PROCEDURAL ACT No 1/2024 OF THE REGULATORY BOARD OF THE ENERGY COMMUNITY

2024/01/ECRB-EnC of 10 December 2024 amending and replacing the Procedural Act 2019/01/ECRB-EnC

The Regulatory Board of the Energy Community,

Having regard to the Treaty Establishing the Energy Community (hereafter "Energy Community Treaty") and in particular Article 60, 86 and 87 thereof,

Having regard to the proposal, made by the Energy Community Secretariat,

Acting in accordance with the procedure laid down in Article 82 and 83 of the Energy Community Treaty,

Acting in accordance with the procedure laid down in Article 13.3 of the Internal Rules of Procedure of the Regulatory Board of the Energy Community, Procedural Act No. 01/2007 amended by Procedural Acts 2009/01, 2012/01, 2013/02, 2015/01 and 2019/01.

HAS DECIDED AS FOLLOWS:

Article 1

Procedural Act No. 2024/01/ECRB-EnC amending and replacing the Internal Rules of Procedure of the Regulatory Board of the Energy Community as laid down in the Annex to this Act is hereby adopted.

Article 2

This Procedural Act is addressed to the members of the Energy Community Regulatory Board.

Article 3

The Energy Community Secretariat shall make this Procedural Act and its Annex available to all Parties and institutions under the Energy Community Treaty within seven days after its adoption.

Article 4

This Procedural Act shall enter into force upon adoption.

Done on.

For the Regulatory Board

The President

ANNEX TO PROCEDURAL ACT No 1/2024/ECRB-EnC OF THE REGULATORY BOARD OF THE ENERGY COMMUNITY

THE ENERGY COMMUNITY REGULATORY BOARD INTERNAL RULES OF PROCEDURE

Article 1 – Purpose

1.1 The Rules regulate the organization of the Energy Community Regulatory Board and establish the procedures of its meetings and decision-making.

1.2 The Energy Community Regulatory Board (hereinafter: "ECRB" or "Board") shall discharge the tasks entrusted to it by Article 58 of the Treaty Establishing the Energy Community (hereinafter: the Treaty) and the Energy Community *acquis*, as well as all other deliverables foreseen under the ECRB annual work programme.

1.3 The ECRB, upon request of the Ministerial Council, the PHLG and the European Commission, or on its own initiative and in accordance with the objectives of the Energy Community Treaty, shall undertake the function of advising on statutory, technical and regulatory rules in the region to the Energy Community Treaty Institutions.

1.4 The ECRB shall provide advice to the Ministerial Council and the PHLG with regard to monitoring and assessing the operation of the regional energy networks and network energy market and issue recommendations to the Parties when so entrusted by the Treaty or the Ministerial Council.

1.5 The ECRB shall facilitate consultation, co-operation and co-ordination amongst regulatory authorities towards a consistent application of the *acquis communautaire*. The ECRB makes recommendations and reports with respect to the functioning of the energy markets.

1.6 The ECRB shall adopt procedural acts as well as recommendations, opinions and decisions binding on its addressees (Measures), where mandated so by the Ministerial Council.

1.7 The ECRB may decide, in accordance with the procedure laid down in 4.7 hereunder, to issue a request to the Ministerial Council pursuant to the provisions of Articles 90 and 92 of the Treaty.

Article 2 – Members

2.1 In accordance with Article 59 of the Treaty, the ECRB is composed of one representative of the energy regulator of each Contracting Party and a representative of the European Commission representing the European Union (hereinafter: "Members" of the ECRB). The representative of the Regulatory Authority of the Contracting Parties shall be at the level of Head of the Energy Regulatory Authority or his nominated representative.

2.2 The European Commission is assisted by one regulator of each Energy Community Participant country (hereinafter: "Participants" of the ECRB) and one representative of the Agency for the Cooperation of Energy Regulators (hereinafter: “ACER”). The representative of the Regulatory Authority of the Participants shall be at the level of the Head of the Energy Regulatory Authority or his nominated representative. The representative of ACER shall be at the level of the Director or his nominated representative.

2.3 The Members of the ECRB shall act in good faith, in accordance with principles outlined in Title I of the Treaty, and resolve to adhere to these Internal Rules of procedure.

Article 3 - President and Vice President

Duties

3.1 The President of the ECRB carries out the tasks entrusted to her/him by the provisions below. The President shall fulfill a unifying role and ensure by his/her authority that all Members and Participants work with a common purpose towards the discharge of the tasks entrusted to the ECRB under the Treaty, the Energy Community *acquis* and all other deliverables foreseen under the ECRB annual work programme.

