

**RULES OF PROCEDURE OF THE MONITORING COMMITTEE**  
**INTERREG VI-D PROGRAMME MADEIRA-AZORES-CANARY ISLANDS**  
**(MAC) 2021-2027**

**Introduction**

Article 28(1) of Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021, governing the European territorial cooperation goal (Interreg), provides that Member States and third countries participating in a cooperation programme shall set up a Monitoring Committee to monitor implementation of the programme within three months of the date of notification of the decision approving the programme. The INTERREG VI-D MAC 2021-2027 cooperation programme, co-financed by the European Regional Development Fund (ERDF) under the European territorial cooperation goal, was approved by the European Commission by Decision C(2022) 6877 final of 21 September 2022.

Article 28 of Regulation 2021/1059 also provides that each Monitoring Committee shall adopt its own rules of procedure. These rules of procedure shall avoid any conflict of interest when selecting Interreg operations and shall include provisions regarding voting rights and rules for attending the meetings.

The Committee's Rules of Procedure shall be published, together with a summary of the data and information approved by the Committee, including decisions, on the Interreg MAC website.

**Art.1º Composition**

The Monitoring Committee shall be composed of the following members with voting rights, as set out in paragraph 4 of the approved programme:

- 2 representatives of the Managing Authority,
- 4 representatives of the Member States (2 from Spain and 2 from Portugal), of which 2 are from the Ministries responsible for the management of ERDF funds and 2 are from the Ministry of Foreign Affairs,
- 6 representatives of the regional governments (2 from Madeira, 2 from the Azores and 2 from the Canary Islands),
- 1 representative of the Audit Authority,
- 1 representative of the body carrying out the accounting function,
- 3 representatives of the Environmental Authority (1 from each European region)
- 3 representatives of the Economic and Social Committees or equivalent bodies (1 from each European region),
- 7 representatives of Third Countries having accepted the invitation to participate in the programme, i.e. 1 per participating country.

In addition, 2 representatives of the European Commission (1 from DG REGIO and 1 from DG INTPA), and representatives of the EU Delegations in the Third Countries will participate in the meetings as non-voting observers.

At the initiative of the Managing Authority or any other member of the Committee, external advisors, observers or others may also be invited to meetings of the Monitoring Committee to assist in the monitoring and evaluation of the programme, always in justified cases and previously approved by the Committee.

The Joint Secretariat of the programme shall participate in the meetings of the Committee, ensuring the work of the Committee.

## **Article 2. Functions**

Article 30 of Regulation 2021/1059 (Interreg Regulation) states that the Monitoring Committee shall examine:

- the progress in programme implementation and in achieving the milestones, targets and results of the audits of the Interreg programme;
- any issues that affect the performance of the Interreg programme and the measures taken to address these issues;
- the progress made in carrying out evaluations, syntheses of evaluations and any follow-up given to findings;
- the implementation of the non-discrimination, equal opportunities and sustainable development;
- the implementation of communication and visibility actions;
- the progress in implementing Interreg operations of strategic importance and, where applicable, of large infrastructure projects; and
- the progress in administrative capacity building for public institutions and beneficiaries, where relevant,
- and the implementation of the Technical Assistance.

In addition, the Monitoring Committee shall approve:

- the methodology and criteria used for the selection of operations, including any changes thereto, after notifying the Commission;
- the evaluation plan and any amendment thereto;
- any proposal by the managing authority for the amendment of the Interreg programme,
- the final performance report,
- and will ratify the decisions taken by the Steering Committee as established in the following article.

Sectoral and thematic working groups may be set up within the Monitoring Committee and shall meet on a regular basis to be determined by the Committee, to which they shall report on the outcome of their work. The Monitoring Committee shall decide on the tasks and topics to be carried out by the working groups, as well as their functioning.

### **Article 3. Steering Committee**

With regard to the tasks related to the selection of operations listed in Article 22 of such Regulation, it provides that the Monitoring Committee may set up a Steering Committee acting under its responsibility for the selection of operations.

The Programme approved by the European Commission establishes in paragraph 4 (Actions taken to involve the relevant programme partners) the creation of a Steering Committee for the selection of projects and operational management decisions, following the experience of previous periods of the Interreg MAC programme.

With regard to the selection of operations, decisions taken by the Steering Committee must respect provisions of Article 22 of the Interreg Regulation and must be endorsed by the Monitoring Committee. This process may be done by written procedure.

Sectoral and thematic working groups may be set up within the Monitoring Committee and shall meet on a regular basis to be determined by the Committee, to which they shall report on the outcome of their work. The Monitoring Committee shall decide on the tasks and topics to be carried out by the working groups, as well as their functioning.

### **Article 4. Chair**

The Monitoring Committee shall be chaired by the Managing Authority of the programme, which shall decide on the venue and form of the meetings (face-to-face/online/mixed), enabling all members to participate.

The Chair shall be responsible for:

- a) representing the Monitoring Committee.
- b) convening ordinary and extraordinary meetings.
- c) chairing meetings, moderating the conduct of debates and adjourning them for justified reasons.
- d) Ensure compliance with rules of procedure.

### **Article 5. Members**

The members of the Monitoring Committee shall be appointed by the participating entities and communicated to the Joint Secretariat. In the event that a member is unable to attend a meeting of the Committee, he/she may designate a substitute.

Appointments may be changed by the member entities of the Committee by informing the Joint Secretariat.

