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Summary/abstract

These are the proposed cessed-ERIC Statutes, which were drafted by the University of Essex solicitors' Mills and Reeve, and subsequently modified and agreed by the Management Board of the CESSDA-PPP during early 2010.

Note that no indemnity clause has been included.

MILLS & REEVE



**THE STATUTES OF THE CESSDA –
EUROPEAN RESEARCH
INFRASTRUCTURE CONSORTIUM
(cessda-ERIC)**

MILLS & REEVE

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1 Legal Entity/Name

- 1.1 These Statutes govern the legal entity named Council of European Social Science Data Archives – European Research Infrastructure Consortium (the “**cessda-ERIC**”) which has been incorporated under the provision of Regulation.

2 Definitions

- 2.1 Unless the context otherwise requires:

“**Affiliate Member**” has the meaning provided by Statute 5.3;

“**Annual FAM**” means a Funders’ Assembly Meeting as detailed in Statute 8.1;

“**Associate Member**” has the meaning provided by Statute 5.2;

“**Associated Country**” means a third country which is party to an international agreement with the European Community under the terms or on the basis of which it makes a financial contribution to all or part of the European Community research, technological development and demonstration programmes;

“**Board**” has the meaning provided by Statute 10;

“**Chair**” means Chair of the Funders’ Assembly;

“**Chair of the Board**” has the meaning provided by Statute 12;

“**Dissemination and Information Packages**” means data and associated metadata supplied by a Service Provider in electronic form;

“**Director**” means the Chief Executive Officer of the cessda-ERIC who is appointed by the Funders’ Assembly and who is accountable to the Funders’ Assembly for the day-to-day running of the cessda-ERIC;

“**European Research Area**” means a system of research programmes integrating the European Union’s scientific resources;

“**FAM**” means either an Annual FAM or a General FAM as the context requires;

“**Full Member**” has the meaning provided by Statute 5.1;

“**Funders’ Assembly**” has the meaning provided by Statute 7;

“**General FAM**” means a General Funder’s Assembly Meeting as detailed in Statute 8.1;

“**Member State**” means a State of the European Union;

“**OECD**” means the Organisation for Economic Co-operation and Development;

“**Regulation**” means the European Union Council Regulation on the Community legal framework for a European Research Infrastructure (2008);

“**Service Provider(s)**” means an organisation or organisations designated by a Member to fulfil such responsibilities of the Membership as approved by the Board from time to time;

“**SPF**” means the Service Providers’ Forum as detailed in Statute 15.1;

“**Rules**” means such rules adopted by the cessda-ERIC in accordance with Statute 33 as amended by the Board from time to time;

“**SAC**” means the Scientific Advisory Council as defined in Statute 16.1;

“**State**” means any [state] irrespective of whether it is a Member State;

“**Statutes**” means these Statutes of the cessda-ERIC which may be altered from time to time;

“**Statutory Seat**” means the place in which the cessda-ERIC shall be legally constituted and based; and

“**Third Country**” means a State that is not a Member State of the European Union.

2.2 Words importing the masculine gender only shall include the feminine gender, and the singular includes the plural and vice versa.

2.3 Words importing persons shall include corporations.

3 Objectives and values

3.1 The objectives of the cessda-ERIC shall be to provide [on not for profit basis] a comprehensive and integrated social science data research infrastructure which will facilitate and support research, teaching and learning of the highest quality throughout the social sciences in the European Research Area. Cessda-ERIC shall aim to achieve these objectives through the development and co-ordination of standards, protocols and professional best practice.

3.2 The values of the cessda-ERIC shall be to:

3.2.1 provide effective leadership and be a catalyst for change;

3.2.2 provide support for its member and Service Provider(s) in order to enable them to derive maximise benefit from it;

3.2.3 engage constructively and openly with the varied user communities served by its member and Service Provider(s), and to work with other stakeholders to mutual benefit;

3.2.4 demonstrate professionalism of the highest standards in all its activities and to promote and enhance professionalism amongst its members and related Service Providers;

3.2.5 promote and facilitate research, teaching and learning of the highest quality; and

3.2.6 provide a positive, productive and rewarding working environment for all staff in which the rights of staff are respected and upheld.

4 Members

4.1 The admission of new Members shall require the approval of the Funders' Assembly at a FAM.

4.2 The following entities shall be entitled to apply to become members of the cessda-ERIC:

4.2.1 Members States;

- 4.2.2 Associated Countries;
 - 4.2.3 Third Countries other than Associated Countries; and
 - 4.2.4 intergovernmental organisations.
- 4.3 The cessda-ERIC shall have at least three Member States as members. Member States shall also be able to become observers of the cessda-ERIC without voting rights on conditions specified in the Rules.
- 4.4 Full Members and Associate Members shall be responsible for ensuring their delegate Service Providers, whether possessing Full Member or Associate Member status, comply with the rules, obligations and agreements conditioning their membership of the cessda-ERIC.
- 4.5 Members shall be liable for their respective contributions to the cessda-ERIC as set by the Board from time to time.
- 4.6 The total voting rights jointly held by Full Members shall always be greater than 50% of the total votes at the Funders' Assembly pursuant to Article 8(3) of the Regulation.
- 4.7 The Funders' Assembly shall vote on any amendments to voting rights, their proportions and/or [quotas]¹ upon recommendation of the Board pursuant to 4.6 of these Statutes.

5 Classes of Membership

5.1 Full Member

5.1.1 A Full Member shall be an organisation delegated² to represent a Member State in respect of the cessda-ERIC and which fulfils specified obligations conditioning membership of the cessda-ERIC ("**Full Member**").

5.1.2 A Full Member:

- (i) can attend and vote at meetings of the Funders' Assembly;

¹ Quota refers to the share of vote weighted in proportion of Member State, Associated Countries, Third Countries other than Associated Countries and Intergovernmental organisations that are full members, compared to voting members not in these categories.

² It is assumed that the State will actually be regulated as the "Full Member", but may choose to act through another organisational body (for example by delegation to a Research Council or similar organisation).

- (ii) can participate in training and similar activities relating to the cessda-ERIC; and
- (iii) must make a full contribution to the cessda-ERIC budget as specified by the Board from time to time.

5.1.3 Full details in relation to the privileges and obligations of a Full Member shall be set out in the Rules.

5.2 Associate Member

5.2.1 An Associate Member shall be an organisation delegated to represent a Member State or an Associated country which is working towards achieving Full Member status of the cessda-ERIC by ensuring compliance with specified obligations conditioning membership of the cessda-ERIC ("**Associate Member**").

5.2.2 An Associate Member:

- (i) can attend meetings of the Funders' Assembly although does not have a vote;
- (ii) can participate in training activities of the cessda-ERIC for a fee; and
- (iii) must contribute to the cessda-ERIC budget in accordance with agreements made during the application process.