3.2 The President shall not represent his/her regulatory authority. This task shall be undertaken by a suitable representative of the Contracting Party Regulatory Authority and this representative will exercise the Contracting Party Regulatory Authority vote.

3.3 In addition to exercising the powers conferred upon him/her elsewhere in these rules, the President, after consulting the Vice-President, shall declare the opening and closing of each ECRB meeting, shall direct the discussion, shall ensure the observance of these Rules, shall accord the right to speak and announce decisions. The President may also call a speaker to order if his or her remarks are not relevant to the subject under discussion.

3.4 The European Commission shall act as Vice-President. The Vice-President shall also fulfill a unifying role and ensure, by his/her authority that all the Members and Participants work with a common purpose towards the discharge of the tasks entrusted to the ECRB under the Treaty, the Energy Community *acquis,* and all other deliverables foreseen under the ECRB annual work programme.

3.5 The Vice-President assists the President in accordance with the provisions set out below. In the event of absence, impediment or incapacity of the President, the Vice-President is empowered to replace and exercise the responsibilities of the President.

Election

3.6 The President is elected by the ECRB members by secret ballot and by a two third majority of the votes cast, provided presence of at minimum two thirds of its Members.

3.6.1 Each Member shall have one vote. Abstentions to voting from Members present shall not count as votes cast**.** Invalid votes, such as the ballot paper containing no markings whatsoever or the intention of the voter is not clearly discernible from the ballot paper, shall have the same impact on the election result as abstentions to voting.

3.6.2. If none of the candidates receives the necessary two third majority in the first voting round, further voting rounds shall be held at the same ECRB meeting. At the end of each voting round, the candidate with the lowest number of votes shall be withdrawn. When it is not possible to determine the candidate with the lowest number of votes due to equality, there shall be a special ballot to determine the remaining candidate. Voting shall continue until one candidate receives the required two third majority of the votes cast, according to Article 3.6.

3.6.3. Candidates are entitled to withdraw their application at any stage of the voting procedure.

3.7 The nomination procedure shall be initiated by a Vice Presidency's written call for applications addressed to the ECRB member, entailing a nomination period of at least two weeks.

3.7.1 The Head and / or Commissioners of Contracting Parties Regulatory Authorities are eligible for the ECRB Presidency.
3.7.2 In case no nominees from the Contracting Parties Regulatory Authorities' candidate or are proposed, the Vice-Presidency shall open a second application round entailing a nomination period of at least two weeks. In this case, also the Head and / or Commissioners of Energy Community Participant countries are eligible for the ECRB Presidency.

3.8 Any candidature or any proposal for candidature shall be put forward to the Vice President of the ECRB.

3.9 The Vice President brings the candidacies to the attention of the members of the ECRB.

3.10 The President's term of office is two years and may be terminated upon decision of the ECRB or resignation. A President of the ECRB may not assume the Presidency more than two terms consecutively.

3.11 In the event of resignation, incapacity or recall of the President during his or her term of office, a new President shall be appointed in accordance with the above-mentioned procedure, as soon as possible.

3.12 A decision of the ECRB as referred to in Article 3.10 requires presence of at minimum two thirds of its Members and two third majority of the votes cast. The decision of the ECRB must be duly justified and published.

Article 4 - Decision making process

Board Decision making process based on Title II, III and IV of the Treaty

4.1 The Board acts within the mandate set forth in Article 58 of the Treaty and adopts procedural acts and takes Measures if so empowered by the Ministerial Council.

4.2 Each Member shall have one vote. Abstentions to voting from Members present shall not count as votes cast.

4.3 The Board may act in accordance with the provisions of Articles 4.4, 4.5 and 4.6 only if two thirds of Members are represented.

4.4 Under Title II of the Treaty, the Board shall act on a proposal from the European Commission, and each Contracting Party shall have one vote. The European Commission may alter or withdraw its proposal at any time during the procedure leading to its adoption. The President shall try to reach agreement by all Parties. Where consensus cannot be reached, the Board shall adopt Measures by a majority of the votes cast. The representative of the European Commission representing the Union shall not vote.

4.5 Under Title III of the Treaty the Board shall act on a proposal from a Party or the Secretariat. The Parties and the Secretariat are encouraged to consult their proposal with the European Commission eight weeks before the meeting upon which the proposal shall be presented. The President shall try to reach agreement by all Parties. Where consensus cannot be reached, the Board shall adopt Measures by a two third majority of the votes cast, including a positive vote of the European Union.