Members of the Monitoring Committee shall be responsible for:

- a) participating in meeting discussions, in the manner set out in Article 6 of such Rules of Procedure, acting in the interest of an efficient implementation of the co-operation programme,

- b) participating in decision-making in the public interest and not acting for the purpose of obtaining financial or other advantages for the entities they represent,
- c) informing the Chair of any conflict of interest they may have. Where a member has an actual or potential, direct or indirect conflict of interest, he/she may not participate in discussions or vote on matters affected by such conflict of interest.

### **Article 6. Secretariat**

The permanent secretariat of the Monitoring Committee will be provided by the Joint Secretariat of the Programme under the Managing Authority (see reference in the programme, section 7.2. Procedure for setting up the Joint Secretariat) in accordance with Article 17(6)(b) of the Interreg 2021/2059 Regulation.

The Secretariat shall carry out the following functions in support of the Monitoring Committee:

- a) preparing and sending by e-mail, at least 15 calendar days in advance, the notice of meetings with the relevant agenda;
- b) sending the Committee attendees by e-mail the relevant documentation on the topics to be discussed at least 7 calendar days in advance;
- c) preparing the documentation and content of the presentations included on the meeting agenda;
- d) drawing up minutes of Committee meetings. Minutes shall be drawn up for each meeting held, specifying the attendees, the meeting agenda, the main points discussed and the content of resolutions adopted.

Minutes shall be sent to all Committee members by e-mail as a general rule within 15 calendar days after the meeting.

Any comments or amendments to the minutes shall be submitted to the Joint Secretariat no later than 15 calendar days from the dispatch date of the minutes. If no amendments are proposed by the Committee members, minutes shall be deemed to be approved. Otherwise, a second and successive versions of the minutes shall be sent until they are approved.

- e) having at the disposal of the Monitoring Committee members, at all times, the same information that has been or will be generated by the Secretariat for the meetings of the Committee itself;
- f) coordinating the tasks entrusted to the Monitoring Committee;
- g) issuing certifications of the resolutions adopted if requested by a Committee member;

- h) depositing and keeping custody of all documentation relating to the work carried out by the Monitoring Committee;
- i) coordinating calendar and topics to be discussed at the meetings of the Working Groups to be set up;

The expenses incurred by the Secretariat of the Monitoring Committee in the performance of its duties shall be financed by the Technical Assistance of the Programme.

### **Article 7. Calls, meetings and operation**

1. The Committee meetings shall be convened by the Chair (through the Joint Secretariat), on its own initiative or at the request of a majority of its members, at least 15 calendar days before the meeting date.
2. The Committee shall meet at least once a year, or more if deemed necessary. Meetings may take the face-to-face/online/mixed format as established in Art. 3.
3. All members with voting rights, as well as the European Commission as an observer, and any external advisors, observers or others in accordance with Article 1 of the Rules of Procedure shall be invited to the meetings.
4. Each member shall have one vote. In justified cases this vote may be delegated to another member of the Committee. Such delegation of vote must be communicated in advance to the Joint Secretariat.
5. The Committee shall be deemed validly constituted if half plus one of the members with voting rights (14 attendees) are present, including representatives of the Managing Authority, of the three European regions, of the two Member States and of at least one third country.
6. The meeting shall begin with the reading and approval of the established agenda, which shall have been previously notified to the Committee Members. The meeting shall be conducted in accordance with the agenda.
7. No matter not included in the agenda may be the subject of deliberation or agreement, unless it is decided to deal with matters not included in the agenda, at the proposal of an attendee and with the agreement of the majority of those present (including the approval of the Chair).
8. As a general rule, the Committee shall take decisions by consensus if there is no express opposition. The Chair shall ensure that, as a result of discussions, a consensus decision is reached. If consensus is not reached, decisions shall be

taken by simple majority (half plus one of the members present and entitled to vote). In the event of a tie, the Managing Authority shall have a casting vote.

9. The Committee may adopt its decisions by written procedure by e-mail when the Chair considers that circumstances so require. As a general rule, the time limit to submit observations shall be 15 calendar days from the date of dispatch, although the Chair may set a shorter time limit of 5 calendar days in the case of matters requiring an urgent decision. The quorum rules set out in point 5 of this Article do not apply in written proceedings.
10. The decisions of the Monitoring Committee are by their nature confidential and its members are obliged to keep them confidential. Committee members are not authorised to disclose details of the Committee's discussions or decisions unless it is expressly authorised by the Committee itself. In this case, the main decisions will be published on the programme website, as provided for in Article 28 of the Interreg Regulation.
11. Working languages of the Monitoring Committee shall be Spanish and Portuguese without distinction, ensuring that simultaneous translation into French and English is provided at all times.
12. Working documents of the Monitoring Committee shall be prepared, whenever possible, in Spanish and Portuguese, and care shall be taken to ensure that main documents or a summary thereof are translated into English and French.
13. Monitoring Committee members shall sign an anti-fraud statement each time they meet.
14. In addition, if any member of the Committee identifies a conflict of interest situation as set out in article 4.c of these Rules of procedure with respect to the matters to be discussed by the Committee according to the agenda of each meeting, he/she shall sign a Conflict of Interest Statement and refrain from participating in the discussions or voting on the matters affected by such conflict of interest.

### **Article 8. Amendment of the Rules of Procedure**

These Rules of Procedure shall enter into force immediately after approval by the Committee (December 2022). The Rules of Procedure may be amended by the Committee on a proposal from the Management Authority or at the request of any of the voting members of the Committee.

The Committee shall adopt the amending decision of its Rules of Procedure by consensus among its members. If no consensus is reached, the decision shall be adopted if a simple majority (half plus one) of the members so agrees.