5.2.3 Full details in relation to the privileges and obligations of an Associate Member shall be set out in the Rules.

5.3 Affiliate Member

5.3.1 An Affiliate Member shall be an organisation or body which is not a Member State, or a representative body of a Member State, but which has an interest in the cessda-ERIC and wishes to be affiliated to it ("**Affiliate Member**").

5.3.2 An Affiliate Member can include:

- (i) intergovernmental organisations, pursuant to Article 8 of the Regulation;
- (ii) private organisations;
- (iii) charitable or third sector organisations;
- (iv) public bodies; or
- (v) other European Research Infrastructure Consortia or research bodies.

5.3.3 The privileges and obligations of an Affiliate Member shall be agreed between the cessda-ERIC and the prospective Affiliate Member. Full details of this agreement shall be presented to the Funders' Assembly for approval before the conferral of affiliation.

5.3.4 Full details in relation to the privileges and obligations conditioning membership of an Affiliate Member to the cessda-ERIC shall be set out in the Rules.

6 Termination of Membership

6.1 Withdrawal from Membership

6.1.1 Members may, by giving a minimum of six (6) months' notice, withdraw from membership by writing to the cessda-ERIC stating the:

- (i) reasons for withdrawal;
- (ii) date of withdrawal; and

6.1.2 Any outstanding fees must be paid and obligations fulfilled before withdrawal of membership is confirmed.

6.1.3 The Funders' Assembly shall be notified of any withdrawals from membership from time to time.

6.2 Revoking Membership

6.2.1 The Funders' Assembly shall have the power to withdraw the membership of a Member if the following conditions are met:

- (i) the Member is in breach of one or more of its obligations under these Statutes or the Rules or otherwise brings cessda-ERIC into disrepute;
- (ii) the Member has failed to rectify such breach within 30 days of its warned about the breach by the cessda-ERIC in writing;
- (iii) the Board has submitted to the Funders' Assembly a motion to revoke the relevant membership; and
- (iv) the motion for revocation receives consent from two thirds of voting members of the Funders' Assembly, excluding the Member concerned.

6.2.2 In the event that a representative body of a Member State should have their membership revoked, then the cessda-ERIC shall write to the appropriate body of that Member State informing the body of the reasons for the Member's removal and inviting the Member State to nominate a new candidate for membership.

7 The Funders' Assembly

7.1 The Funders' Assembly shall be the ultimate authority of the cessda-ERIC and shall represent the funding Member States of the cessda-ERIC. Each Full Member and each Associate Member shall appoint one (1) nominated representative to the Funders' Assembly and such nominated representative from time to time shall be notified in writing to the cessda-ERIC. The cessda-ERIC shall not be required to consider whether the nominee has been properly appointed by the Full and Associate Members.

7.2 The Funders' Assembly shall convene at least once a year and shall:

7.2.1 Consider the election of members to the Board;

7.2.2 approve the accounts and budget of the cessda-ERIC;

- 7.2.3 consider the approval of the admission of New members;
 - 7.2.4 note and approve minutes from the FAMM and any General FAM and;
 - 7.2.5 vote on any issues deemed of relevance by the Board including the approval or revocation of any memberships.
- 7.3 The Board may call a General Funders' Assembly Meeting ("**GFAM**") if issues of importance arise that cannot be delayed until the next scheduled Funders' Assembly Meeting ("**FAM**"). GFAMs shall have the same powers, membership, voting rights and Rules as FAMs.

8 Chair of the Funders' Assembly

- 8.1 A Chair of the Funders' Assembly shall be elected by a simple majority of the Funders' Assembly members. The Chair shall hold office for three (3) years or until such time that a simple majority of the Assembly elect a new Chair. Chairs of the Assembly can be elected for no more than two (2) successive terms.

9 Proceedings of the Funders' Assembly

- 9.1 The Chair and Director shall jointly call an Annual FAM at least once each calendar year] and provide the Members at least three (3) weeks notice of the meeting, and the agenda shall be made available at least two (2) weeks before the meeting.
- 9.2 The Chair and Director shall call a GFAM upon receipt of requests to do so by at least 50% of the membership, provided that at least [one (1)] week's notice (along with the agenda) shall be given to the Members.
- 9.3 The quorum for FAM and GFAM shall be at least 50% of Full Members from time to time.
- 9.4 The Chair of the Board shall chair FAMs.
- 9.5 The Chair may designate a Vice Chair in the event of his or her absence, or if a vote of no confidence in the Chair is being discussed.
- 9.6 The Funders' Assembly shall approve the agenda at the beginning of each FAM. Any changes to the agenda can be proposed by a voting member of the Funders' Assembly. A simple majority can approve proposed changes to the agenda.

- 9.7 The Chair shall not hold a vote.
- 9.8 Unless otherwise expressly stated to the contrary in these Statutes or in any Rules, a simple majority of those in attendance and voting at any FAM whether in person or by proxy shall be sufficient to pass a resolution.
- 9.9 The Chair shall rule on any point of order raised during the meeting by a voting member. A point of order shall be a question raised with respect to any departure from these rules of procedure or other customary procedures either in debate or in the conduct of the meetings of the Funders' Assembly. Rulings of the Chair shall stand unless overruled by a majority of those present and voting.
- 9.10 Any Full or Affiliate Member shall be able to propose a vote of no confidence. A vote of no confidence shall be treated as a regular proposition. Any proposition must include the reasons for the proposal of a vote of no confidence and, if the proposition is against the Chair, then the Vice Chair shall take over Chairing the Funders' Assembly until the result of the vote has been announced.
- 9.11 All propositions shall be sent to Funders' Assembly members at least one (1) week before the scheduled meeting. Voting shall be by voting card and the Chair may rule, if requested by a member, that a vote is conducted by secret ballot. A record of the votes taken by individual members shall not be made unless requested by a member and approved by the Chair.

10 The Board

- 10.1 The Board shall be the executive controlling body of the cessed-ERIC and shall be responsible for the cessed-ERIC in all aspects except where expressly stated to the contrary in these Statutes or the Rules. The Board shall oversee the strategic direction, financial planning, budget allocation and general vision of the cessed-ERIC. This shall include:
- 10.1.1 annually approving the budget of the cessed-ERIC for recommendation to the Funders' Assembly;
- 10.1.2 appointing, annually setting the level of remuneration for and reviewing the performance of the Director; and

- 10.1.3 reviewing the location of the secretariat and the administrative operations of the cessed-ERIC every five (5) years.

