

# Internal Rules of the COST Association

Brussels, 14 September 2016



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## PREAMBLE

European Cooperation in Science and Technology is an inter-governmental framework for coordination of research activities established through an exchange of letters initiated by the President of the Council of the European Communities on 4 November 1969 and 24 July 1970, and the Resolution of 22-23 November 1971 by the Conference of European Research Ministers, and as subsequently developed by further COST Ministerial Conferences.

The COST Member States agreed to the Recommendation of the Committee of Senior Officials<sup>1</sup> to implement COST through a legal entity under the legal form of an International not-for-profit organisation under Belgian Law (Association Internationale sans But Lucratif – AISBL / Internationale Vereniging zonder winstoogmerk – IVZW / Internationale Vereinigung ohne Gewinnerzielungsabsicht - IVoG), the COST Association AISBL, (hereinafter "COST Association" or in short "COST") and every European Minister responsible for European Cooperation in Science and Technology adopted the Resolution on 6 September 2013<sup>2</sup>. The COST Association, on 19 September 2013, integrated the COST governance and executive bodies in the existing COST Office Association and replaced the previous arrangements as set out in the 1970 exchange of letters and the Ministerial Resolution of 22-23 November of 1971<sup>3</sup>. In doing so, the COST Member States agreed to the Recommendation of the CSO to use the existing COST Office Association with registered office in 1050 Brussels, Avenue Louise 149 and registered at the Crossroads Bank for Enterprises under the number 829.090.573 with revised Statutes and a new name as a basis for the COST Association.

The COST Association serves the COST mission according to principles of good governance, operates according to the principles of efficiency, effectiveness as well as ensures sound, lean and cost-effective management; it builds on the applicable Code of Conduct<sup>4</sup> values of integrity, excellence, transparency and commitment detailed in Annex 1 to the present Internal Rules and secures the management of funds through high quality accountability and financial auditing measures; it allows for taking appropriate measures to prevent irregularities and fraud and not entail any unnecessary costs to COST Members.

To guarantee these key principles, the governing bodies and administration are integrated in the COST Association; roles and responsibilities are clearly defined as to assure the stability and continuity necessary for an effective implementation of COST Members' interests. The Statutes of the COST Association entrust the CSO to approve Internal Rules of the COST Association.

Against this background the Internal Rules of the COST Association are approved as follows:

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<sup>1</sup> Doc. COST 4162/12 CSO Recommendation on the COST New Implementing Structure (NIS) during the next Framework Programme (Horizon 2020).

<sup>2</sup> Doc. COST 4117/13- Resolution on COST adopted by the European Ministers responsible for European Cooperation in Science and Technology.

<sup>3</sup> Doc. COST/40/72 General Resolution of the Ministerial Conference for European Cooperation in Science and Technology (COST), - November 1971, COST/40/72, Brussels 22 March 1972.

<sup>4</sup> Doc. COST 081/15- COST Code of Conduct, Brussels 18-19 November 2015.

## CHAPTER 1 – PURPOSE AND SCOPE OF THE INTERNAL RULES – HIERARCHY OF NORMS

### ARTICLE 1 – PURPOSE AND SCOPE

- (1) The purpose of the present Internal Rules is to implement and further detail the Statutes of the COST Association with a view to ensure that the COST Association is equipped with the necessary tools to pursue and fulfill its purpose, activities and mission.
- (2) The present Internal Rules establish (i) the governance and operating structure of the COST Association, (ii) the financial regulations and (iii) regulations about the implementation of COST Activities to be followed by anyone involved in the implementation of the European Cooperation in Science and Technology.

### ARTICLE 2 – HIERARCHY OF NORMS

- (1) CSO decisions further detail the Statutes with regard to the overall strategy and policies of the COST Association, the operation of the COST Activities, the COST Fund and the COST Implementation Rules.
- (2) Executive Board decisions further detail the Statutes with regard to the management of the COST Association including administrations, organisation, human resources and financial management of the COST Association.
- (3) Guidelines, Procedures and Vademecums further detail the CSO or Executive Board decisions. Guidelines, Procedures and Vademecums and any amendments thereto may be drawn up as well as preliminarily decided by the Director and shall enter into force upon final adoption by the Executive Board.
- (4) The following hierarchy of norms applies within the COST Association:
  - a) Statutes;
  - b) Internal Rules;
  - c) CSO decisions;
  - d) Executive Board decisions;
  - e) Guidelines, Procedures and Vademecums;
  - f) Other Rules.

In the case of any contradiction between two (2) or more norms of the COST Association of a different level, the norm mentioned in the higher level shall prevail over the norm mentioned in the lower level of the above mentioned hierarchy of norms.

In the case of any contradiction between two (2) or more norms of the COST Association of the same level, the most recently adopted norm shall prevail over any formerly adopted norm.

## CHAPTER 2 – DEFINITIONS – AFFIRMATION OF VALUES – CONFIDENTIALITY

### ARTICLE 3 – DEFINITIONS

For the purpose of the present Internal Rules the following definitions shall apply:

- **"3/4 Majority"** is reached if a proposal has the support of a majority of three-quarters ( $\frac{3}{4}$ ) of the votes of the COST Full Members present, represented or participating in the meeting. Abstentions, blank or invalid votes are recorded in the final counting of votes, but do not count in the calculation of the majority.
- **"2/3 Majority"** is reached if a proposal has the support of two thirds ( $\frac{2}{3}$ ) of the votes of the COST Full Members present, represented or participating in the meeting. Abstentions, blank or invalid votes are recorded in the final counting of votes, but do not count in the calculation of the majority.
- **"Absolute majority"** is reached when a proposal obtains fifty (50) % + one (1) of the favorable votes. Abstentions, blank or invalid votes are recorded in the final counting of votes, but do not count in the calculation of the majority.
- **"Action Memorandum of Understanding"** means the agreement accepted by a minimum of five (5) different COST Full Members or COST Cooperating Members describing the COST Action objectives. This document has to be accepted by any additional COST Member joining the COST Action.
- **"Agreements with the European Commission"** means the agreements or contracts signed between the COST Association and the European Commission. Currently under Horizon 2020, the COST Association has signed a Framework Partnership agreement for the duration of Horizon 2020 and several Specific Grant Agreements.
- **"Association"** means COST Association AISBL as defined in article 1 of the Statutes.
- **"Bodies"** means the CSO, Executive Board, the President, the Vice-President and the Director of the COST Association.
- **"Calendar of Presidency"** has the meaning as defined in article 20, (1) of the Statutes.
- **"Call for Interest"** has the meaning as defined in article 20, (1) of the Statutes.
- **"Confidential Information"** means all information, analyses, compilations, studies, documents or material (whether orally, in written form, in electronic form or through any other media) relating to the COST Association, its business, operations or finances which are internally discussed or disclosed within the COST Association or which the CSO or the Executive Board has decided to be confidential as well as all Sensitive Matters, provided that Confidential Information shall not include information or material which is part of the public domain or final documents and decisions of the bodies of the COST Association.
- **"COST"** means COST Association AISBL and its activities.
- **"COST Action"** means the COST pan-European networking instrument allowing researchers, engineers or scholars from COST Member States to develop jointly their ideas and new initiatives in a field or topic of common interest.
- **"COST Action Grant Agreement"** means the agreement between the COST Association and the Grant Holder that governs the administrative and financial implementation of the COST Action.
- **"COST Activities"** means all activities arising from COST Actions, as well as those related to international cooperation, communication activities and strategic initiatives.
- **"COST Administration"** means the staff members in charge of the administrative tasks and day-to-day operation of COST Activities and supporting and implementing CSO and Executive Board decisions under the authority of the Director.
- **"COST Implementation Rules"** means the rules and principles governing all COST Activities established in a series of documents approved by the Executive Board or the CSO.
- **"COST Members"** has the meaning as defined in article 5 of the Statutes.
- **"COST Cooperating Member"** has the meaning as defined in article 7 of the Statutes.

- **"COST Full Member"** has the meaning as defined in article 6 of the Statutes.
- **"COST Partner Member"** has the meaning as defined in article 8 of the Statutes.
- **"COST Vademecum"** means the document containing the financial guidelines and regulations of COST Actions.
- **"CSO Delegate"** has the meaning as defined in article 15 of the Statutes.
- **"CSO Representative"** has the meaning as defined in article 7, (3), (i) of the Statutes.
- **"CSO Observers"** means COST Cooperating Members, the European Commission representative as well as any other third party participating pursuant to article 15, (2) of the Statutes or article 8 of the present Internal Rules in the CSO meeting.
- **"COST Strategy and Policies"** means the set of documents approved by the CSO that sets the strategy (mission, objectives, actions, indicators and timeline to reach them) and the policy objectives and guidelines to achieve them (policies).
- **"External Statutory Auditor"** means the auditor appointed by the COST Association in compliance with the legal requirement provided for in article 53, §5 of the Belgian Law of 27 June 1921 pertaining to not-for-profit organisations, international not-for-profit organisations and foundations.
- **"Evaluator"** means a person involved (i) in the evaluation procedures, such as an external expert or a Review Panel member, or (ii) in the monitoring and final evaluation of the COST Actions.
- **"Executive Board Observers"** means the European Commission representative as well as any other third party participating pursuant to article 23, (4) of the Statutes or article 23 of the present Internal Rules in the Executive Board meeting.
- **"Grant Holder"** means an established legal entity, of which one (1) of the Management Committee (MC) members of the COST Action must be affiliated to and elected by the Management Committee, responsible to oversee the financial management and the various coordination tasks required to successfully support the implementation of approved COST Action and related activities. The Grant Holder must be a legal entity under national, international, public or private law. It cannot be an individual. The Grant Holder must ensure that all approved activities are implemented in line with Management Committee decisions.