4.6 Under Title IV of the Energy Community Treaty the Board shall act on a proposal from a Party. The Party or Parties interested in putting forward a proposal are encouraged to consult with the European Commission eight weeks before the proposal is tabled to the Board for consideration. The Board shall adopt Measures by unanimity.

4.7 Proposals are submitted to the President and the Vice President of the ECRB.

4.8 The vote(s) against a proposal for a Measure that was adopted by the Board shall be, upon request by the outvoted Member(s), recorded in the minutes and the conclusions of ECRB, together with the proposal as adopted, according to Article 58 of the Energy Community Treaty. Dissenting opinions shall be published on the Energy Community website upon request of the outvoted Member(s).

4.9 The outcome of any votes has to be recorded in the minutes of the ECRB meetings.

Article 5 - Board approval of the annual work programme and other documents not covered by other provisions in these Rules of Procedure

5.1 The Board shall aim at approving the annual work programme and other documents not covered by other provisions in these Rules of Procedures by consensus. Where consensus cannot be reached, the Board shall act by two-thirds of the votes cast.

5.2 Each Member shall have one vote. Abstentions to voting from Members present shall not count as votes cast.

5.3 The Board may act in accordance with the provisions of Articles 5.1 and 5.2 only if two thirds of Members are present.

5.4 Disagreements raised with reference to the document subject to approval shall be clearly stated in this document.
5.5 The rules established in Articles 9 and 7 shall apply.

Article 6 – Working methods at the level of ECRB Working Groups

6.1 The ECRB Working Groups shall aim to act by consensus. Where consensus cannot be reached, the Working Group shall act by a simple majority. A positive vote of the European Union shall not be required.

6.2 If a Working Group cannot reach a simple majority, the Working Group Chair may forward the deliverable in question to the ECRB for consideration.

6.3 Each Member shall have one vote. Abstentions to voting from Members present shall not count as votes cast.

6.4 The ECRB Working Groups may act in accordance with the provisions of Article 6.1 only if at least two thirds of Members are represented.

6.4 Disagreements raised with reference to the document submitted to the ECRB for approval shall be clearly stated in this document.

Article 7 – Rules for Decision making and approval by correspondence

7.1 The Board may, in the intervals between the ECRB meetings, take decisions, adopt opinions, recommendations and procedural acts and approve other acts by correspondence. The President, upon the proposal by an ECRB working group, a Board Member or upon its own initiative shall decide, after consulting and in agreement with the Vice-Presidency, whether the decision, opinion, recommendation, procedural act or another act shall be taken by correspondence.

7.2 When it is decided that a decision, opinion , recommendation, procedural act or other act should be adopted or approved by correspondence, the President shall instruct the ECRB Unit to dispatch a letter to all Members containing the proposed document for adoption or approval together with such information as the President, after consultation and in agreement with the Vice-Presidency, considers necessary to an informed adoption or approval. The President, after consultation and in agreement with the Vice-Presidency, shall also specify whether and, if so, under which conditions amendments to the proposal may be made by the Members.

7.3 President, after consultation and in agreement with the Vice-Presidency, shall determine the date and hour by which responses must be received, which shall in no case be earlier than 10 calendar days from the date of transmission of the letter referred to above. In exceptional circumstances, upon request or at its own discretion, may the President, after consultation and in agreement with the Vice-Presidency, change the time limit for the receipt of responses. Any Member who has not replied in writing within the given time limit is regarded as abstaining from the vote.

7.4 The votes cast by correspondence shall be reviewed by at least three persons, including the President, the European Commission and the ECRB Unit. Once a decision, opinion, recommendation, procedural act or other act is adopted or approved, it shall be circulated by the ECRB Unit to all Members, together with the information on the votes cast in favor of the decision.

Article 8 – Meetings

8.1 The ECRB Unit shall establish a register of Members and Participants and shall record attendance at all official meetings.

8.2 Notwithstanding Article 71 of the Treaty, the Energy Community Secretariat shall be represented by the Head of the ECRB Unit or, if excused by the President, by another staff member of the ECRB Unit.

8.3 The Observers' regulatory authorities may attend ECRB meetings without participating in the discussions and without voting rights, in accordance with the Treaty, Title IX, Article 96. The President in agreement with the Vice-President may invite an Observer to make a statement. The President in agreement with the Vice President may also decide that Observers be absent for specific points of the agenda due to confidentiality concerns. This will be specified as far as possible when the agenda is circulated.