11 Composition of the Board and election to the Board

- 11.1 The Board shall comprise of appointed members and members elected by the Funders' Assembly. The membership shall include:
 - 11.1.1 two (2) Full Members serving for four (4) years, elected on a rolling basis and with the option to stand for re-election once;
 - 11.1.2 one (1) Associate Member elected for a two (2) year term and without the option for re-election unless standing as a Full Member, having fulfilled the requirements conditioning membership to the cessed-ERIC as a Full Member or Associate Member;
 - 11.1.3 up to a maximum of three (3) experts appointed to the Board and approved by the Funders' Assembly, serving for three (3) years without the option for re-appointment. Experts shall be appointed on a rolling basis and shall be appointed on the grounds of any skills or expertise lacking from the Board's membership. The Board shall decide the appointees through a fair and transparent process, and shall submit their names for approval to the Funders' Assembly; and
 - 11.1.4 the elected current Chair of the Funders' Assembly.
- 11.2 The Chair and Director shall request nominations for election to the Board upon notifying the membership to the FAM. Nominations for vacant positions shall be submitted to the Director no later than two (2) weeks before the scheduled FAM.
- 11.3 Elections held for vacant positions on the Board shall be by simple majority of the FAM and cast by paper ballot. In the event of a tie, voting members shall re-cast votes between the tied candidates. All voting members of the Funders' Assembly may vote in elections and each member shall have the same proportion and number of votes as outlined in the Rules or is otherwise specified by the Board from time to time. The Chair shall not hold a vote.
- 11.4 Former Board members may stand for re-election to the Board after a period of two (2) years has passed since they were last Board members.

- 11.5 The Board shall have the power to co-opt members in cases of urgency or to fill positions that fall vacant before scheduled elections.

12 The Chair of the Board

- 12.1 The Chair of the Board shall be elected by a majority vote of the Full Members of the cessed-ERIC. They shall remain Chair of the Board until:

- 12.1.1 their term of office has expired;
- 12.1.2 they are removed through a vote of no confidence by the Funders' Assembly;
- 12.1.3 they are unable to fulfil the duties of Chair of the Board;
- 12.1.4 they bring the cessed-ERIC into disrepute; or
- 12.1.5 they are no longer a Full Member, whichever be the earliest.

- 12.2 The Chair of the Board shall line manage the Director.

- 12.3 The Chair of the Board shall ensure a fair debate is conducted in all discussions by the Board.

13 Proceedings of the Board

- 13.1 There shall be at least two (2) meetings of the Board a year. Notice of each meeting shall be given to Board members at least twenty one (21) days before the meeting.

- 13.2 The Chair and the Director shall prepare the agenda in advance of each meeting.

- 13.3 Meetings of the Board shall be held in private unless the Board explicitly wishes to invite individuals or groups to observe.

- 13.4 The quorum for meetings of the Board shall be at least over one half of the total number of the Board Member [and no decisions can be made by the Board unless a Full Member is present].

- 13.5 The Director shall be in attendance at all meetings of the Board, but shall not attend for items concerning the employment or supervision of the Director.

- 13.6 Board meetings shall be chaired by the Chair of the Board. The Board may elect a Vice Chair from within its own membership, who in the event of the absence or removal of the Chair of the Board may fulfil the responsibilities of the Chair of the Board.
- 13.7 All Board members shall declare any interest in any items under discussion or consideration by the Board. Any members with interests shall not vote on any resolution in which they have an interest, nor shall they speak unless to provide points of information.
- 13.8 The Board shall make resolutions through a vote or through consensual agreement. In the event of a tie the Chair shall hold a casting vote. Unless otherwise expressly stated to the contrary in these Statutes or in any Rules, a simple majority of those in attendance and voting at any meeting of the Board whether in person or by proxy shall be sufficient to pass a resolution.
- 13.9 A resolution in writing, signed and approved by a simple majority of the members of the Board entitled to receive notice of the Board Meeting and to vote upon the resolution, shall be as valid and effectual as if it had been passed at a Board Meeting. The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more Board members.
- 13.10 All meetings of the Board shall be minuted. The minutes shall be approved at the following meeting of the Board and shall be made publicly available once approved as a true and accurate record of the meeting.
- 13.11 Meetings of the Board may be conducted virtually, i.e. over phone or internet connections.
- 13.12 The Chair of the Board may call a general meeting of the Board to discuss an urgent issue, and shall call a general board meeting at the request of half of the membership of the Board or at the request of the Director. At least five (5) days notice must be given. A general board meeting may only discuss the issue for which it was convened and shall follow the same Rules as ordinary board meetings.
- 13.13 The Chair of the Board may declare matters of reserved business. Reserved business shall be discussed in private and only by those voting members of the Board and with the Director in attendance unless it is inappropriate for them to be so.

Any matters identified by the Chair of the Board as reserved business, and any papers relating to them, shall be treated as confidential.

14 Delegation

- 14.1 The Board shall have the power to create and delegate authority to sub-committees on condition that full details of such authority are set out in Rules.

15 The Service Providers' Forum

- 15.1 The Service Providers' Forum (the "**SPF**") shall comprise of representatives of all Full and Associate Members and shall provide the cessda-ERIC with recommendations on policy. The cessda-ERIC shall consult with the SPF at least once a year on the future plans and proposals of the cessda-ERIC. Meetings of the SPF shall operate in accordance with rules agreed with the Board. Minutes of meetings of the SPF shall be submitted to the Funders' Assembly for notification.

16 The Scientific Advisory Council

- 16.1 The Scientific Advisory Council (the "**SAC**") shall serve as a critical advisory board in the development of new ideas and initiatives, and shall monitor and evaluate the effectiveness of the cessda-ERIC and the related network of Service Providers. The cessda-ERIC shall consult with the SAC at least once a year on the cessda-ERIC's scientific policies, procedures and future plans. The Board and representative scientific experts shall agree terms to define the SAC and these terms shall be set out in the Rules. The minutes of meetings of the SAC shall be submitted to the Funders' Assembly for notification.

17 Procurement

- 17.1 Procurement by the cessda-ERIC of equipment, consumables and services, including maintenance, shall comply with all relevant national and EU legislation and the cessda-ERIC's own financial policy and procedures. Accepted procurement best practice in the public sector must be observed.

18 Employment

- 18.1 The cessda-ERIC shall be committed to equal opportunity and affirmative action which is consistent with EU (and host nation) employment law and legislation protecting employee rights.
- 18.2 The cessda-ERIC shall recruit, interview and hire to ensure the employment of the best qualified individuals.
- 18.3 The cessda-ERIC shall:
- 18.3.1 only employ staff who are authorised under law to accept employment in the EU and/or the host State in question;
 - 18.3.2 not employ any person under the age of [fourteen (14)]; and
 - 18.3.3 only employ relatives of current cessda-ERIC employees in accordance with specified conditions.
- 18.4 The cessda-ERIC shall conduct employee orientation training.