Decisions must be made in accordance with the relevant set of COST Implementation Rules, the rules detailed in the COST Vademecum and the terms and conditions contained within the COST Action Grant Agreement.

- **"Interested Person"** means any Executive Board member, the Director, any Committee member, ad hoc Working Group member, Head of Unit or key staff member who has a personal Patrimonial or Moral Interest.
- **"Interim Director"** means a natural or legal person appointed by the Executive Board to take over the tasks of the Director for a short and if possible limited period of time in case of vacancy of the position of the Director or if the Director is for reasons or circumstances beyond her/his control prevented from fulfilling her/his function.
- **"Minutes of Meeting"** means the written record of meetings, particularly of the CSO and the Executive Board including an extensive record of all decisions taken at the respective meetings.
- **"Moral Interest"** means an interest based (a) on a person's values, political, philosophical, and religious convictions or any other personal convictions, (b) on persons' affective relationships or friendships.
- **"Patrimonial Interest"** means an interest of monetary value of a person who has directly or indirectly through business, investment or family: (a) an ownership or investment interest in any legal entity with which the COST Association has or plans to have a transaction or arrangement, (b) a compensation arrangement with the COST Association or with any entity or individual with which the COST Association has or plans to have a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial, such as any (1) consultancy, directorship, position in or work which attracts regular or occasional

payments in cash or kind or (2) fee-paid work – any work commissioned for which the member is paid in cash or in kind.

- **“Presidency”** has the meaning as defined in article 20, (1) and (2) of the Statutes.
- **“Proposer”** means any person mentioned as participant in the preparation of the proposal for a COST Action submitted to evaluation who is affiliated to an institution (university, research center, R&D department of a company).
- **“Review Panel”** means the panel of experts selected from a pool of active researchers, engineers or scholars, nominated by the COST National Coordinators. The Review Panels will mainly be in charge of checking the quality of the independent external expert evaluation outcome and resolving potential differences in their opinions.
- **“Sensitive Matters”** means any matter that relates to personal issues or that has been treated as such in a CSO meeting or in an Executive Board meeting.
- **“Statutes”** means the Statutes of the Association adopted by the CSO and entered into force according to article 50, Para. 3 and article 51, Para.3 of the Law of 27 June 1921.
- **“Summary of Conclusions”** means a written summary of the main decisions taken at CSO and Executive Board meetings.

#### ARTICLE 4 – AFFIRMATION OF VALUES – CODE OF CONDUCT

- (1) COST aims at building capacity among high-quality scientific research communities by supporting their integration through its inclusiveness and bottom-up approach, to leverage national research investments, to address issues of global relevance, and increase the impact of science and technology. COST recognises that the value and benefits of research are vitally dependent on the integrity of research and researchers. While there can be and there are national and disciplinary differences in the way research is organised and conducted, COST recognises that the following principles and professional responsibilities are fundamental to the integrity of research whenever and wherever undertaken:
  - a) Integrity through (i) prevention and management of conflicts and potential conflicts of interest, (ii) accuracy and completeness of the financial reports and accounting records; (iii) awareness of and adherence to regulations;
  - b) Excellence through (i) establishment of an environment that encourages quality and merit; (ii) selection and evaluation based on qualifications and performance; (iii) guaranteeing equal opportunities; (iv) sound lean and cost-effective financial management of public funds; (v) objective and impartial scientific management; (vi) best practice for ensuring originality;
  - c) Transparency through (i) fair, honest and open communication; (ii) appropriate and lawful handling of information: respecting confidentiality; (iii) accessibility of research results;
  - d) Commitment through (i) protection and safety; (ii) safeguarding of confidential information: right to privacy and use of personal data; (iii) responsible and professional use of the electronic communication technologies; (iv) responsible partnerships and proactive, appropriate participation in public and political debates.
- (2) COST funds networking activities in the field of science and technology destined only for peaceful purposes; any funding of activities related to sensitive technology development, armament or defense oriented research, should be avoided.



## ARTICLE 5 – CONFIDENTIALITY

- (1) The CSO Delegates, CSO Representatives, contact persons of COST Partner Members , the members of the Executive Board, the President, the Vice-President, the Director or any other staff member or external stakeholder involved in the activities of the CSO, the Executive Board or any other Committee for advisory purposes or ad hoc Working group, shall be responsible for maintaining the confidentiality of Confidential Information sent to them in the frame of their duties related to COST and for returning, erasing or destroying all Confidential Information or files upon completing the duties, unless otherwise instructed.
- (2) All individuals involved in COST Activities, including COST Actions and Scientific Committee activities, must commit to confidentiality of Confidential Information.
- (3) Experts assisting in the evaluation of proposals for COST Actions, must commit to confidentiality of Confidential Information and sign a declaration of non-conflict of interest.

In particular the Evaluator has the following duty of confidentiality:

- a) Treat confidentially any information and documents, in any form (i.e. paper or electronic), disclosed in writing or orally in relation to the performance of the evaluation;
  - b) Not disclose, directly or indirectly, Confidential Information or documents relating to proposals or applicants, without prior written approval of the COST Association;
  - c) Not discuss any proposal with others, including other evaluators or staff not directly involved in evaluating the proposal, except with the proposal rapporteur or during the formal discussion at a dedicated evaluation meeting;
  - d) Not disclose any detail of the evaluation process and its outcomes or of any proposal submitted for evaluation for any purpose other than fulfilling their tasks as evaluator;
  - e) Not disclose the names of other experts participating in the evaluation;
  - f) Not communicate with Proposers on any proposal during or after the evaluation.
- (4) The confidentiality of Confidential Information does not affect the necessary discussion at the COST Members level (ministries/agencies).

## **CHAPTER 3 – GOVERNANCE BODIES AND OPERATING STRUCTURE**

### **SECTION 3.1 COMMITTEE OF SENIOR OFFICIALS (CSO)**

#### **ARTICLE 6 – CSO COMPOSITION**

- (1) As per article 15 of the Statutes each COST Full Member may appoint up to two (2) natural persons to act as CSO Delegates. Written notice of appointment, resignation or replacement of the CSO Delegates shall be sent by the competent national authority of the concerned COST Full Member to the President with copy to the Director of the COST Association.
- (2) Such notification must indicate the date from when such decision will become effective and provide the name and contact details of the CSO Delegate(s) concerned. If the date of appointment, resignation or replacement is not indicated, the appointment, resignation or replacement will become effective upon receipt of the written notice by the President of the COST Association.
- (3) Appointment and replacement of CSO Delegates are discretionary powers of the COST Full Member. The appointment of the CSO Delegates is to be renewed every six (6) year. COST Full Members adhere to ensure the two (2) appointed CSO Delegates are representatives from the relevant government department responsible for Research & Innovation, from a funding agency or an institution entrusted by the relevant Full Member's Government. Due to the inter-governmental nature of COST a CSO Delegate may not remain appointed once retired.

#### **ARTICLE 7 – ROLE AND RESPONSIBILITIES OF THE CSO DELEGATES**

- (1) The CSO Delegate shall represent the interests of the COST Full Member who appointed her/him.
- (2) The CSO Delegate shall participate actively in the CSO meetings.
- (3) CSO Delegates are bound to make the best endeavors to assist COST in fulfilling its mission. In doing so, the CSO Delegates contribute to the definition of COST Strategy and Policies, approve selected proposals to become COST Actions and discharge the functions and exercise the powers of the CSO such as stated in Article 14 of the Statutes.

#### **ARTICLE 8 – PARTICIPATION OF THIRD PARTIES TO CSO MEETINGS**

- (1) At least once a year, normally in connection with a regular CSO meeting, the CSO will meet with the Chairmanship or other representatives of the Scientific Committee.
- (2) The CSO, the President or the Executive Board may decide to invite any other natural person or legal entity to the CSO meetings or part of the CSO meetings, as observer and without voting right. The names of the natural persons and/or legal entities are communicated to the COST Full Members with the calling notice for the CSO meeting.

- (3) Approval of attendance of the natural persons and/or legal entities invited to the CSO meeting becomes effective if no more than one quarter (1/4) of the COST Full Members objects to such proposal until ten (10) calendar days before the CSO meeting.