8.4 The ECRB will be convened in principle four times a year and, extraordinarily when appropriate.

8.5 At its last meeting of a calendar year, the ECRB decides the dates of its meetings in the next calendar year. These are published on the Energy Community website. Any changes (cancellation, re-scheduling) to the agreed dates are to be notified to Members as soon as such changes become necessary but at least three weeks in advance.

8.6 The ECRB meetings shall be convened by either the President or the Vice President.

8.7 An extraordinary meeting of the ECRB may be convened by the President or Vice-President. An extraordinary meeting shall also be called at the request of at least one fifth of the Members, within one month of the receipt of the request by the ECRB Unit.

8.8 Upon endorsement of the draft agenda by the President and Vice-President, the ECRB Unit circulates the proposed agenda to those entitled to attend the respective meeting of the ECRB. The draft agenda shall indicate the subjects to be considered clearly.

8.9 The agenda shall be circulated to those entitled to attend the respective meeting of the ECRB at least two weeks ahead of the meeting. In case of urgency the President may deviate from this rule.

8.10 All meeting related documents shall be made available in the Energy Community website's ECRB members' area at least two weeks ahead of the meeting. In case of urgency the President may deviate from this rule. In any case, documents related to agenda items scheduled for ECRB approval shall be submitted to the ECRB Members,10 (ten) calendar days before the ECRB the latest.

8.11 With the President's permission, Members may be accompanied by experts.

Article 9 - Organization of work

9.1 The ECRB shall adopt an annual work programme in accordance with the procedure laid down in Article 14.2. The work programme shall be published on the Energy Community web site.

9.2 At the beginning of every calendar year, the ECRB shall adopt an annual report summarizing its activities over the preceding year, prepared by the ECRB Unit. The annual report shall be published on the Energy Community website.

Article 10- Working Groups

Organisation

10.1 The ECRB may set up working groups composed of Members, Participants and ACER and chaired by a Member, a Participant, or ACER, and mandate them to study specific subjects and present its reports, including the Members' views and recommendations, to the Board. The mandate may provide that the composition of the working groups will be flexible in order to involve other relevant authorities when necessary. The mandate shall be time limited and shall further specify in which way the working group will report back to the Board and how it will be assisted by the ECRB Unit. The Members, Participants and ACER representatives involved in the working groups shall nominate their representatives and notify the Chair in a timely fashion prior to the start of the relevant working group.

10.2 The ECRB takes its decision to establish a group and its terms of reference by simple majority of the votes cast, including a positive vote of the Vice-President.

10.3 Observers' representatives maybe invited by the chairmen to observe the work of the working groups. They shall be excluded from establishing consensus within a working group.

10.4 Working Groups may establish Task Forces or smaller ad-hoc expert groups or drafting teams to cover some of the specific assignments that fall within Working Groups' terms of reference. Task Forces are regarded as temporary groups, as their legitimacy arises from the ECRB annual work program as approved by the Board.

Chairpersons

10.5 Meetings of the Working Groups shall be convened by their Chairs. In addition to exercising the powers conferred upon him/her elsewhere in these rules, the Chair shall declare the opening and closing of each Working Group meeting, shall direct the discussion, shall ensure the observance of these Rules, shall accord the right to speak and announce reports or decisions on organisational matters. The Chair shall encourage all Member's representatives to participate actively in the Working Group's tasks and pay attention to ensure that the work is shared in a fair manner. The Chair may also call a speaker to order if his or her remarks are not relevant to the subject under discussion.

10.6 The Working Group Chairs are elected by the ECRB for a period of two years, which may be extended. Proposals for candidacy shall be put forward to the President and Vice President of the ECRB including proof of support by the Head of the candidate's authority. The nomination procedure shall be initiated by a President's and Vice President's written call for applications addressed to the ECRB member, entailing a nomination period of at least two weeks. The President brings the candidacies to the attention of the members of the ECRB in agreement with the Vice President.

10.7 The Working Group Chairs´ term can be terminated upon a decision of the ECRB pursuant to Article 10.8. In the case of resignation of the Chairperson during its term, a new Chairperson will be appointed under the same terms for a period of up to two years, which may be extended.

10.8 The election of Working Group Chairs by the ECRB requires the presence of two thirds of Members and simple majority of the votes cast.