19 Data access and dissemination policy

- 19.1 The data access and dissemination policy of the cessda-ERIC shall be guided and in keeping with OECD recommendations and guidelines on data access.

20 Scientific Evaluation Policy

- 20.1 Service Providers shall be facilitators of research and learning rather than arbitrators over research and learning. They shall maintain fair, open and transparent procedures regarding access to Dissemination Information Packages in their custody. Whilst Service Providers shall not generally restrict access to Dissemination Information Packages on the basis of the proposed or intended use unless there is a conflict with any pre-agreed conditions of use with the data owner(s), they shall promote high quality research, teaching and learning and shall support a culture of best practice through promotional and training activities.

21 Staff Disciplinary Policy

21.1 If the cessed-ERIC believes one of its Members is acting in such a way as to bring the cessed-ERIC into disrepute, or is contravening the Equality and Diversity Policy; or has failed to fulfil the obligations of its membership, then the Cessed-ERIC may begin disciplinary procedures in accordance with its Rules.

22 The Statutory Seat

22.1 Pursuant with Article 7 (1) of the Regulation, the cessed-ERIC statutory seat shall be located on the territory of a member which shall be a Member State or a country associated to a community research, technological development and demonstration programme.

22.2 The Board shall review the location of the Statutory Seat every five (5) years.

22.3 At the date of the establishment of the cessed-ERIC Statutory Seat is [Brussels].

23 Working Language

23.1 The working language of the cessed-ERIC shall be English.

24 Accounts

24.1 All items of revenue and expenditure of the cessed-ERIC shall be included in estimates to be drawn up for each financial year and shall be shown in the budget. The budget shall be established and implemented and the accounts presented in compliance with the principle of transparency. The accounts of the cessed-ERIC shall be accompanied by a report on budgetary and financial management of the financial year. The cessed-ERIC shall be subject to the requirements of [Belgian law] as regards the preparation, filing, auditing and publication of accounts.

25 Annual Report

25.1 The cessed-ERIC shall produce an annual activity report containing the scientific, operational and financial aspects of establishing and operating a research infrastructure. The Funders' Assembly shall approve the activity report and transmit the activity report to the European Commission and the relevant public authorities within six months from the end of the corresponding financial year.

26 **VAT**

26.1 **[PROVISION TO BE INCLUDED DEPENDENT ON WHETHER HOST IS A MEMBER STATE OR ASSOCIATED COUNTRY]**

27 **Notices**

27.1 Any notice to be given to or by any person pursuant to these Statutes shall be in writing or shall be given using electronic communications to an address for the time being notified for that purpose to the person giving the notice. In this Statute, “address”, in relation to electronic communications, includes any number or address used for the purposes of such communications.

27.2 Notice may be given either:

27.2.1 personally; or

27.2.2 by sending it by post in a pre-paid envelope to the address of the relevant person as notified to the cessda-ERIC from time to time; or

27.2.3 by leaving it at the address of the address of the relevant person as notified to the cessda-ERIC from time to time; or

27.2.4 by giving it using electronic communication to the electronic address of the relevant person as notified to the cessda-ERIC from time to time.

27.3 [A member of the Board a Member or any other member of any body of the cessda-ERIC who does not register an electronic communication address shall not be entitled as of right to receive any notice from the cessda-ERIC by any other means.]

27.4 A member of the Board or Funders’ Assembly present in person at any meeting of the cessda-ERIC shall be deemed to have received notice of the meeting and, where necessary, of the purposes for which it was called.

27.5 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given. Proof that a notice contained in an electronic communication was sent in accordance with guidance issued by the Institute of Chartered Secretaries and Administrators shall be conclusive evidence that the notice was given. A notice shall be deemed to be given

forty-eight hours after the envelope containing it was posted or, in the case of a notice contained in an electronic communication, forty-eight hours after it was sent.

28 Liability

28.1 The financial liability of the Members for the debts of the cessda-ERIC shall be limited to the respective contribution agreed to be provided to the cessda-ERIC by the Members.

29 Duration and Winding-up of the cessda-ERIC

29.1 The duration of the cessda-ERIC shall be indeterminate.

29.2 A motion which specifies the procedure and timeframe and is approved by a two thirds majority of the Funders' Assembly can wind up the cessda-ERIC.

29.3 The assets of the cessda-ERIC shall be transferred on winding up to such organisations as a two thirds majority of the Funders' Assembly shall agree.

29.4 The European Commission shall be notified of any such decision within 10 days of it being made, pursuant with Article 17 of the Regulation.

30 Changes to these Statutes

30.1 A two thirds majority of the Funders' Assembly shall be required to amend these Statutes.

30.2 The date of any amendments shall be recorded in the minutes of the FAM or in the minutes of the Board meetings at which they were approved.

30.3 [The Annexes to these Statutes may be amended by approval at two consecutive meetings of the Board or by approval of the Funders' Assembly.]

30.4 The Statutes shall at all times comply with the Regulation and all other relevant European Laws and Regulations.

31 Availability of these Statutes

31.1 These Statutes shall be made publicly available through the cessda-ERIC website and at its Statutory Seat pursuant to Article 9 of the Regulation.

32 **Rules**

32.1 The Board may from time to time recommend such reasonable and proper rules as they deem necessary or expedient for the proper conduct and management of the cessda-ERIC. The rules may regulate the following matters but are not restricted to them:

32.1.1 full details of the privileges and obligations of membership in respect of Full, Associate and Affiliate Members;

32.1.2 the access policy for users;

32.1.3 the scientific evaluation policy;

32.1.4 the dissemination policy;

32.1.5 the intellectual property rights policy;

32.1.6 the employment policy, including equal opportunities;

32.1.7 the procurement policy in respect of the principles of transparency, non-discrimination and competition;

32.1.8 decommissioning (if relevant); and

32.1.9 the data policy.

32.2 The Board shall adopt such means as they think sufficient to bring the rules to the notice of the Members of the cessda-ERIC.

32.3 The rules shall be binding on all Members of the cessda-ERIC. No rule shall be inconsistent with, or shall affect or repeal anything contained in, these Statutes.

Annex 1

Privileges and obligations of membership

1 Full Members

1.1 Privileges for Full Members

- 1.1.1 To use the cessda-ERIC branding;
- 1.1.2 To attend and vote at Funders' Assembly Meetings;
- 1.1.3 To participate in cessda-ERIC training and related activities;
- 1.1.4 To use cessda-ERIC software, middleware and tools;
- 1.1.5 To use the European Language Social Science Thesaurus (ELSST).