#### ARTICLE 9 – CSO MEETING RULES

- (1) CSO meetings shall be convened by the President at least once and normally twice a year. The President relies on the support of the COST Administration for the preparation of the meeting, which includes but is not limited to supporting logistics of the meeting, sending calling notices and preparing documents relating to agenda items.
- (2) In its mission of deciding on the overall strategy and determining the policy of the COST Association, the CSO may devote part of one (1) of its meetings or organise a dedicated meeting to monitor and gather inputs from the Committees for advisory purposes and other ad hoc Working Groups as defined under Section 3.7. of the present Internal Rules and staff of the COST Administration.
- (3) Any request of one quarter (1/4) of the COST Full Members to convene an extraordinary meeting of the CSO must be sent to the President with copy to the COST Administration at least sixty (60) calendar days before the desired date. In all cases the President must convene the extraordinary meeting and shall send the calling notice according to article 16, (1) of the Statutes.
- (4) The provisional agenda of CSO meetings shall be prepared by the President with the support of the COST Administration and shall be sent to the Executive Board for revision and endorsement. A copy of the provisional agenda is sent preferably by e-mail to CSO Delegates who can ask for clarification on specific agenda items and/or suggest adding agenda items. After revision from the Executive Board the agenda is sent to all COST Members and CSO Observers at least fourteen (14) calendar days before the CSO meeting.
- (5) The Director of the Association shall bring to the attention of the Executive Board and of the President issues that she/he considers should be discussed at CSO meetings and which for that reason should be included in the agenda of such meetings, and/or for which a decision is needed.
- (6) CSO Delegates are entitled to propose a modification of the agenda before adopting its final version at the beginning of the CSO meeting.
- (7) Documents relating to agenda items shall be made available to the COST Members and CSO Observers preferably by e-mail or any other acceptable written means of communication. Should emailing not be feasible, hard copies shall be sent within the deadline indicated in article 16, (1) of the Statutes by the COST Administration on behalf of the President to the COST Members and CSO Observers.
- (8) CSO Delegates and CSO Observers that cannot attend a CSO meeting shall inform the COST Administration with a copy to the President about their inability to be present at the meeting. As

per article 17, (11) of the Statutes, COST Full Members may send their electronic vote or their vote by correspondence by giving written instructions to the President at least one (1) hour before the starting time of the CSO meeting.

The President shall present their vote at the CSO meeting, unless the vote shall take place by secret ballot. In this case, the COST Full Members must send their written instructions by correspondence in a closed envelope addressed to the President who will not open it and hand it at the CSO meeting over to the vote counter in order to ensure the secrecy of the ballot.

- (9) As per article 17, (12) of the Statutes, the CSO may vote in a ballot without personal meeting of the COST Full Members.

The President with the support of the COST Administration launches the written decision-making procedure by sending the calling notice including a text of the proposal or a draft document and all supporting documents for decision-making purposes to all COST Full Members who can make comments or vote within an established deadline for voting.

The voting period within the written decision-making procedure lasts at least six (6) calendar days, unless decided otherwise by the President, Vice-President, Executive Board or the CSO.

After expiration of the deadline of voting the COST Administration closes the written decision-making procedure and informs the COST Full Members within seven (7) calendar days of the results of the written decision-making procedure.

Any request for decision in a scheduled CSO meeting according to article 17, (12), Para. 3 of the Statutes must be submitted at least twenty-four (24) hours before the expiration of the voting deadline.

- (10) Summary of Conclusions will be sent for information to the COST Full Members and CSO Observers and, as the case may be, to any other participant to the CSO meeting upon respective ad hoc decision of the President, within three (3) working days after the CSO meeting.

- (11) A copy of the Minutes of Meeting will be made available for comments to the COST Members and CSO Observers and, as the case may be to any other participant to the CSO meeting upon respective ad hoc decision of the President, within twenty-one (21) calendar days of the meeting.

The final Minutes of the CSO meeting shall be approved at the following CSO meeting.

- (12) The COST Administration may prepare a press release.

## SECTION 3.2 PRESIDENT

### ARTICLE 10 – ROTATING PRESIDENCY

- (1) The CSO will timely launch a Call for Interest for the Presidency among the COST Full Members with an indication of the workload and the level of resource demand for the position of the President.
- (2) Based on the results of the Call for Interest for the Presidency the Executive Board will prepare a balanced and appropriate Calendar of Presidency for the next three (3) Presidencies which will be submitted by the Executive Board to the CSO for decision. Before expiration of the last Presidency the CSO shall call for reconfirmations as well as new interests for the coming Presidencies.

### ARTICLE 11 – APPOINTMENT OF THE PRESIDENT

- (1) The President is appointed by the COST Full Member which holds the Presidency according to the Calendar of Presidency as per article 20, (1) of the Statutes from among its CSO Delegates.
- (2) Upon her/his appointment as President, the President ceases to hold a position as CSO Delegate and the COST Full Member State of origin of the President may appoint a new CSO Delegate according to article 6 of the present Internal Rules.

### ARTICLE 12 – DEATH, LEGAL DISQUALIFICATION OR RESIGNATION OF THE PRESIDENT

- (1) In case of death, legal disqualification or resignation of the President, the vacancy shall be filled in accordance with article 20, (4), Para. 3 of the Statutes.

### ARTICLE 13 – ROLE, RESPONSIBILITIES AND POWERS OF THE PRESIDENT

- (1) The President shall be responsible for the overall guidance of the CSO in its political and strategic tasks and that the CSO exercises its powers as set out in article 14 of the Statutes. She/he shall exercise the powers that have been formally assigned to her/him by the Statutes or delegated to her/him by the CSO or the Executive Board.
- (2) Amongst others the responsibilities of the President as described in article 20, (5) of the Statutes shall include, but are not limited to the following:
  - a) To chair and organise the work of the CSO in cooperation with the Executive Board;
  - b) To ensure that CSO meetings are conducted in accordance with the Statutes and the Internal Rules;
  - c) To coordinate the agenda of the CSO meeting;

- d) To coordinate the drafting of CSO strategic or policy papers;
  - e) To monitor the documents that will be provided to the COST Full Members and the CSO Observers for the CSO meeting;
  - f) To monitor the presentations for the CSO meetings in order to increase the clarity and time-efficiency;
  - g) To allocate time for the interventions of all COST Full Members and draw proposals for conclusion(s) of each agenda item based on the discussion facilitating the decision-making process during the CSO meeting;
  - h) To approve Summary of Conclusions of CSO meetings prior to their distribution to the COST Full Members and CSO Observers;
  - i) To monitor the drafting of Minutes of Meeting of CSO meetings prior to their distribution to the COST Members and the CSO Observers;
  - j) At the end of her/his mandate and in order to ensure a smooth transition of her/his office, to prepare and to hand over to her/his successor in the position of President a written report of the activities in which she/he has been involved as President and, in general, to pass on to her/his successor any and all files or necessary information that will enable the next President to carry out her/his office with full background knowledge and in the best interest of the Association.
- (3) The President may delegate preparatory work for CSO meetings to individual CSO Delegates. Such delegation of preparatory work for CSO meetings shall take place in consultation with the Vice-President, if the concerned CSO Delegate holds simultaneously a position as Executive Board member.
- (4) The President is the highest representative of the COST Association in policy and strategic matters and represents the CSO and thereby the COST Association towards the scientific community and external institutions, unless otherwise provided for in the Statutes or the present Internal Rules.

#### ARTICLE 14 – RIGHTS AND DUTIES OF THE PRESIDENT

- (1) The President has the right to vote at Executive Board meetings.
- (2) The President has no voting right at CSO meetings.
- (3) The President does not represent her/his COST Full Member States' interest neither in the Executive Board meeting nor in the CSO meetings.
- (4) The President discharges her/his functions in the sole benefit and in the best interest of the COST Association.
- (5) The President shall make the best endeavours to ensure the fulfilment of the COST mission.

- (6) The President shall make the best endeavours to ensure the implementation of the COST Strategy and Policies and its action plan(s).
- (7) The President is under the supervision of the CSO. She/he will report to the CSO orally at every CSO meeting. In particular, the President shall report to the CSO on the following:
  - a) Any action taken in the exercise of her/his powers and responsibilities towards EU Institutions or scientific communities;
  - b) Relevant meetings with EU Institutions or COST Members, their aim and results;
  - c) Participation to high level conferences, seminars or others where she/he is representing COST.

#### ARTICLE 15 – REVOCATION OF THE PRESIDENT

- (1) In case of negative or low performance of the President, the CSO can revoke the President according to article 20, (4) of the Statutes.

### SECTION 3.3 VICE-PRESIDENT

#### ARTICLE 16 – ELECTION OF THE VICE-PRESIDENT

- (1) The Vice-President is elected from the CSO Delegates according to article 21, (1) and (2) of the Statutes as well as in compliance with the voting procedure stipulated in Chapter 4 of the present Internal Rules.
- (2) Upon election of the Vice-President, the COST Full Member State of origin of the Vice-President may appoint a new CSO Delegate according to article 6 of the present Internal Rules or allow the Vice-President to combine her/his office of Vice-President with her/his office of CSO Delegate.

