

IRG-Rail (11) 2 rev 3



## IRG-Rail Working Arrangements

## **Working Arrangements**

The Working Arrangements seek to provide an efficient and transparent approach for the functioning of the Independent Regulators' Group - Rail (IRG-Rail).

### **1 Plenary Assembly**

#### **1.1 Composition**

Only Members shall participate at the meetings of the Plenary Assembly. The Members will be represented by the Heads of the Regulatory Bodies or any senior executive designated by the relevant Head.

When the Head/designated representative cannot attend a Plenary Assembly, an alternate may attend and stand in for the Head/designated representative provided that he/she is endowed with written accreditation to guarantee a full mandate and right to participate in a plenary vote. The written accreditation shall be made available to the Chairperson of IRG-Rail at the latest before the Plenary Assembly commences.

If appropriate, additional open sessions of the Plenary Assembly, workshops or seminars etc. can be held to which other interested parties (stakeholders, observers, experts etc.) can be invited. During these meetings no voting procedures shall take place.

#### **1.2 Convocation to Meetings**

Meetings of the Plenary Assembly shall be convened by the Chairperson of IRG-Rail in writing, no less than twenty working days prior to the proposed meeting date. The convocation shall indicate the date, time and place of the meeting and shall contain the draft agenda.

The draft documents on which the Plenary Assembly meeting is consulted, and all other working documents, shall be sent to the participants no later than ten working days before the date of the meeting of the Plenary Assembly.

#### **1.3 Voting Procedures**

All Members duly present shall be entitled to vote at the Plenary Assembly. Each Member shall have one vote. The quorum is two-thirds of the Members. This quorum rule shall also apply to the electronic voting procedure.

Voting shall be by a show of hands or by secret ballot. A secret ballot must be made if at least two participants request so.

If not stated otherwise in these Working Arrangements, decisions shall be reached by consensus of all Members present.

#### **1.4 Electronic Voting Procedure**

The Chairperson of IRG-Rail may seek a decision by means of an electronic voting procedure when the decision cannot wait until the next Plenary Assembly and an extraordinary meeting is not practicable.

The Chairperson of IRG-Rail shall inform the Members of the need and justification for an electronic voting procedure and shall send the draft decisions together with the relevant documents. The period for comments to be submitted is ten working days.

The relevant Working Group shall prepare a final proposal on the basis of these comments. The Chairperson of the Working Group shall submit it to the Chairperson of IRG-Rail who shall launch and conduct the vote. The period for voting is five working days.

The Chairperson of IRG-Rail shall inform all Members on the outcome of the electronic voting procedure and shall distribute any decision taken with all relevant documents within three working days after its adoption.

In urgent matters and if justified by the Chairperson of IRG-Rail the period for comments may be reduced to five working days and the period for voting to three working days.

#### **1.5 Minutes**

The minutes of the Plenary Assembly shall record the decisions adopted in accordance with the voting procedures set out in 1.3 of the Working Arrangements.

The minutes of the Plenary Assembly shall be drafted by the Chairperson of IRG-Rail. The draft minutes shall be sent to all Members for comments within ten working days from the date of the Plenary Assembly.

The final draft minutes shall be made available to all Members within five days. They shall be approved by the next Plenary Assembly. The approved minutes shall be posted on IRG-Rail internal website.

## **2 Chairperson and Vice-Chairperson**

### **2.1 Election**

A candidate must be the head (meaning chairperson, board member, president, vice-president or any other similar senior executive) of a regulatory body and be appointed by the regulatory body.

Candidacies for IRG-Rail Vice-Chairmanship for the following year shall be submitted to the Chairperson of IRG-Rail at least fifteen working days before the meeting of the Plenary Assembly. All other Members shall be informed of the candidacies in parallel to the submission to the Chairperson of IRG-Rail. The Vice-Chairperson for the following year is elected by the Plenary Assembly from among its Members by means of a secret vote by a two-thirds (qualified) majority of the Members present.

Should a Chairperson of IRG-Rail or a Vice-Chairperson resign due to changes in his/her capacity to represent a certain Member, a new election for the vacancy shall take place at the next Plenary Assembly or via electronic voting, if necessary.

### **2.2 Representation**

IRG-Rail shall be represented externally and in any official documents by the Chairperson or the Vice-Chairperson. They shall be responsible for the internal and external relationships of IRG-Rail.

The Chairperson of IRG-Rail may invite a Chairperson of a Working Group to represent IRG-Rail.

### **2.3 Succession of Membership**

If a Regulatory Body that is a member of IRG-Rail is renamed, or reconstituted, or if the responsibilities of that Regulatory Body are conferred upon a different organization, by the government of that Member State, then the successor body shall automatically be regarded as a member of IRG-Rail unless:

- a) the new body indicates that it does not wish to be a member of IRG-Rail,
- b) the new body does not meet the membership requirements of IRG-Rail, as outlined in Article 4.1 of the Memorandum of Understanding.

### **3 Network Meeting**

The Plenary Assembly is supported by a Network Meeting, composed of the representatives of all Members, headed by a representative of the IRG-Rail Chairperson. Members of the Network Meeting shall be empowered to speak on behalf of their national regulatory bodies.