1.2 Obligations of Full Members

- 1.2.1 To make a full contribution to the cessda-ERIC budget;
- 1.2.2 To be fully compliant with the elements of the DDI metadata standard as identified by the cessda-ERIC;
- 1.2.3 To adopt and apply the cessda-ERIC common single sign-on user authentication system;
- 1.2.4 To enable the harvesting of all their catalogue records for inclusion in the cessda-ERIC data portal;
- 1.2.5 To make their data holdings downloadable through common data gateways;
- 1.2.6 To maintain their local language(s) within the multi-lingual thesaurus;

- 1.2.7 To share their data archiving tools (under the IP conditions set in Intellectual Property Rights annex to these statutes);
- 1.2.8 To adhere to the principles of the OAIS reference model and any agreed cessda-ERIC requirements for operating trusted data repositories (The cessda-ERIC 'seal of approval');
- 1.2.9 To contribute to the cessda-ERIC's cross national data harmonisation activities;
- 1.2.10 To contribute material and/or expertise to the cross-national question bank;
- 1.2.11 To provide mentor support for cessda-ERIC Associate Members and their representative Service Providers to achieve Full Membership;
- 1.2.12 To facilitate access to national government (and research-funded) microdata, dependent on national legal systems;
- 1.2.13 To adhere to the Organisation's Data Access and Dissemination Policy (Annex 2.1);
- 1.2.14 To adhere to the provisions all the Organisation's policy's as required.

2 Associate Members

2.1 Privileges for Associate Members

- 2.1.1 To use the cessda-ERIC branding with the phrase 'Associate Member';
- 2.1.2 To attend Funders' Assembly Meetings, though without a vote;
- 2.1.3 To participate in cessda-ERIC training activities for a set fee;
- 2.1.4 To have access to direct support from the Organisation in developing their systems, processes and services in pursuit of full membership, as laid out in this annex.

2.2 Obligations of Associate Members

- 2.2.1 To make a contribution to the cessda-ERIC budget as agreed as part of the application process (as a guide starting at approximately fifty per cent of Full membership and increasing pro rata in line with progress to Full membership);
- 2.2.2 To pledge to work towards becoming Full Members within a time-scale agreed with the Organisation upon becoming a candidate for full membership, and in partnership with any support assigned under 1.2.11 of this annex;
- 2.2.3 To implement within that time-frame all the obligations set down for Full Members with the exception of 1.2.1 and 1.2.11 of this annex.

3 Affiliate Members

3.1 Privileges for Affiliate Members

- 3.1.1 To use the cessda-ERIC branding with the phrase 'Affiliate Member';
- 3.1.2 To participate in cessda-ERIC training activities for a set fee;

- 3.1.3 To have access to direct support from the Organisation in developing their systems, processes and services in forwarding the objects of the Organisation.

3.2 Obligations of Affiliate Members

- 3.2.1 To make a contribution to the cessda-ERIC budget as agreed as part of the application process;
- 3.2.2 To pledge to work with the cessda-ERIC to forward the objects of the Organisation;
- 3.2.3 To enter into agreement with the Organisation reciprocal data sharing and access arrangements.

Annex 2.i

Data access and dissemination policy

1 General Principles

- 1.1 The data access and dissemination policy of cessed-ERIC shall be guided and in keeping with OCED recommendations and guidelines on data access (OECD Principles and Guidelines for Access to Research Data from Public Funding, OECD, 2007 - <http://www.oecd.org/dataoecd/9/61/38500813.pdf>).
- 1.2 The default position regarding access to publicly-funded data collections held by the cessed-ERIC Service Providers is that the created Dissemination Information Packages (DIPs - data and associated metadata) should be openly accessible and free at the point of access to the designated User Community, and should be made available in a timely fashion.
- 1.3 The default position for dissemination of DIPs is that all data collections should be made available by cessed-ERIC Service Providers for direct virtual access (e.g. online analysis, download, or similar transfer protocol) to authenticated members of the defined User Community subject to any terms and conditions of access/use imposed by the data owner(s).
- 1.4 The default position for users of the cessed-ERIC is that they should be required to agree to a common set of terms and conditions pertaining to use of the DIPs provided by the cessed-ERIC Service Providers providing a framework for 'data etiquette', including citation of data and third party distribution. (A generic cessed-ERIC End User Licence will be made available to all members).
- 1.5 The rights of data subjects are paramount and must not be compromised by any of the three default positions statements above. cessed-ERIC Service Providers must strive to protect the anonymity of data subjects in accordance with prevailing national Data Protection (and related) legislation, as well as relevant ethical frameworks, unless otherwise over-ridden via consent having freely been given and obtained from the data subject(s).

- 1.6 Both users and the cessda-ERIC Service Providers should acknowledge the copyright and other rights of owners vested in all Submission Information Packages (SIPs), Archival Information Packages (AIPs) and DIPs, and the cessda-ERIC Service Providers should be able to demonstrate due diligence in ensuring that rights in the data within their custody are appropriately managed.
- 1.7 Restrictions on direct virtual access to DIPs should not – without justifiable and defensible cause - be imposed on collections that are publicly funded and which do not pose a confidentiality risk to the data subject(s).
- 1.8 For DIPs which are deemed to pose a risk of disclosure of confidentiality, users may be subject to agreeing special terms and conditions pertaining to use; may be denied direct virtual access; and may be required to justify why access to the DIP is necessary.

Annex 2.ii

Scientific evaluation policy

1 General Principles

- 1.1 cessda-ERIC Service Providers should maintain fair, open and transparent procedures regarding access to the DIPs in their custody.
- 1.2 cessda-ERIC Service Providers are facilitators or research and learning not arbitrators over research and learning. As such, by default they should not restrict access to DIPs based on the proposed or intended use unless these are in conflict with any conditions of use agreed in advance with the data owner(s).
- 1.3 Irrespective of principle 1.2 on 'open access' above, cessda-ERIC Service Providers have a duty to promote high quality research, teaching and learning and should support a culture of 'best practice' through promotional and training activities.
- 1.4 It is the responsibility of cessda-ERIC Service Providers to provide guidance (e.g. via website) to researchers and their host institutions to ensure that any research undertaken using material in the custody of the Service Providers is organised and undertaken within a framework of best practice that recognises the rights of the data subjects, the data owners and any others third parties and takes full account of any related ethical or legal issues.
- 1.5 Should DIPs contain information deemed to have a disclosure risk of confidentiality it is the responsibility of cessda-ERIC Service Providers to ensure that all users agree to the terms and conditions governing access and that suitable security arrangements are in place regarding the internal storage and handling of the disclosure information.
- 1.6 The cessda-ERIC Service Providers should be required to have in place well-defined and clearly-publicised arrangements for investigating and resolving allegations of internal professional misconduct, security breaches or confidentiality disclosure regarding data collections held in their custody.