#### ARTICLE 17 – ROLE, RESPONSIBILITIES AND POWERS OF THE VICE-PRESIDENT

- (1) The Vice-President shall be responsible for the overall guidance of the Executive Board and that the Executive Board exercises its powers as set out in article 22 of the Statutes. She/he shall exercise the powers that have been formally assigned to her/him by the Statutes or delegated to her/him by the Executive Board.
- (2) Among others the responsibilities of the Vice-President shall be, but are not limited to the following:
  - a) To chair and organise the work of the Executive Board in cooperation with the COST Administration;

- b) To ensure that Executive Board meetings are conducted in accordance with the Statutes and the Internal Rules;
  - c) To coordinate the agenda of the Executive Board meeting;
  - d) To coordinate the drafting of Executive Board reports and recommendations to the CSO;
  - e) To monitor the documents that will be provided to the Executive Board members;
  - f) To monitor the presentations for Executive Board meetings;
  - g) To allocate time for the intervention of the Executive Board members and draw proposals for conclusion(s) of each agenda item based on the discussion facilitating the decision-making process during the Executive Board meeting;
  - h) To approve Summary of Conclusions of Executive Board meetings prior to their distribution to the Executive Board, the Executive Board Observers and the CSO;
  - i) To monitor the draft of the Minutes of Meeting of the Executive Board meetings prior to their distribution to the Executive Board members and the Executive Board Observers;
  - j) To supervise the administration of the COST Fund by the COST Administration and to represent the COST Association towards the COST Full Members regarding the administration of the COST Fund.
- (3) The Vice-President may delegate preparatory work for meetings to individual Executive Board members or groups of members of the Executive Board.
- (4) The Vice-President is empowered to commit and approve for payment from the COST Fund any expenditure of the COST Association falling within the running annual budget up to a limit of EUR 20 000 per single transaction pursuant to article 40, (5) of the present Internal Rules.

#### ARTICLE 18 – RIGHTS AND DUTIES OF THE VICE-PRESIDENT

- (1) The Vice-President has the right to vote at Executive Board meetings. In case of tie vote, the Vice-President shall have the casting vote.
- (2) The Vice-President has in her/his capacity as Vice-President no voting right at CSO meetings except when she/he is also representing the COST Full Member of her/his State of origin as CSO Delegate at the CSO meeting.
- (3) The Vice-President does not represent her/his COST Full Members' State of origin's interest in the Executive Board meetings. The representation of her/his COST Full Members' State of origin's interest shall only be exercised at the CSO meetings when the Vice-President is not acting in her/his capacity as Vice-President, but in her/his capacity as CSO Delegate according to article 6 of the present Internal Rules.



- (4) The Vice-President discharges her/his functions in the sole benefit and in the best interest of the COST Association.
- (5) The Vice-President shall make the best endeavours to ensure the fulfilment of the COST mission and the timely preparation of the financial reports as well the appropriate implementation of the CSO and Executive Board decisions.
- (6) The Vice-President is under the supervision of the CSO. She/he shall report orally to the CSO at every CSO meeting about the decisions taken and the work performed by the Executive Board.

When appropriate, the Vice-President shall report to the CSO on the following powers and responsibilities of the Executive Board:

- a) Supervision and monitoring of the implementation of CSO decisions;
- b) Monitoring of the budget management and the implementation of COST Activities;
- c) Supervision of fulfilment of legal and financial requirements, including due fulfilment of accounting requirements, preparing of the annual accounts and the budget;
- d) Supervision on the work of the COST Administration;
- e) Supervision on the appointment and dismissal of staff of the COST Administration.

#### ARTICLE 19 – REVOCATION OF THE VICE-PRESIDENT

- (1) In case of negative or low performance of the Vice-President, the CSO can revoke the President according to article 21, (3) of the Statutes.

### SECTION 3.4 EXECUTIVE BOARD

#### ARTICLE 20 – EXECUTIVE BOARD COMPOSITION

- (1) The Executive Board is composed of at least six (6) and maximum eight (8) Executive Board members including the President and the Vice-President of the Association.
- (2) Candidates for the election to membership of the Executive Board other than the President or the Vice-President, shall send a formal candidature including a Curriculum Vitae as well as a support letter from the COST Full Member State of origin of the candidate to the President with a copy to the COST Administration at least fourteen (14) calendar days before the CSO meeting at which the election will take place.

The election must comply with the majority requirements detailed in article [(17)]<sup>5</sup>, (5) and (6) of the Statutes and the voting procedure stipulated in Chapter 4 of the present Internal Rules.

- (3) Without prejudice to article 11, (2) and article 16, (2) of the present Internal Rules, upon her/his election, the Executive Board member maintains her/his position as CSO Delegate of her/his respective COST Full Member State of origin according to article 6 of the present Internal Rules.

## ARTICLE 21 – POWERS AND RESPONSIBILITIES OF THE EXECUTIVE BOARD

- (1) The Executive Board has all the power of management and administration of the COST Association. In particular, the Executive Board shall direct the COST Association and ensure general management in accordance with the applicable laws and the decisions of the CSO.

The Executive Board shall exercise its financial powers and responsibilities as defined in the Statutes and in the Financial Regulations contained in Chapter 5 of the present Internal Rules, such as but not limited to drawing up the budget and the annual accounts of the COST Association for approval by the CSO.

- (2) The Executive Board shall with the support of the COST Administration prepare the work of the CSO and shall carry out tasks assigned to it by the CSO. All items on the agenda for a CSO meeting shall be examined in advance by the Executive Board, unless the CSO decides otherwise. The Executive Board shall, with the support of the COST Administration, ensure optimal presentation of files to the CSO.
- (3) Decisions of the Executive Board on items delegated to it by the CSO shall be entered in the Minutes of CSO meeting which takes place after the Executive Board decision.

## ARTICLE 22 – RIGHTS AND DUTIES OF EXECUTIVE BOARD MEMBERS

- (1) Without prejudice to articles 14 and 18 of the present Internal Rules, the Executive Board members have the rights and duties as set out in the present article 22 of the Internal Rules.
- (2) The Executive Board member has the right to vote at Executive Board meetings.
- (3) The Executive Board member has no voting right at CSO meetings when she/he is acting in her/his capacity as Executive Board member. The Executive Board member has only the right to vote at a CSO meeting when she/he is acting in her/his capacity as CSO Delegate representing the COST Full Member of her/his State of origin.
- (4) The Executive Board member does not represent her/his COST Full Members' State of origin's interest in the Executive Board meetings. The representation of her/his COST Full Members' State of origin's interest shall only be exercised at the CSO meetings when the Executive Board member is not acting in her/his capacity as Executive Board member, but in her/his capacity as CSO Delegate according to article 6 of the present Internal Rules.
- (5) The Executive Board member discharges her/his functions in the sole benefit and in the best interest of the COST Association.
- (6) The Executive Board member shall make the best endeavours to ensure the fulfilment of the COST mission.

- (7) The Executive Board members participate actively in the written work and discussions as well in the meetings of the Executive Board. She/he attends at least two (2) Executive Board meetings per year in person.

#### ARTICLE 23 – PARTICIPATION OF THIRD PARTIES TO EXECUTIVE BOARD MEETINGS

- (1) As per article 23, (4) and 26, (3) of the Statutes, the Vice-President or the Executive Board may decide to invite any other natural person or legal entity to participate ad hoc in meetings of the Executive Board, as observer without voting right.
- (2) Approval of attendance of the natural persons and/or legal entities invited to the Executive Board meeting becomes effective if no more than one quarter (1/4) of the Executive Board members objects to such proposal until seven (7) calendar days before the meeting.
- (3) The Vice-President shall invite once a year the members of the Risk, Compliance and Audit Committee and the External Statutory Auditor to participate in an Executive Board meeting in order to prepare the annual report of the External Statutory Auditor regarding the COST Association.

#### ARTICLE 24 – EXECUTIVE BOARD MEETING RULES

- (1) The Executive Board meets as often as it deems necessary, normally four (4) times a year. In any case, Executive Board meetings shall be held at least twenty-one (21) calendar days before each CSO meeting in order to prepare CSO meetings.
- (2) The invitation to the Executive Board meeting shall be sent by the Vice- President or, in her/his absence by the President to every Executive Board member in accordance with article 25, (1) of the Statutes. The Vice-President shall rely on the support of the COST Administration to organise the meeting.
- (3) Executive Board members or Executive Board Observers that cannot attend an Executive Board meeting shall inform the Vice-President with a copy to the COST Administration about their inability to be present at the meeting. As per article 26, (9) of the Statutes, Executive Board members may send their electronic vote or their vote by correspondence to the Vice-President at least one (1) hour before the starting time of the Executive Board meeting.
- (4) The Vice-President shall present their vote at the Executive Board meeting, unless the vote shall take place by secret ballot. In this case, the Executive Board member may only send her/his written instructions by correspondence in a closed envelope addressed to the Vice-President who will not open it and hand it at the Executive Board meeting over to the vote counter in order to ensure the secrecy of the ballot.
- (5) As per Article 26, (10) of the Statutes, the Executive Board may vote in a ballot without personal meeting of the Executive Board members.