10.9 If in the first voting round out of more than two candidates none reaches a simple majority of votes, a run-off ballot shall be executed between the two candidates who obtained the highest number of votes. In case the percentage of votes of one of those two applicants equals to the percentage a third candidate received in the first voting round, the latter shall also participate in the run-off ballot.

10.10 The procedure laid down in item 10.9 shall be repeated until any of the candidates reaches a simple majority of votes.

10.11 Candidates are entitled to withdraw their application at any stage of the voting procedure.

10.12 The rules laid down in item 10.9 shall not prevent ECRB to unanimously decide on the successful candidate in case the procedure pursuant to item 10.9 does not succeed to allocate a simple majority of votes to any of the applicants.

10.13 Working Group Chairs and/or experts may be invited by the ECRB Presidency to report in the Board meetings. To this end, and as a general principle, Working Group Chairs should attend the Board meetings.

Deputy Chairpersons

10.14 Each Working Group shall designate a deputy to the Chair. In the event of absence, impediment or incapacity of the Working Group Chair, the Deputy Chair shall be empowered to replace and exercise the responsibilities of the Working Group Chair. The Deputy Chair shall coordinate with the relevant Working Group Chair before executing her/his tasks.

10.15 The Deputy Chair is appointed by the Working Group members by simple majority of the votes cast.

10.16 The term of the Deputy Chair is limited to the term of the relevant Working Group Chair and may be extended.

10.18 Working Groups can refrain from designating a Deputy Chair in case co- Working Group Chairpersons are appointed.

Task Force Leaders

10.19 The working group appoints one or more Task Force Leaders for each Task Force established by the annual work programme.

10.20 The Task Force Leaders are responsible for coordinating the delivery of the Task Force outputs.

Article 11 - Communications and Exchange of Information

11.1 Every Member, ACER representative, Participant and Observer may appoint a communications officer. His/her task will consist of facilitating the relevant information exchange between his/her organisation and the other Members and the ECRB Unit. This information is related to the work carried out by the ECRB or its working groups.

11.2 Where applicable, Members and Participants shall endeavour to keep the regional energy regulators of their States informed about activities of the ECRB and, where necessary, make all appropriate arrangements to be in a position to speak as the competent energy regulator in the event that regional regulators have an interest in the matter discussed.

11.3 The Board, the relevant working group or task force may request from the parties concerned or from third parties all information necessary for the adoption of the decision or approval of deliverables.

11.4 Information received by ECRB shall be classified as confidential where the party has made a claim to treat information as confidential and where ECRB has confirmed that the request is justified. The Board members, members of working groups and task forces shall take all necessary steps to prevent the unauthorized disclosure of information which they receive from their participation in the working groups and task forces, unless that information has already been made public or is accessible to the public. Those persons shall continue to be bound by this obligation also when they no longer take part in the Board, working groups or task forces. Working groups and task force members are allowed to exchange commercially sensitive information either within the regulatory authority which they represent or with other regulatory authorities, to the extent that all persons receiving such information are bound by confidentiality.

Article 12 - Conclusions and Minutes

12.1 Conclusions that record decisions taken shall be adopted at the following meeting by consensus.

12.2 The minutes of each meeting shall be drawn up by the ECRB Unit. Opinions may be recorded in the minutes, when requested. The draft minutes shall be sent to Members, Participants and ACER representatives within 15 calendar days after the meeting and shall be submitted to the next meeting of the ECRB or the working group for approval. Any comments on meetings' draft

conclusions shall be submitted by the (ECRB or the relevant working group) members prior to the next meeting in writing to the ECRB President and Vice President, respectively the Chairman in case of working groups, and the ECRB Unit.

12.3 The minutes shall include.
- The scope of the agenda item (for discussion/information/approval);
- The related document(s);
- A brief reference to the core discussion points raised by members;
- The decision(s) taken and action points following including responsibilities and the timeline for completion;
- A summary table of the main conclusion(s).

The final minutes shall normally not exceed a maximum number of 5 (five) pages excluding annexes. External annexes, such as presentations, may be separately attached to the minutes.

12.4 The minutes of the ECRB and its working groups shall be treated confidentially and not be published. A summary table of the main conclusion(s) of the Board meetings shall be published on the Energy Community website.

12.5 The agenda of the ECRB meeting and its working groups established by ECRB shall not be considered confidential unless a specific decision is made and shall be published on the Energy Community web- site as soon as possible after a meeting.