Annex 2.iii

Procurement policy

1 General Principle

1.1 Procurement by the cessed-ERIC of equipment, consumables and services, including maintenance, must comply with all relevant national and EU legislation and the Organisation’s own financial policy and procedures. Accepted procurement best practice in the public sector must be observed. (See, for guidance

http://ec.europa.eu/internal_market/publicprocurement/legislation_en.htm#package)

2 Specific Requirements

2.1 The cessed-ERIC will adhere to the following procedures and thresholds for quotations and tenders:

Under €2,500	one quotation, written or oral
€2,500-€9,999	two written quotations
€10,000-€39,999	three written quotations
€49,000-€199,999	full tendering procedures with normally at least four invited tenders
€200,000 and above	full EU Public Procurement Directives must be followed

2.2 Tender procedures need not be performed where the cessed-ERIC has established call off procedures with suppliers, which has already satisfied competitive tendering objectives.

2.3 For purchases exceeding €1,500 the selected supplier should normally be the lowest quotation/tender, or otherwise the supplier demonstrating best value-for-money. Where the selected supplier is not the lowest then a full explanation of why it was judged to be better value-for-money must be documented.

3 Financial Reporting

- 3.1 Under its governing Statues the cessda-ERIC is required to include within its Annual Report an audited financial statement. This should include a declaration of any tendered procurements. The statement should also include a separate disclosure of relevant profits and royalties arising from publicity, publication and dissemination.

Annex 2.iv

Employment policy

1 Introduction

1.1 The cessda-ERIC's employment policies govern the processes and activities that lead to the employment of the best qualified individuals. They establish the Organisation's commitment to equal opportunity and affirmative action and are consistent with EU (and host nation) employment law and legislation protecting employee rights.

2 Equal Opportunity and Affirmative Action

2.1 Equal Opportunity

2.1.1 cessda-ERIC will act against discrimination of any individual on the basis of race, ethnicity, religion, gender, age, physical or mental disability, sexual orientation, or because of marital or parental status. This policy extends to all rights, privileges and activities of employees. cessda-ERIC recognises that non-discrimination does not ensure that equal opportunity is a reality for all employees or applicants for employment. Because of this, cessda-ERIC will take affirmative action to ensure that employees are treated equally during their employment.

2.1.2 Care will be taken to ensure that affirmative action includes, but is not limited to the following: employment, promotion, re-grading, demotion, recruitment, secondment, redundancy, levels of remuneration, and all other forms of compensation and selection for training.

2.1.3 Personnel policies and practices will be reviewed to ensure that there will be no illegal discrimination against employees.

2.1.4 cessda-ERIC will act against unlawful discrimination against any individual in the providing of, or access to, services or facilities provided by the Organisation.

3 Recruiting, Interviewing and Hiring

The cessa-ERIC's recruiting, interviewing and hiring activities are conducted to ensure the employment of the best qualified individuals. These activities will be carried out in a manner consistent with the Organisation's commitment to the principles of affirmative action and to ensure that minority group members are given equal opportunity for employment and promotion.

3.1 Recruiting

All vacant positions will be recruited through open advertisement or registration of the position with employment agencies or search firms. Vacant positions will be listed for at least five working days before an offer of employment can be made.

3.2 Interviewing and Pre-employment Selection

Candidates will be selected for interview by a short-listing panel who will appraise applicants against stated criteria. Short-listed candidates will be interviewed by a selection panel, for which a chair will be appointed who will be responsible to ensure that the process is fair and accountable. Records of the selection process will be kept for 6 months.

3.3 Hiring

Employment references are to be obtained and reviewed before a final employment decision is made. For an internal promotion/regrade a written reference from the candidate's current line manager detailing the reasons and justification for change must be made and ratified by the cessa-ERIC Director.

4 Employment restrictions

4.1 Employment of Non-EU Citizens

The cessda-ERIC's employment of staff is restricted to those who are authorized under law to accept employment in EU and/or the host State in question, if different. As part of the employment process potential non-authorized employees are required to provide evidence of employability, documentation of their identity, visa, work permit, and/or authorization to accept employment in the EU or otherwise as required by law.

4.2 Employment of Minors

No person under the age of fourteen may be employed by cessda-ERIC. Minors between fourteen and sixteen years of age must submit an employment permit issued by a local school authority at the time they apply for employment.

4.3 Employment of Relatives

cessda-ERIC employees may refer friends and relatives for possible employment by the Organisation. Such referrals are processed in accordance with the regular procedures used for all applicants. The employment of relatives who are qualified for employment is subject to the following policy provisions.

4.3.1 Close relatives and members of the same household cannot be employed in positions where one has supervisory responsibility for the other or makes employment decisions pertaining to the other.

4.3.2 Close relatives are defined as the employee's spouse, parents, parents-in-law, grandparents, brothers, sisters, brothers- or sisters-in-law, sons- or daughters-in law, uncles, aunts, nieces, nephews, children, or grandchildren.

In situations where two employees become close relatives by marriage (or residential partnership) and one has supervisory responsibility for the other or

makes employment decisions pertaining to the other, one of the individuals will be required to affect a transfer or termination within ninety days.

5 Employee Orientation

5.1 cessda-ERIC shall conduct employee orientation training to provide new employees with information on the Organisation's structure, governance, facilities, health and safety requirements and personnel policies and procedures within thirty days of the commencement of employment. The employee orientation should also include notification of issues pertaining to the specific duties and responsibilities of the new employee, included, but not limited to:

- 5.1.1 the employee's job duties and responsibilities;
- 5.1.2 the operational policies and procedures of the department (e.g., lunch hours and reporting of absences);
- 5.1.3 the functions and activities of the department;
- 5.1.4 the quality of services that the Organisation is expected to provide to its clients;
- 5.1.5 the physical layout of the office, the building and immediate vicinity, and all other relevant work areas;
- 5.1.6 environmental health and safety training; and
- 5.1.7 other applicable departmental policies.

Annex 3.i

Equality and diversity policy

1 General Principles

- 1.1 The cessa-ERIC seeks to encourage an environment in which all individuals may contribute as fully as possible without fear of unfair or discriminatory attitudes and practices.
- 1.2 To further the aim 1.1, the cessa-ERIC strives to ensure that there is a positive, welcoming atmosphere and environment for all of its employees, members and stakeholders at all events and locations of the cessa-ERIC's activities.
- 1.3 All staff, Board members, members of constituent bodies and stakeholders shall be treated fairly and equally, regardless of gender, ethnic or national, regional or racial origin, disability, marital status, sexual orientation, religious or political beliefs, socio-economic background, family circumstances, health including HIV status, spent offences, Trade Union membership, age or physical appearance or any other irrelevant distinction.
- 1.4 In its activities on a European and international level, the cessa-ERIC shall uphold these beliefs and principles, and is committed to a European Research Area that is committed to ending all discrimination.