The Vice-President with the support of the COST Administration launches the written decision-making procedure by sending a calling notice including the text of the proposal and all supporting documents for decision-making purposes to all Executive Board members who can make comments or vote within an established deadline.

The voting period within the written decision-making procedure lasts at least six (6) calendar days, unless decided otherwise by the Vice-President or the Executive Board. After expiration of the deadline of voting the COST Administration closes the written decision-making procedure and informs the Executive Board members of the result of the written decision-making procedure.

Any request for decision in a scheduled Executive Board meeting according to article 26, (10), Para. 3 of the Statutes must be submitted at least twenty-four (24) hours before the expiration of the voting deadline.

- (6) Summary of Conclusions will be sent for information to the Executive Board members and the Executive Board Observers and, as the case may be, to any other participant to the Executive Board meeting upon respective ad hoc decision of the Vice-President, within three (3) working days after the Executive Board meeting.
- (7) Minutes of meetings will be made available for comments to the Executive Board members and the Executive Board Observers and, as the case may be to any other participant to the Executive Board meeting upon respective ad hoc decision of the Vice-President, within twenty-one (21) calendar days after the meeting.
- (8) The final Minutes of the Executive Board meetings shall be approved at the following Executive Board meeting.

## **SECTION 3.5 DIRECTOR OF THE COST ASSOCIATION**

### **ARTICLE 25 – APPOINTMENT**

- (1) The Director shall be selected and appointed by the Executive Board following the applicable Recruitment Procedure of the Director approved by the Executive Board. This procedure shall be compliant with the Belgian employment laws.
- (2) The Executive Board shall inform the CSO of the appointment of the Director immediately after the signing of the contract between the new Director and the COST Association.

### **ARTICLE 26 – DISMISSAL OF THE DIRECTOR**

- (1) The Executive Board may terminate employment of the Director subject to the provisions of the Act of 3 July 1978 on Contracts of Employment.
- (2) As a consequence thereof, the contract of employment of the Director shall end automatically without serving any notice or payment of any indemnity, upon the expiry of the four (4) year term of the open-ended contract of employment.

(3) Notwithstanding the termination of the Director's employment foreseen under article 26, (2) of the present Internal Rules, the Executive Board may terminate the employment of the Director:

a) Upon notification of the statutory notice period or by payment of the statutory indemnity in lieu of notice, inter alia:

i. For economic reasons;

Dismissal for economic reasons means, under Belgian case law, the dismissal based on one or several grounds resulting from economic or financial difficulties encountered by the employer in its business or activities, regardless of the behavior or skills of the employee and of the cause for said difficulties.

ii. For low performance;

Low performance means performances which are below the level of performance expected from the Director, as detailed in the Director job description and in the Director role provided under Article 28 of the COST Statutes and article 28 of the present Internal Rules.

b) With immediate effect, without serving any notice or payment of any indemnity in lieu of notice, for serious misconduct. Serious misconduct means any serious fault or disagreement which renders the pursuance of the employment relationship immediately and impossible between the parties, as provided under Article 35 of the Act of 3 July 1978 on Contracts of Employment.

#### ARTICLE 27 – VACANCY OF THE DIRECTOR

(1) If the position of the Director becomes vacant, the COST Association will publish a public announcement of vacancy to replace the departing Director. If the recruitment of a new Director has not taken place by the last day of work of the departing Director, an Interim Director may be appointed by the Executive Board according to article 28, (3), Para. 4 of the Statutes to ensure continuity of operations until the new Director takes office.

(2) The Interim Director can be a natural person which is already part of the staff of the COST Association or an external natural person.

#### ARTICLE 28 – ROLES, RESPONSIBILITIES AND POWERS OF THE DIRECTOR

(1) The Director of the Association supports the COST Association, the CSO, the Executive Board, the President and the Vice-President in fulfilling the COST mission. She/he is responsible for the management of the COST Administration and its operations, within the framework of the decisions taken by the CSO and the Executive Board.

The Director of the Association shall with this regard inter alia:

- a) Operate in accordance with the overall strategies, policies and decisions taken by the CSO and the Executive Board in consultation with Vice-President;
  - b) Provide support and information to the CSO and the Executive Board among other in the implementation of values and monitoring of short and long-term goals;
  - c) Assist in preparing, organising and follow-up of CSO and Executive Board meetings in coordination with the Vice-President;
  - d) Submit a request to the Vice-President for calling upon Executive Board or CSO meetings, when needed;
  - e) Manage and supervise the work of the COST Administration;
  - f) Monitor the budget management and the implementation of the COST Activities by the COST Administration;
  - g) Prepare and execute the working and financial plan of the COST Association;
  - h) Negotiate and sign the Agreements between the COST Association and the European Commission (or any other organisation) on COST and the corresponding activities. This includes, inter alia, contributing to the preparation of proposals, grant agreements, amendments and reports;
  - i) Negotiate and sign agreements with institutions benefiting from COST financial support and external contractors within the limits defined by the delegation of powers received from the Executive Board;
  - j) Ensure the successful implementation of the appropriate funding scheme(s) applicable to COST Actions and prepare the contract in connection with EU funding of the COST Association;
  - k) Ensure the appropriate use of the financial resources at the disposal of the COST Association within the limits defined by the delegation of powers granted to her/him by the Executive Board;
  - l) Preparation of the budget and annual accounts of the Association;
  - m) Administration of the COST Fund as defined in Section 5.2. of the present Internal Rules;
  - n) Prevent and detect fraud and error in the financial management of the COST Association;
  - o) Ensure the quality of accounting records and the timely production of reliable financial and management information;
  - p) Be responsible for the development, the preliminary decision on and the implementation of the COST Administration internal Guidelines, Procedures and Vademecums;
  - q) Be responsible for the respect of rules and procedures applicable to COST Association activities;
  - r) Develop synergy with relevant research organisations, promoting positive, trustful and respectful relations.
- (2) The Director shall be responsible for the (i) day-to-day management of the Association formally delegated to her/him by the Executive Board according to article 22, (3) of the Statutes and (ii) for any other specific management or representation powers beyond said day-to-day management powers regarding legal actions or legal acts involving the Association delegated to her/him according to article 22, (2) of the Statutes.

- (3) The Director is responsible for the selection, appointment and dismissal of staff of the COST Administration according to the applicable Recruitment Procedure – Personnel approved by the Executive Board.

She/he shall manage the staff in a professional manner and continually enhance the level of competencies and performance by investing in the professional development of staff.

She/he shall provide good working conditions to the staff giving among others opportunities to develop competences and job positions.

- (4) She/he ensures the implementation and reporting of the agreements with the European Commission of COST Activities.
- (5) She/he ensures the implementation and reporting of agreements with any other organisation.
- (6) She/he provides support to other COST actors such as the COST National Coordinators and the Scientific Committee, ad hoc Working Groups, Committees for advisory purposes, etc.
- (7) The Director is responsible for initiating and maintaining contacts and relations with the European Commission and other third parties. She/he serves as chief spokesperson for the COST Association, assuring its proper representation towards the European Institutions and other stakeholder and promoting the COST Association to any stakeholders in coordination with the Executive Board and the Vice-President.

#### ARTICLE 29 – RIGHTS AND DUTIES OF THE DIRECTOR

- (1) Unless otherwise decided by the CSO or the Executive Board, the Director has the right to attend CSO and Executive Board meetings. The Director has no voting right.
- (2) The Director discharges her/his functions in the sole benefit and in the best interest of the COST Association.
- (3) The Director shall make the best endeavours to ensure the fulfilment of the COST mission.
- (4) The Director is under the supervision of the Executive Board. As per article 28, (6) of the Statutes she/he shall be accountable and report to the Executive Board pursuant to article 30 of the present Internal Rules.

#### ARTICLE 30 – REPORTING OBLIGATIONS OF THE DIRECTOR TO THE EXECUTIVE BOARD

- (1) The Director will quarterly report by written report to the Executive Board on:
  - a) General issues, such as:
    - i. Informing the Executive Board about trends, issues and activities in order to plan activities, facilitate discussions and decision-making etc.;

- ii. Making recommendations to the Executive Board on decision-making;
- iii. Keeping the Executive Board fully informed on the situation in the COST Association, including providing relevant documents and reports to monitor, support and evaluate the COST Association effectiveness and results;
- iv. Identifying external and internal problems and opportunities and addressing them to the Executive Board;
- v. Reporting of developments in administration and operations.

b) Management and administration issues, such as:

- i. Providing general oversight of all the COST Association activities including contracts and procurement procedures;
- ii. The staff situation and recommendations on matters related to staff and organisation;
- iii. The development and implementation of controlling mechanism, procedures, and regular evaluations so that the organisational aspects of the COST Administration respond to the best quality and stability standards;
- iv. Recruiting personnel, negotiating employment contracts, and controlling that an appropriate salary grid is applied following the applicable Recruitment Procedure for personnel of the COST Association.

c) Finance and budget issues, such as:

- i. Measures taken to ensure cost efficient and effective organisation and services and recommendations on matters related to finance;
- ii. Actions taken to secure the fiscal activities of the COST Association including budgeting, reporting and auditing, assuring the timely attention to core issues of the COST Association (financial accounts, auditing, etc.).

d) Governance issues, such as:

- i. Raising attention on the long-term developments and strategy of implementation issues;
- ii. Actions taken to ensure the implementation of CSO decisions;
- iii. Her/his activities representing the COST Association and its relations to any stakeholders.

