
4. The individual views of a Member shall be recorded separately, upon their request.
5. Governing Board Members, Observers or other Participants shall provide their comments on the Draft Minutes by the written procedure within the 7 days of its receipt. No response from a Governing Board Member shall be considered as approval of the Minutes.

Article 31 Report

1. Within the 14 days following the approval of the minutes, the Secretariat shall prepare and circulate a Report of the session of the Governing Board and its subsidiary bodies, The Report shall summarize approved decisions and include the text of all Resolutions and Decisions adopted during that session.
2. The report shall be circulated to Governing Board Members at ministerial and senior official level, Observers and other meeting Participants and may be published on the web site of ReSPA unless otherwise decided.

VI. Miscellaneous

Article 32 Regulations for financial and personnel administration

1. The Governing Board shall establish Financial Regulations for the financial administration of ReSPA.
2. The Governing Board shall establish Staff Regulations governing the Secretariat of ReSPA and its technical and service employees.
3. No Resolution, or other Decision, involving expenditure shall be recommended for approval by the Governing Board unless it is accompanied by an estimate of expenditures prepared by the Director.

VII Final provisions

Article 33 Amendments

1. Any Member of the Governing Board may propose amendments to the Rules of Procedure.
2. The Rules of Procedure may be amended by Resolution of the Governing Board on the basis of the proposed amendment.

Article 34 Entry into force

These Rules of Procedure shall enter into force when adopted by a Resolution of the Governing Board.

Rules of Procedure of the ReSPA Governing Board

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