The Network Meeting is intended to ensure coordination of proposals to be considered by the Plenary Assembly and shall perform the following tasks:

- make the necessary preparations for the Plenary Assembly,
- serve as a facilitator between the Working Groups and the Plenary Assembly,
- aim to resolve outstanding differences of opinion between the Members and, if not possible, to ensure the documents to be submitted to the Plenary Assembly reflect diverging positions,
- ensure that the papers to be submitted for consideration by the Plenary Assembly are complete, consistent, timely prepared and ready for discussion and/or decision,
- finalise the draft agenda for the Plenary Assembly and submit it to the Chairperson of IRG-Rail for approval.

All documents to be submitted to the Plenary Assembly shall be first presented during the Network Meeting.

The Network Meeting shall take place at least three weeks prior to the ordinary Plenary Assembly, and may, if requested by the Chairperson of IRG-Rail, meet prior to any extraordinary meetings.

### **4 Strategy Committee**

The Strategy Committee shall at least be composed of the representatives of the previous, current and next IRG-Rail Chairpersons and the Chairpersons of the Working Groups. All Members can appoint representative(s) to the Committee and inform the Chairperson of IRG-Rail. The members of the Strategy Committee shall be empowered to speak on behalf of their national regulatory bodies.

The Committee is chaired by the Chairperson of IRG-Rail or his/her representative.

The Strategy Committee shall meet at least once a year and more frequently if necessary. Meetings of the Strategy Committee shall be convened by the Chairperson of IRG-Rail on their own initiative or at the request of the Member(s).

The Strategy Committee shall:

- identify key strategic issues likely to impact the role or activities of the Regulatory Bodies, or the rail sector,
- draft the IRG-Rail strategy for the period of three or more years and submit it to the Plenary for approval,
- assist in the preparation of the IRG-Rail Work Programme before its submission to the Plenary Assembly for approval,
- initiate the amendment process of the annual Work Programme,
- identify the topics of common interest for the Working Groups and to initiate cooperation of the Working Groups if necessary.

## **5 Working Groups**

The Working Groups shall be established or dissolved by the Plenary Assembly. The members of a Working Group shall be empowered to speak on behalf of and present the opinions of their national regulatory body in preparing the IRG-Rail position papers.

Each Working Group is led by a Chairperson. The Chairperson of IRG-Rail shall launch a call for candidates for the Chairperson for each Working Group. The Chairperson is appointed by the Plenary Assembly by a majority of the Members present.

The Working Group may be led by two persons from different regulatory bodies acting as co-Chairpersons. The Chairperson of IRG-Rail shall launch a call for candidates for the co-Chairperson upon request of the Chairperson of the Working Group or a member of IRG-Rail. The co-Chairperson of the Working Group shall be appointed by the Plenary Assembly by a majority of the Members present.

The terms of the Chairperson or co-Chairperson of a Working Group shall be limited to three years and can be renewed.

The Working Groups shall aim at issuing position papers which are fact-based and/or which reflect practical regulatory experiences.

The Working Groups shall be the forum for developing, debating and encouraging Members' positions and views on regulatory issues. The Working Groups' Chairpersons shall facilitate a compromise position where necessary. Nevertheless in case of persisting diverging positions, acknowledged by the members of the Working Group, the submission note accompanying the document submitted for approval of the Plenary Assembly should reflect the different positions which shall be duly justified.

## **6 Work Programme**

The draft annual Work Programme of IRG-Rail shall be prepared by the Chairperson of IRG-Rail and the Vice-Chairperson with the assistance of the Strategy Committee. The draft Work Programme shall be considered during the Network meeting.

The draft Work Programme shall be submitted for the approval of the Plenary Assembly. Once approved by the Members, the Work Programme shall be published on the IRG-Rail website.

The Members shall adopt the annual Work Programme of IRG-Rail before the end of each year preceding that to which it relates.

The Work Programme can be amended on the initiative of the Strategy Committee or at the request of the Member of IRG-Rail, if necessary. The proposed amendments shall be approved by the Plenary or via electronic voting.

The Work Programme shall be conducive to achieving the goals identified in the IRG-Rail strategy.

## **7 Revision of the Working Arrangements**

These Working Arrangements shall be reviewed and, if necessary, amended.

The Chairperson of IRG-Rail may propose, following a request from one of the Members or on his/her initiative, amendments to these Working Arrangements.

These amendments shall be adopted by the Plenary Assembly by a two-third (qualified) majority.

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Document history

<b>Date</b>	<b>Action</b>
June 2011	Adopted
May 2013	Amended, to include paragraph 1.4 (a)
October 2013	Amended, to include 1.1 (second paragraph) and 3
November 2016	Amended, to include changes in: paragraph 1.1 paragraph 1.2 paragraph 1.3 paragraph 1.4 paragraph 1.5 paragraph 2.1 paragraph 2.2 paragraph 3 paragraph 4 renumbered as paragraph 7 Added: paragraph 2.3 paragraph 4 paragraph 5 paragraph 6 replaced paragraph 2.3 Removed: paragraph 1.4 (a)