

The North Sea Regional Advisory Council



Protocol for Advice

A D Hawkins

Modified Version

Protocol for the Preparation of NSRAC Advice by Working Groups

Relevant Existing Regulations

- 2 *The objective of NSRAC is to prepare and provide advice on the management of the fisheries of the North Sea on behalf of stakeholders in order to achieve the objectives of the CFP. That advice shall be provided to the Fisheries Council of the European Community, the European Commission, individual Member States of the European Community, the European Parliament, the Commission's Advisory Committee on Fisheries & Aquaculture (ACFA), the International Council for Exploration of the Sea (ICES) and other bodies as decided by the NSRAC.*
- 16 *The NSRAC may establish advisory Working Groups, to assist the Executive Committee in its task of preparing advice. Working Groups may be ad hoc, appointed for a specific purpose for a limited duration, or may be permanent. Members of the Working Groups shall be nominated by members of the General Assembly and appointed by the Executive Committee.*
- 26 *The members of the Executive Committee shall, where possible, adopt recommendations by consensus. If no consensus can be reached, dissenting opinions expressed by members shall be recorded in the recommendations adopted by the majority of the members present and voting. Upon receipt in writing of the recommendations the Commission and, where relevant, the concerned Member States shall reply precisely to them within a reasonable time period and, at the latest, within three months, as specified by the Decision. If a vote is taken at Executive Committee Meetings only members of the Executive Committee (excluding the Chairperson, Secretary and Rapporteur) shall be entitled to vote, and more than two thirds of the Executive Committee shall be present.*

Protocol

1. All NSRAC member organisations are eligible to participate in NSRAC Working Groups (WGs). Nominations for members of each WG will be sought from members of the General Assembly & Executive Committee.
2. Individuals representing member organisations on WGs should have a clear authority to speak on behalf of those organisations. However, the number of organisations to be represented by an individual shall be limited to three.
3. Member organisations who cannot or do not wish to participate in a particular WG may give another member organisation the authority to represent their interests by writing to the Secretary.
4. WG chairs are expected to be neutral. The role of WG chairs during meetings is to facilitate discussion and seek compromise (if necessary). The chair bears responsibility for the contents of the advice, including the agreed procedures for producing the final text, as well as the timely submission of advice to the ExCom. Each WG chair will be appointed by the ExCom.
5. Individuals representing member organisations should be knowledgeable about the WG subject, willing to look at the subject from different perspectives and have the authority to agree to a compromise position on behalf of their member organisations. Members of WGs are responsible for all communications concerning the advisory process within their own organisations.
6. Each WG will appoint a rapporteur who will be responsible for drafting the WG advice in close cooperation of the chair. The WG rapporteur must represent a different interest from the WG chair, or be independent of any member organisation. There will be no minutes of WG meetings. Instead a Record will be prepared by the rapporteur following the meeting and circulated to members of the WG for agreement. The Agreed Record will form the basis for the text of any advice. A time schedule will be agreed during the WG meeting for producing the final WG advice.
7. The WG, through its chair, can invite experts or observers to WG meetings or can organise preliminary workshops or discussion sessions to support the preparation of advice. It is important that experts should be objective in presenting information and views to the Working Group, and that experts are chosen from a range of sources. Experts or observers are not full members of the WG. The protocol for observers at NSRAC meetings is applicable to experts and observers attending WGs.
8. The NSRAC Secretariat will assist the chair/member organisation in organising the WG meetings and will set firm limits on expenditure to be incurred by the NSRAC. WG dates will be set by the chair of the WG to achieve maximum attendance.

9. WG agendas and documents will be submitted to WG members and to the Executive Committee at least one week, and preferably two weeks, before the meeting to allow for internal discussions within member organisations.
10. While allowing for exceptional circumstances, failure to comment before set deadlines will be regarded as assent. WG members who cannot meet the agreed deadlines are responsible for appointing a substitute and informing the chair.
11. Where there is no consensus on the advice, or objections to part or all of the advice, minority positions will be mentioned explicitly, including full reference to the organisation concerned.
12. All comments on draft texts should be retained by the rapporteur and will only be deleted after the formal agreement on the advice by ExCom.
13. WG chairs are responsible for presenting the Agreed Record or draft advice to the ExCom. The ExCom may adopt or reject the WG advice, entirely or in part but if advice is rejected an explanation for the rejection should be provided. Approval of the advice by ExCom is necessary before the advice is published or sent out.
14. The NSRAC secretariat is responsible for submitting the final advice to the European Commission and the Member States and for placing it on the website. All member organisations of ExCom will receive copies of each advisory document submitted to the Commission or Member States.