Annex 3.ii

Disciplinary policy

1 General Principles

- 1.1 If the cessda-ERIC believes one of its members to be acting in such a way as to bring cessda-ERIC into disrepute, or is contravening the Equality and Diversity Policy, or has failed to fulfil the obligations of its membership, then the Organisation may begin disciplinary procedures.
- 1.2 The member shall be informed in writing by the Director of the concerns, and shall be requested to either amend or rectify the problem to the satisfaction of the Director by a specified date.
- 1.3 If the member does not respond or does not fulfil the requirements laid down in writing by the Director within the time frame specified then the Director shall request the Board to decide on any disciplinary measures.
- 1.4 The Board may choose one or more of the following:
 - 1.4.1 Expulsion from membership.
 - 1.4.2 Suspension from membership for a stated period of time.
 - 1.4.3 A fine of no more than the member's annual fee.
 - 1.4.4 A formal letter of concern to the relevant statutory body of the member's country.
- 1.5 A member may appeal to the Board if they feel they are being unfairly identified for disciplinary measures by the Director, or are being unfairly disciplined by the Board. The Board shall in that instance rule on the appeal. If the member is unhappy with that ruling they may appeal to the Funders' Assembly, who shall make a final ruling.

Annex 4

List of members and their voting rights

Annex 5

Standing orders for the Funders' Assembly

1 Meetings of the Funders' Assembly

1.1 Meetings of the Funders' Assembly shall be chaired by the Chair of the Board.

1.1.1 The Chair may designate a Vice Chair in the event of his or her absence, or if a vote of no confidence in the Chair is being discussed.

1.1.2 The Chair shall not hold a vote.

1.1.3

(i) The Chair shall rule on any point of order raised during the meeting by a voting member.

(ii) A point of order shall be a question raised with respect to any departure from these standing orders, rules of procedure or other customary procedures either in debate or in the conduct of the meetings of the Funders' Assembly.

1.1.4 Rulings of the Chair shall stand unless overruled by a majority of those present and voting.

1.2

1.2.1 The Chair and Director shall jointly call an annual Funders' Assembly meeting at least 3 weeks in advance, and the Agenda will be made available at least 2 weeks before the meeting.

1.2.2 The Chair and Director shall call an extraordinary meeting of the Funders' Assembly upon receipt of requests to do so by 50% of the membership.

1.3

1.3.1 At least 50% of Full members must be present before a Funders' Assembly meeting is able to agree resolutions.

1.3.2 Any votes taken without 50% of Full Members present shall be considered as indicative only.

2 The Agenda and Order of Meetings

2.1 The Funders' Assembly shall approve the agenda at the beginning of each meeting.

2.2

2.2.1 Any changes to the agenda can be proposed by a voting member of the Funders' Assembly.

2.2.2 Proposed changes to the agenda can approved by a simple majority.

3 Elections

3.1 Elections held for vacant positions on the Board shall be by simple majority and cast by paper ballot.

3.2 If in the event of a tie, voting members shall re-cast votes between the tied candidates.

3.3 All voting members may vote in elections, each member shall have the same proportion and number of votes as outlined in annex 4 to these annexes.

3.4 Nominations for election shall be requested by the Chair and Director upon notifying the membership of the Funders' Assembly meeting. Nominations for vacant positions shall be submitted to the Director no later than two weeks before the scheduled meeting.

3.5 The Chair shall not hold a vote.

4 The Proposition of, and Voting on, Resolutions

4.1 The following propositions, that require a simple majority to be approved, will be put forward to the Funders' Assembly annually;

4.1.1 Approval of the Accounts.

4.1.2 Approval of the Budget as proposed by the Board.

4.1.3 Approval of the Auditors.

4.1.4 Approval of Board's expert appointees to the Board.

4.1.5 Accept the Director's report on the activities, progress and future plans.

4.1.6 Changes to voting rights pursuant to [5.1.5(ii)] of the cessed-ERIC Statutes, if any.

4.1.7 Acceptance of new Full or Associate members, if any.

4.1.8 Acceptance of new Affiliate Members and their privileges and obligations of membership, if any.

4.1.9 Issues deemed of relevance by the Board, if any.

4.2 The following propositions, that require a two thirds majority to be approved, can be put forward to the Funders' Assembly.

4.2.1 Changes to the Statutes or Annexes, if any, prior to their submission to the European Council if relevant.

4.2.2 The revocation of membership, pursuant to 5.6.1 of the cessed-ERIC Statutes, if any.

4.3

4.3.1 Only the Board, or Full and Affiliate Members can make propositions to the Funders' Assembly.

- 4.3.2 Any proposition from Full or Affiliate members shall have a proposer and seconder, and should be submitted to the Director in writing at least 2 weeks before the Funders' Assembly meeting at which it is to be discussed.
- 4.4 All propositions shall be sent to Funders' Assembly members at least one week before the scheduled meeting.
- 4.5
 - 4.5.1 Voting shall be by voting card.
 - 4.5.2 The Chair may rule, if requested by a member, that a vote is conducted by secret ballot.
- 4.6 A record of the votes taken by individual members shall not be made unless requested by a member and approved by the Chair.
- 4.7 The Chair shall not hold a vote.

5 Votes of No Confidence

- 5.1
 - 5.1.1 Can be proposed by any Full or Affiliate Member and shall be treated as regular propositions.
 - 5.1.2 Any proposition must include the reasons for proposing a vote of no confidence.
- 5.2 If the proposition is against the Chair, then the Vice Chair shall take over Chairing the Funders' Assembly until the result of the vote has been announced.

Annex 6

Standing orders for the Board

1 Meetings of the Board

- 1.1 Board meetings shall be chaired by the Chair. The Board may elect a Vice Chair from within its own membership, who in the event of the absence or removal of the Chair may fulfil the responsibilities of the Chair.
- 1.2 The Director shall be in attendance at all meetings of the Board, and shall not attend for items concerning the employment or supervision of the Director.
- 1.3 Meetings of the Board shall be held in private unless the Board explicitly wishes to invite individuals or groups to observe.
- 1.4 All meetings of the Board shall be minuted. The minutes shall be approved at the following meeting of the board, and shall be made publicly available one approved as a true and accurate record of the meeting.
- 1.5 The agenda shall be prepared in advance of each meeting by the Chair and the Director.
 - 1.5.1 Any Board member wishing to bring forward an item of business shall do so in writing to the Chair at least 14 days before the meeting
 - 1.5.2 The Chair shall have final decision on the agenda of Board meetings.
 - 1.5.3 Any members wishing to raise matters under Any Other Business should inform the Chair prior to the start of the meeting.
 - 1.5.4 Agenda items that the Board wish to discuss may be flagged, or 'starred', at the beginning of the meeting. Any items un-starred shall be automatically taken to be approved.