## **SECTION 3.6 COST ADMINISTRATION**

### **ARTICLE 31 – ROLE AND RESPONSIBILITIES OF THE COST ADMINISTRATION**

- (1) The COST Administration operates under the authority of the Director of the COST Association.
- (2) In particular, the COST Administration shall have the following responsibilities:
  - a) Being accountable to the Director and supporting her/him in the discharge of the administration duties;
  - b) Providing under the authority of the Director general support to the CSO and Executive Board;
  - c) Providing support to CSO and Executive Board meetings;
  - d) Preparing and executing the dedicated rules for the submission, evaluation, selection and approval procedures of proposals for COST Activities, including COST Actions;



- e) Managing the Open Call for COST Actions and organising the evaluation of the proposals received on a competitive basis, taking into account the available funds for the particular collection date and in respect of the tasks of other Bodies;
- f) Ensuring a smooth and cost-efficient implementation of COST Actions in respect of the rules concerning the management of COST Actions and the COST Action Grant Agreement; more specifically, ensuring that the COST Actions comply with the Action Memorandum of Understanding, the basic principles described therein, and the Action's Grant Agreement;
- g) Ensuring that all COST Activities are properly implemented, closely monitored and appropriately assessed to ensure a proper execution and suitable dissemination;
- h) Implementing the decisions related to the COST Strategy and Policies;
- i) Preparing and executing any pilot activities as decided by the CSO or Executive Board;
- j) Executing tasks of monitoring and assessment of COST Activities, including COST Actions, without prejudice of the tasks entrusted to the CSO, Executive Board and evaluation and/or, monitoring and/or assessment Committees in the relevant set of COST rules;
- k) Providing support to the Scientific Committee, ad hoc Working Groups and Committees for advisory purposes;
- l) Taking all measures possible to avoid conflict of interest on the basis of the COST Implementation Rules at all levels of the COST Association and in all COST Activities, including COST Actions, evaluations procedures, Action assessment, Action monitoring, etc.;
- m) Taking all measures possible to avoid any prejudice in respect of gender, age or nationality throughout all COST Activities, including COST Actions;
- n) Executing any other task for which it is entrusted.

## **SECTION 3.7 COMMITTEES FOR ADVISORY PURPOSES AND AD HOC WORKING GROUPS**

### **ARTICLE 32 – RULES FOR ESTABLISHING COMMITTEES FOR ADVISORY PURPOSES AND AD HOC WORKING GROUPS**

- (1) The CSO or the Executive Board may establish Committees for advisory purposes and ad hoc Working Groups in compliance with article 13, (2) of the Statutes.
- (2) The Committees for advisory purposes to be created may be of permanent nature or with limited duration (fixed date or upon accomplishment of the tasks for which they were created).
- (3) The decision of the CSO or the Executive Board creating the Committees for advisory purposes or ad hoc Working Groups must contain the following minimum features:
  - a) The mission and mandate of the Committee for advisory purposes or ad hoc Working Group;
  - b) The type of structure and the duration;
  - c) The rules applicable to the Committee for advisory purposes or ad hoc Working Group or the indication to define its own working methods;
  - d) The expected deliverables;
  - e) The nature and scope of the support to be provided by the COST Administration, if any;
  - f) The minimum/maximum number of people to be part of the structure;

- g) The profile of the members of the Committee for advisory purposes or ad hoc Working Group;
- h) The reimbursement rules of travel and accommodation expenses incurred by the members of the Committee for advisory purposes or ad hoc Working Group, when applicable.

### ARTICLE 33 – TYPES OF COMMITTEES AND AD HOC WORKING GROUPS

(1) Scientific Committee:

- a) In order to assist the COST Association in the pursuit of its mission and implementation of activities, the Executive Board shall select and the CSO shall appoint the members of the Scientific Committee;
- b) The Scientific Committee composition and rules of procedure are described in the applicable “Terms of reference for the Scientific Committee mandate” detailed in Annex 2 and in the applicable “Rules of procedure of the Scientific Committee” detailed in Annex 3 to the present Internal Rules;
- c) Scientific Committee members can upon respective decisions by the CSO or the Executive Board be entitled to receive reimbursement of their travel and accommodation expenses and honoraria from the funds received by the COST Association in the frame of the Specific Grant Agreements and according to the applicable COST Implementation Rules and the COST Vademecum.

(2) Ad hoc Working Groups:

- a) Ad hoc Working Groups may be established by the CSO or the Executive Board to assist in specific topics of CSO or Executive Board competence and report respectively to the CSO or Executive Board itself;
- b) Ad hoc Working Groups shall have no decision power, unless otherwise stated in their mandate;
- c) They are composed of CSO Delegates or Executive Board members who may invite staff members of the COST Administration or external persons to participate in the work, if further expertise is required;
- d) They shall have a duration limited to the task that is necessary to accomplish;
- e) The proceedings of ad hoc Working Groups may be informal and under the responsibility of the designated Chair of each ad hoc Working Group;
- f) Ad hoc Working Group members can upon respective decision of the CSO or the Executive Board be entitled to receive reimbursement of their travel and accommodation expenses and per diems (i) either from the COST Fund or (ii) from the funds received by the COST Association in the frame of the Specific Grant Agreements and according to the applicable COST Implementation Rules and the COST Vademecum.

(3) Committees for advisory purposes:

- a) The CSO or the Executive Board may create Committees for advisory purposes to assist the COST Association in advisory, reporting and/or monitoring tasks which report respectively to the CSO or the Executive Board itself;
- b) Committees for advisory purposes shall have no decision power, unless otherwise stated in their mandate;

- c) They are composed of external experts. In justified cases these Committees may have only a single member;
- d) Committee for advisory purposes members can upon respective decision of the CSO or the Executive Board be entitled to receive reimbursement of their travel and accommodation expenses and per diems (i) either from the COST Fund or (ii) from the funds received by the COST Association in the frame of the Specific Grant Agreements and according to the applicable COST Implementation Rules and the COST Vademecum;
- e) Members of the Committees for advisory purposes shall sign a declaration of confidentiality and non-conflict of interest prior to the start of their assignment.

## CHAPTER 4 – VOTING PROCEDURE

### ARTICLE 34 – VOTING PROCEDURE FOR THE ELECTION OF THE VICE-PRESIDENT AND THE EXECUTIVE BOARD MEMBERS OTHER THAN THE PRESIDENT

- (1) The CSO may decide to give the candidates for a position as Vice-President or Executive Board member other than the President the possibility to address the CSO and to respond to questions asked by the CSO Delegates. The Chair of the CSO meeting will ensure that all candidates have equal allocation of time.
- (2) If only one (1) candidate applies for a position, the CSO proceeds to an election through a secret ballot. If the candidate has the support of a majority of two-thirds (2/3) of the votes of the COST Full Members present in the meeting or, represented by proxy or participating in the meeting, the candidate is elected in the position for which the voting is taking place.

If the candidate does not obtain the 2/3 Majority, a second secret ballot takes place. If as a result of the second ballot, the candidate does not obtain the 2/3 Majority the election will be deferred to the next CSO meeting.

- (3) If two (2) candidates apply for the same position, the CSO proceeds to an election through a secret ballot. If none of the candidates obtain the 2/3 Majority, a second secret ballot takes place. If as a result of the second ballot no candidate obtains the 2/3 Majority and the CSO does not opt for further ballots, the election will be deferred to the next CSO meeting.
- (4) If three (3) or more candidates apply for the same position, the CSO proceeds to an election through a secret ballot. A first vote takes place and the two (2) candidates who obtain the highest number of votes of the COST Full Members present in the meeting or represented by proxy or participating in the meeting will be selected and pass to the second ballot. A second ballot will take place only with the two (2) candidates selected and the candidate who obtains the 2/3 Majority will be elected in the position. If as a result of this second ballot, no candidate obtains the 2/3 Majority, a third ballot takes place. If as a result of the third ballot, no candidate obtains the 2/3 Majority and the CSO does not opt for further ballots, the election will be deferred to the next CSO meeting.
- (5) The COST Administration ensures the practical arrangements related to elections, and will count the votes assisted by two CSO members appointed by the Chair of the CSO meeting.

- (6) The final result of the election will be reported in Minutes of the Meeting and will be published in the Belgian State Gazette.