12.6 Where the European Commission or a Contracting Party informs the ECRB that the advice requested or the question raised is of a confidential nature, Members, Participants, ACER representatives, Observers and any other person involved shall not disclose that information unless allowed by the Party raising the issue. The President may decide in such cases that only Members, Participants and ACER representatives may be present at meetings.

Article 13 - Public Consultation and Transparency

13.1 The ECRB may use appropriate processes to consult consumers, market participants, system operators, market operators and interested parties which may include, inter alia: public hearings and roundtables, industry and the Energy Community Fora, the European Fora (including the European Electricity Regulatory Forum - "Florence Forum", the European Gas Regulatory Forum - "Madrid Forum" and the European Citizen Forum – “London Forum”) and written and internet consultations.

13.2 The ECRB may publish on the Energy Community web site consultative documents, statements of agreed principles, press releases, consultation procedures, summaries of responses to consultations and other documents which assist interested parties to understand the work of the ECRB. Comments shall be invited either individually or jointly to be addressed to the ECRB in written form, preferably by email. Comments received in response to consultation documents shall be published on the Energy Community web site, unless a respondent explicitly requests that their submission is not made available to others on confidentiality grounds.

13.3 The ECRB may decide to meet interested parties to discuss matters of common interests. As appropriate, the President or the Vice-President may represent the ECRB at such a meeting or Members may be nominated to do so. The President or the Vice-President, where appropriate, will communicate the official position of the ECRB. The President may, on his own initiative, describe the work or explain the views of the ECRB to the press or other interested parties, in response to enquiries or otherwise in cases of urgency. Where a Member refers in public to the views or position of the ECRB it must do so in an accurate manner.

13.4 Presentations made on behalf of the ECRB at public events (conferences, workshops et al) shall only present formally approved and publicly available positions of the ECRB in ECRB documents, conclusions or similar.

14 - ECRB Unit of the Secretariat

14.1 There shall be specific staff of the Energy Community Secretariat devoted to the support of the ECRB ("ECRB Unit"). The ECRB Unit shall report to the Energy Community Secretariat Director with regard to management and employment issues. The Head of the ECRB Unit shall direct the staff as to their substantive activities, in line with the ECRB work program.

14.2 The ECRB Unit shall prepare the minutes of the meetings, assist the ECRB and the working groups in their functions and execute all other functions assigned to it by the Board, inter alia:

- Drawing up the ECRB annual work program for consideration and adoption by the ECRB upon agreement by the President and Vice-President;
- Preparing and presenting to the ECRB for adoption an annual review of the progress achieved;
- Preparing the agenda for the ECRB meetings to be submitted for agreement to the President and Vice President;

14.3 The ECRB Unit acts as coordinator for consultations required to take forward the work of the ECRB or its working groups and assist the President and Vice-President in their public relations activities and representation functions.

14.4 The permanent or seconded staff of the ECRB Unit is appointed by the Energy Community Secretariat Director pursuant to paragraph 22 of the procedural act of the Energy Community Ministerial Council on the Rules of Recruitment and working conditions of the staff of the Secretariat of the Energy Community. Specifically, the staff of the ECRB Unit will operate as much time as needed in Athens in order to ensure the smooth and effective operation of the meetings of the Regulatory Board, which take place in Athens according to the Treaty establishing the Energy Community (Article 62).

Article 15 - Accountability and links

15.1 The ECRB shall publish an Annual Report on the Energy Community web site.

15.2 The ECRB may participate or designate its representative in other European or international committees or groups when that is necessary for the work of ECRB.

Article 16 - Publication and modification of the Rules of Procedure

16.1 The Regulatory Board Internal Rules of Procedures shall be made available on the Energy Community website.

16.2 When necessary, the ECRB shall agree on interpretation of the Rules of Procedure. These decisions require a two thirds representation of Members and a two thirds majority of votes cast, including a positive vote of the European Union whereas each Member shall have one vote and abstentions to voting from Members present shall not count as votes cast.

16.3 Based on practical experience with these Rules, the President or Vice-President or any Member of the ECRB may propose to the Board any useful and necessary amendments to these Rules. In accordance with Article 60 of the Treaty, any amendments to these Rules are adopted by a Procedural Act of the ECRB, which shall act by a two thirds representation of Members and a two-third majority of the votes cast, including a positive vote of the European Union whereas each Member shall have one vote and abstentions to voting from Members present shall not count as votes cast.

Article 17 - **Transitional and final provisions**

17.1 These Internal Rules of Procedure come into force immediately upon adoption.