- 1.6 There shall be at least two (2) meetings of the Board a year. Notice of each meeting shall be given to Board members at least 21 days before the meeting.
- 1.7 An extraordinary meeting of the Board may be called by the Chair to discuss an urgent issue. An extraordinary Board meeting may only discuss the issue for which it was convened. At least five (5) days notice must be given.
 - 1.7.1 The Chair shall call an extraordinary meeting of the Board if half of the membership of the Board request so, or if the Director requests so.
 - 1.7.2 Extraordinary Board meetings shall follow the same standing orders as ordinary board meetings.
- 1.8 The quorum for meetings of the Board shall be half plus one of voting members, and no decisions can be made by the Board unless a member from the full-member caucus is present.
- 1.9 Meetings of the Board may be conducted virtually, i.e. over phone or internet connections.

2 The Chair

- 2.1 The Chair of the Board shall be elected by a majority vote of the Full Members of the Organisation. They shall remain Chair until their term of office has expired, they are removed through a vote of no confidence by the Funders' Assembly, they are unable to fulfil the duties of Chair, they bring the Organisation into disrepute, or they are no longer a full member, whichever be the earliest.
- 2.2 The Chair shall line manage the Director.
- 2.3 The Chair shall ensure a fair debate is conducted in all discussions by the Board.

3 Declaration of Interests

- 3.1 All Board members shall declare any interest in any items under discussion or consideration by the Board.

- 3.2 Any members with interests shall not vote on any resolution in which they have an interest, nor shall they speak unless to provide points of information.

4 Resolutions of the Board

- 4.1 The Board shall make resolutions through a vote or through consensual agreement. In the event of a tie the Chair shall hold a casting vote.

- 4.2 The Board shall;

- 4.2.1 Approve or amend the minutes of the previous meeting.
- 4.2.2 Annually approve the budget of the cessed-ERIC for recommendation to the Funders' Assembly.
- 4.2.3 Annually set the remuneration level of the Director.
- 4.2.4 Review the location of the secretariat and the administrative operations of the Organisation every five years.
- 4.2.5 Set the annual contributions for each category of membership.

5 Reserved Business

- 5.1 Matters of reserved business may be declared by the Chair. Reserved business shall be discussed in private and only by those voting members of the Board and with the Director in attendance unless it is inappropriate for them to be so.
- 5.2 Any matters identified by the Chair as reserved business, and any papers relating to them, shall be treated as confidential.

Annex 7

Conflict Resolution

7.1 Principle

It is acknowledged that this agreement is intended to create co-operation between Service Providers which will maintain their independence and that in these circumstances, the possibility arises that one or more Service Providers may not wish to co-operate on a particular initiative. This policy for conflict resolution is designed to ensure that such a decision will not threaten arrangements of various kinds, completely.

7.1. New initiatives will be presented by the Director for adoption or rejection by the Board at regular meetings.

7.2. The membership will be informed of new initiatives within one month of adoption by the Board.

7.3. Individual members will be deemed to have accepted compliance with new initiatives unless they have formally advised the Director otherwise, with their reasons, within two weeks of the date of circulation of information about the initiative.

7.4 Reasonable justifications for non-compliance will be accepted in the first instance but non compliant Service Provider(s) will engage with the Director within two weeks of notification of disagreement, to discuss and put in place measures for remedy.

7.5 Where measures are put in place and the Service Provider(s) continues to dissent, the matter will be referred to the Board.

7.6 Where the Board fails to resolve the matter, reference will be made to the national member.

7.7 Members will be allowed, for a reasonable and limited number of occasions, to opt out of initiatives, temporarily or permanently, where this has been agreed with the Director and the Board.

Annex 8

The European Union Council Regulation on the Community Legal Framework for a
European Research Infrastructure (2008)

Annex 8

cessda-ERIC Scientific Advisory Council Terms of Reference

The Scientific Advisory Council (SAC) assists the cessda-ERIC in achieving its stated goals by identifying and addressing the needs and concerns of the user and other stakeholder communities. As such it serves as a critical sounding board in the development of new ideas and initiatives, as well as monitoring and evaluating the effectiveness of the cessda-ERIC and the related network of Service Provider's.

1 Role of the Scientific Advisory Council

- 1.1 The SAC provides advice to the cessda-ERIC in order to advance its goals in the area of social science data sharing for research, teaching and learning, and its membership will serve to:
 - 1.1.1 advocate and promote the cessda-ERIC's commitment to researchers, teachers and learners and their academic activities;
 - 1.1.2 advocate and promote the cessda-ERIC's commitment to facilitating quality research and teaching;
 - 1.1.3 advise on policy decisions of the cessda-ERIC's and its related Service Provider(s);
 - 1.1.4 identify and address the data related needs and concerns of user communities served by the cessda-ERIC and its related Service Provider(s);
 - 1.1.5 to serve as a critical sounding board and assist in the development of new ideas and initiatives to support the work of the cessda-ERIC and its related Service Provider(s);
 - 1.1.6 to review evaluations of the cessda-ERIC's services and programme of work;
 - 1.1.7 to advise on overarching cessda-ERIC staffing needs, resource and financial planning.

2 Membership

2.1 The SAC shall be composed of a maximum of 10 members drawn from the cessed-ERIC stakeholder communities. This could include, but should not be limited to, representatives of:

- 2.1.1 the academic research and teaching community;
- 2.1.2 policy researchers;
- 2.1.3 the European Commission;
- 2.1.4 the European Strategic Forum for Research Infrastructures;
- 2.1.5 the European Science Foundation;
- 2.1.6 Eurostat;
- 2.1.7 the European Research Council.

2.2 The cessed-ERIC's Director, the Chair of the cessed-ERIC Board and the Chair of the Assembly of Service Provider's shall all serve as ex-officio members, but shall not have voting rights.

3 Chair of the SAC

3.1 At its first meeting the Board will elect a Chair from among its appointed membership. The term of office will be two years. Thereafter, new Chairs will be elected in a similar fashion when periods of tenure finish or upon the resignation of the current Chair. The incumbent Chair is eligible for re-election.

4 Meetings

4.1 The SAC shall meet once per year, or as required. The agenda will be circulated 10 working days in advance of meetings and will be prepared by the cessed-ERIC Director in discussion with the Chair of the SAC. Meeting agendas will normally include a report from the cessed-ERIC Director. Minutes of the proceedings shall be kept by the cessed-ERIC Directorate and made available via cessed-ERIC website.