## **CHAPTER 5 – FINANCIAL REGULATIONS**

### **SECTION 5.1 GENERAL PRINCIPLES:**

#### **ARTICLE 35 – INTRODUCTION**

- (1) The budget of the Association shall be established and implemented in compliance with the principles of budgetary accuracy, not-for-profit, unit of account (in Euro), sound financial management, all of which require effective and efficient internal control and transparency. Segregation of duties within the COST Association shall be respected.

#### **ARTICLE 36 – PRINCIPLES FOR FINANCIAL MANAGEMENT**

- (1) No revenue shall be collected and no expenditure effected unless booked to a line in the budget.
- (2) The policies and procedures decided by the CSO, the Executive Board or the Director shall ensure:
- a) The economic, efficient and effective achievement of its objectives;
  - b) The adherence to national laws and external rules applicable to the funding received;
  - c) The safeguarding of assets and information;
  - d) The prevention and detection of fraud and error;
  - e) The quality of accounting records and the timely production of reliable financial and management information and reports.

### **SECTION 5.2 THE COST FUND**

#### **ARTICLE 37 – GENERAL PRINCIPLES**

- (1) The COST Fund is a financial resource and working capital of the COST Association deriving from COST Full Members' and COST Cooperating Members' Membership contributions as defined in article 11 of the Statutes.
- (2) The CSO decides on the contribution mechanism, the amount, the use as well as the administration and management rules of the COST Fund according to article 14, (2), (xx) of the Statutes.
- (3) For each year, the CSO approves the budget of the COST Association according to article 14, (2), [(xiv)]<sup>6</sup> of the Statutes, including a budget of the COST Fund.

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<sup>6</sup> Read xiii  
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Any expenditure not included in the annual budget or exceeding the limit of twenty-thousand (20 000) EUR provided for in article 40, (5) of the present Internal Rules must be separately approved in advance by the CSO.

#### ARTICLE 38 – CALCULATION OF THE MEMBERSHIP CONTRIBUTION TO THE COST FUND

- (1) The CSO shall decide to call for Membership contributions to the COST Fund when the CSO deems necessary.
- (2) The calculation of the COST Full Members' and the COST Cooperating Members' contributions to the COST Fund may be proportional to their respective financial capacities. It is defined via a balanced weighting of the GDP per year of each concerned COST Member.
- (3) The source of GDP used for the calculation shall be the one published by Eurostat, if not available by OECD, if not available by the United Nations. The calculation shall be based on the GDP figures for the two (2) previous calendar years. In case such statistics are not available, the latest available GDP annual statistics will be used.

#### ARTICLE 39 – PAYMENT OF THE MEMBERSHIP CONTRIBUTIONS TO THE COST FUND

The CSO shall decide on the payment model of the Membership contributions to the COST Fund.

#### ARTICLE 40 – USE OF THE COST FUND

- (1) The CSO shall decide on the use of the COST Fund according to article 14, (2), (xx) of the Statutes.
- (2) The COST Fund is used to financially support any activities decided by the CSO to support the COST aim and mission. It allows the COST Association among others to dispose of funds to cover (a) the payment of expenses such as CSO, Executive Board, President or Vice-President meeting arrangements; (b) the reimbursement of travel and accommodation expenses of (i) the President or the Vice-President, (ii) of CSO Delegates representing the President or the Vice-President, (iii) of Executive Board members, CSO working groups, invitees or experts invited to meetings (c) other expenses related to independent studies, external advice or legal support.
- (3) The COST Fund cannot be used to fill eventual gaps on the funding resulting from the European Commission and COST Association agreements for the implementation of COST Activities, including COST Actions, except for interest and possible costs and guarantees related to bank loans.
- (4) No working time or other salary-related expenses can be paid by the COST Fund.

- (5) Expenditure within the running annual budget up to a limit of twenty-thousand (20 000) EUR per single transaction can be approved and committed by the Vice-President alone. The CSO shall be informed subsequently of such payments through the annual report prepared by the COST Administration and the annual accounts submitted by the Executive Board to the CSO for approval.

#### ARTICLE 41 – ADMINISTRATION OF THE COST FUND

- (1) The COST Fund is administered by the COST Administration under the supervision of the Vice-President. In administering the COST Fund, the COST Administration has the task of making routine payments and collecting contributions from the concerned COST Full Members or COST Cooperating Members.
- (2) Any expenditure must be supported by appropriate documentation for accounting and auditing purposes.
- (3) Travel expenses shall be reimbursed from the COST Fund according to the rules agreed with the governance department, institution or funding agency entrusted by the Government of the respective COST Member State or through the payment of an invoice issued by the governance department, institution or funding agency entrusted by the Government of the respective COST Member State according to its national rules.

The mandatory requirements for invoicing the COST Association are the following:

- a) The rules applying for the reimbursement of travel and subsistence expenses are national rules from the governance department, institution or funding agency entrusted by the Government of the respective COST Member State;
- b) The governance department, institution or funding agency entrusted by the Government of the respective COST Member State shall submit an invoice to the COST Association with the following information:
  - i. Details of the mission (name, place and date of the mission and type of meeting);
  - ii. Bank details (account holder, IBAN, SWIFT CODE and bank name);
  - iii. Total amount of expenses incurred in EUR;
  - iv. A copy of the national mission form accompanied with copies of the relevant supporting documents.
- c) The original invoices must be kept by the claimant for five (5) years for audit purposes;
- d) The invoice should be printed in a letterhead of the governance department, institution or funding agency entrusted by the Government of the respective COST Member State;
- e) The invoice should also contain a declaration to be signed and stamped by the financial and legal representatives of the governance department, institution or funding agency entrusted by the Government of the respective COST Member State declaring that “The expenses of the mission have been approved according to the usual procedures of the governance department, institution or funding agency entrusted by the Government of the respective COST Member State:

- f) The invoice and copies of supporting documents should be sent to:  
COST Association – CSO Support  
Avenue Louise 149  
1050 Brussels, Belgium

#### ARTICLE 42 – AUDIT OF THE COST FUND

- (1) The COST Fund expenditures will be audited annually by the independent External Statutory Auditor of the COST Association.

### SECTION 5.3 OTHER FINANCIAL RESOURCES

#### ARTICLE 43 – CONTRACTS, GIFTS AND DONATIONS, GRANTS, ASSETS INHERITED OR RECEIVED AS A BEQUEST OR LEGACY

- (1) The signature of contracts and grants referred to in article 33, (1), (iii) of the Statutes shall be done by the Director of the Association alone having received a proper delegation of powers in this sense from the Executive Board.
- (2) In all cases, any eventual gifts, donations as well as assets inherited or received as bequest or legacy shall be allocated to the budget of the COST Association and shall be put to the sole benefit of the COST Association.

### SECTION 5.4 BUDGET, ANNUAL ACCOUNTS AND AUDITING

#### ARTICLE 44 – EXTERNAL STATUTORY AUDITORS

- (1) As per article 32, (2) of the Statutes the COST Association must respect the Belgian legal requirements, including the nomination of at least one (1) External Statutory Auditor (Institut des réviseurs d'entreprises), to control its financial situation, the financial accounts and the regularity regarding the Law and Statutes, and operations to be recognised in the annual financial statements. The COST Association shall make available, when required to do so by Law, its Statutes or other obligations deriving from agreements entered into with the European Commission or other institutions to the External Statutory Auditor.
- (2) The Executive Board may decide to create an External Audit Committee to supervise that the systems of control and risk management have been established, the extent of compliance with the established statutory obligations, Policies, Procedures and Guidelines and that the audit plan on the operations of the COST Association is sound and adequate.
- (3) In addition, an internal audit or quality team to ensure proper management of the funds and implementation of decisions may be created in the COST Administration.
- (4) The CSO shall appoint External Statutory Auditors selected by the Executive Board in compliance with the applicable procurement law to audit the annual accounts of the COST Association.

## CHAPTER 6 – COST ACTIVITIES

### ARTICLE 45 – GENERAL PRINCIPLES FOR IMPLEMENTING COST ACTIVITIES

- (1) COST strives to ensure efficient and harmonised implementation of COST Activities. In doing so, all COST Activities, including COST Actions, shall be governed by dedicated documents detailing the rules, the objectives, the procedures and the responsibilities of the different actors.
- (2) The documents providing the framework for all COST Activities must be coherent, comprehensive and transparent and receive proper dissemination. They intend to facilitate participation from the widest range of researchers, ranging from universities, research centers, companies (in particular small and medium-sized enterprises- SMEs), as well as other relevant legal entities whose participation is allowed in the dedicated documents and/or calls for proposals.

COST will undertake all measures possible to avoid conflict of interest across all COST Activities. It shall endeavour to avoid any prejudice in respect of gender, age or nationality throughout all COST Activities.

## CHAPTER 7 – COST NATIONAL COORDINATOR

### ARTICLE 46 – COST NATIONAL COORDINATOR

- (1) Each COST Full Member and each COST Cooperating Member nominates one (1) natural person to act as COST National Coordinator.
- (2) The COST National Coordinator's main responsibility is to serve as interface/relay between the COST Association and the country's national communities.

She/he is in charge of (i) confirming the participation of the COST Member States' participants to the COST Actions by the acceptance of the Action Memorandum of Understanding and (ii) the nomination of the Management Committee members and substitutes of the respective country.

Additionally the COST National Coordinator ensures that there is a good pool of national experts that can serve in the Review Panels foreseen in the selection and evaluation procedure for future COST Actions.

- (3) COST National Coordinators are under the responsibility of the competent COST Members' national authorities and therefore report to the COST Members' national authorities itself.
- (4) The names and contact details of appointed COST National Coordinators should be sent officially on behalf of the relevant national authorities to the COST Association.
- (5) Should the COST Members' national authority concerned decide to terminate the COST National Coordinator's appointment, she/he shall provide written notice to the President of the COST Association, with a copy to the contact person at the COST Administration. Such notification



must indicate the date when such decision will become effective and provide the name and contact details of the new appointed COST National Coordinator.

- (6) COST National Coordinators shall act in compliance with the applicable "Guidelines for COST National Coordinators" detailed in Annex 4 to the present Internal Rules.

## **CHAPTER 8 – CONFLICTS OF INTEREST**

### **SECTION 8.1 GENERAL CONFLICT OF INTEREST PROCEDURES**

#### **ARTICLE 47 – DEFINITION**

- (1) Without prejudice to the Specific Conflict of Interest detailed in Section 8.2. of the present Internal Rules, a Conflict of Interest arises when an Interested Person in a position of authority in the COST Association may benefit personally by having a Patrimonial Interest or a Moral Interest from an operation, transaction, arrangement or decision she/he could make.

#### **ARTICLE 48 – PROCEDURES**

- (1) **Duty to Disclose**

In connection with any actual or possible Conflict of Interest, any Interested Person must disclose the existence of the personal Patrimonial Interest or Moral Interest and be given the opportunity to disclose all material facts to the Executive Board members or the members of the Scientific Committee, Committee for advisory purposes or ad hoc Working Group, considering the proposed operation, transaction, arrangement or decision preliminarily to any discussion or decisions-making in these fora.

If the Interested Person fails to inform the Executive Board or the Scientific Committee, the Committee for advisory purposes or ad hoc Working Group, any other Executive Board, Scientific Committee, Committee for advisory purposes, ad hoc Working Group member aware of the Conflict of Interest shall disclose it in order to enable the Executive Board, the Scientific Committee, the Committee for advisory purposes or the ad hoc Working Group to examine the situation preliminarily to any discussion.

- (2) **Determining Whether or Not a Conflict of Interest Exists**

After disclosure of the personal Patrimonial or Moral Interest and all material facts, and after any discussion with the Interested Person preliminarily to any discussion on the agenda of the meeting, she/he shall leave the Executive Board, Scientific Committee, Committee for advisory purposes or ad hoc Working Group meeting while the potential of a Conflict of Interest is discussed and determined. The remaining Executive Board, Scientific Committee, Committee for advisory purposes, or ad hoc Working Group members shall decide if a Conflict of Interest exists and is sufficient to justify the exclusion of the Interested Person from the discussions and the decision-making process.

- (3) Procedures for addressing the Conflict of Interest :
  - a) After exercising due diligence, the Executive Board, Scientific Committee, Committee for advisory purposes or ad hoc Working Group shall determine whether the COST Association can obtain, with reasonable efforts, a more advantageous operation, transaction, arrangement from a person or entity that would not give rise to a Conflict of Interest;
  - b) If a more advantageous operation, transaction or arrangement avoiding a Conflict of Interest is not reasonably possible under same circumstances, the Executive Board, Scientific Committee, Committee for advisory purposes or ad hoc Working Group shall determine by a majority vote of the disinterested members of the Executive Board, Scientific Committee, Committee for advisory purposes or ad hoc Working Group, whether the operation, transaction, arrangement or decision is in the COST Association's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the specified operation, transaction or arrangement or to take the specified decision.
- (4) The conflict of interests shall be mentioned in the Minutes of Meeting of the Executive Board, Scientific Committee, Committee for advisory purposes or ad hoc Working Group.
- (5) When the Conflict of Interest is of financial nature, the Executive Board shall inform the CSO at its next meeting.

## **SECTION 8.2 SPECIFIC CONFLICT OF INTEREST PROCEDURE IN THE EVALUATION AND SELECTION PROCEDURES**

### **ARTICLE 49 – DEFINITION**

- (1) A Specific Conflict of Interest in the evaluation and selection procedures is a conflict between a person's duties and responsibilities with regard to the evaluation and selection procedures, and that person's professional or private interests. A Specific Conflict of Interest in the evaluation and selection procedure exists if anybody can reasonably perceive it as a conflict of interest, i.e. when the Evaluator (a) has been involved in the preparation of the proposal for a COST Action submitted to evaluation; or, (b) has been involved in any previous evaluation and selection step in the same collection; or, (c) was aware of the preparation of the proposal; or, (d) has a professional or personal relationship with a Proposer or the Proposer's institution; or, (e) stands to benefit directly or indirectly if the proposal is accepted or rejected; or, (f) for any reason regards her/himself unable to provide an impartial review of the proposal.
- (2) In any case, the Head of Science Operations at the COST Association reserves the right to decide upon the existence of a conflict of interest.

#### ARTICLE 50 – DECLARATION OF SPECIFIC CONFLICT OF INTEREST IN THE EVALUATION AND SELECTION PROCEDURES

- (1) Any person in a position of a Specific Conflict of Interest in the evaluation and selection procedure shall proceed to an open declaration of a Specific Conflicts of Interest.
- (2) Before performing any evaluation, the Evaluator signs a declaration where she/he undertakes to inform in writing the COST Administration immediately if she/he discovers a Specific Conflict of Interest in the evaluation and selection procedure.

#### ARTICLE 51 – PROCEDURE OF SPECIFIC CONFLICT OF INTEREST IN THE EVALUATION AND SELECTION PROCEDURE

- (1) All cases of Specific Conflict of Interest in the evaluation and selection procedure will be minuted and, for nationally nominated Evaluators, reported to the COST National Coordinator.
- (2) If the Specific Conflict of Interest is confirmed/identified before the evaluation starts: (a) the evaluator cannot evaluate remotely the proposal in question and is replaced; and (b) the Evaluator cannot take part in any discussion (Review Panel, Scientific Committee) regarding the proposal in question. When the proposal is being discussed at a meeting, the evaluator must temporarily leave the room.
- (3) If the Specific Conflict of Interest is confirmed/identified during the evaluation: (a) the Evaluator must stop evaluating the proposal in question and be replaced in case of remote evaluation; and (b) the Evaluator must stop taking part in any discussion (Review Panel, Scientific Committee) regarding the proposal(s) in question. Any comments and marks already given by the Evaluator will be discarded.
- (4) If the Specific Conflict of Interest is confirmed/identified after the evaluation has taken place, the Head of Science Operations at the COST Association will examine: (a) the potential impact and consequences of the Specific Conflict of Interest; (b) if required, possible ways to redress such consequences; (c) possible sanctions against the evaluator that has not declared the conflict of interest, such as notification to the appropriate COST National Coordinator and removal of the Evaluator from the COST Evaluator list.
- (5) The Vice-President has the right to take the lead in any resolution process of a conflict of interest situation at any moment of the evaluation.

#### ARTICLE 52 – INCOMPATIBILITIES

- (1) In the process of the evaluation and selection (step 1: external experts evaluation; step 2: review panel; step 3: selection by the Scientific Committee) of proposals presented within a call, the

evaluators will exercise only one role (either as external experts, review panel members or Scientific Committee members).

- (2) Main proposer and network of proposers cannot be evaluators in any of the above mentioned steps.
- (3) Independent External Experts cannot participate in approved COST Actions if they have evaluated the corresponding proposal; Review panel members cannot participate in any approved COST Action of the collection where they were involved in the revision.
- (4) COST National Coordinators<sup>7</sup>, Scientific Committee members as well as CSO members cannot participate in any Action.

## CHAPTER 9 – FINAL PROVISIONS

### ARTICLE 53 – ANNEXES, APPENDICES AND FOOTNOTES

The Annexes, Appendices, and footnotes to the present Internal Rules constitute an integral part of the present Internal Rules.

### ARTICLE 54 – AMENDMENT OF THE INTERNAL RULES

- (1) As per article 34 of the Statutes the amendments to the Internal Rules shall be drawn up by the Executive Board and adopted by the CSO according to the rules provided for in article 17, (5) and 17, (6) of the Statutes.
- (2) Such amendments shall enter into force and constitute an integral part of the present Internal Rules on the date of adoption by the CSO, unless otherwise decided by the CSO.

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<sup>7</sup> This incompatibility will not apply to the participation in Actions previous to the CNC nomination. Nevertheless this participation is restricted to activities of the Actions, i.e, she/he cannot be MC member.  
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## LIST OF ANNEXES

Annex 1 - Code of Conduct

Annex 2 - Terms of reference for the Scientific Committee mandate

Annex 3 - Rules of procedure of the Scientific Committee

Annex 4 - Guidelines for COST National Coordinators