

RULES OF PROCEDURE OF THE MANAGEMENT BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY

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Article 1 – Term of office and alternates

1. The duration of the term of office for each member, as set by Article 15.3 of the Regulation¹, shall be four years. The term of office is renewable.
2. Each member nominated by the Member States or the European Commission shall have an alternate member.
3. The four professionals nominated by the Commission shall not have alternates.
4. The participating EEA countries (Iceland and Norway) and the EFTA Surveillance Authority shall each appoint a member of the Management Board and an alternate.

Article 2 – Chairperson

1. In accordance with Article 18 of the Regulation, the Management Board shall elect a Chairperson and a Deputy Chairperson from amongst its members with voting rights.
2. Their term of office shall be four years and shall expire when they cease to be members of the Management Board. Their term of office may be renewed once.
3. If the Chairperson is unable to attend to their duties, the Deputy Chairperson shall automatically take their place. If both the Chairperson and Deputy Chairperson are unable to attend their duties, these shall be taken over by the longest-serving member of the Management Board, or the eldest of the longest-serving members, in the event of equal length of service.
4. The Chairperson and Deputy Chairperson shall be elected by secret ballot paper or an equivalent electronic voting system.
5. The election for the upcoming Chairperson and Deputy Chairperson will be held at the last meeting before the end of term of office of the incumbent Chairperson and Deputy Chairperson.
6. The members who wish to put forward their candidatures shall address a motivation letter, to the Management Board Secretariat, at least one month before the election. These shall be circulated to all members at least two weeks before the election.
7. A ballot listing the candidates in the alphabetic order of the family names shall be issued to all members with voting rights.
8. Each member with voting rights shall cast one vote. The votes shall be counted by two members without voting rights appointed as tellers by the Management Board.
9. The Chairperson and Deputy Chairperson shall be elected by a two-thirds majority of all members with voting rights. The most voted candidate shall be elected Chairperson, and the second most voted candidate shall be elected Deputy Chairperson provided that the minimum number of votes is reached.
10. If the first ballot does not result in a two thirds majority for any candidate, for either Chairperson or Deputy Chairperson, a second ballot shall be held. Only the two leading candidates in terms of votes

¹ Regulation (EU) 2025/2434 of the European Parliament and of the Council of 26 November 2025 on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002 (Text with EEA relevance), OJ L, 2025/2434, 29.12.2025.

cast in the first ballot shall be entitled to stand for election in the second ballot. (In the event that equal numbers of votes are cast for two or more leading candidates, those candidates shall enter the second ballot. If an equal number of votes are cast in the first ballot for more than one candidate lying in second place, those candidates shall all enter the second ballot, in addition to the leading candidate.).

11. If the second ballot does not result in a two thirds majority for any candidate, for either Chairperson or Deputy Chairperson, but one of the candidates has maintained a consistent lead in votes cast in both ballots, the Chairperson, having consulted the candidates, may invite the Management Board to agree to elect the leading candidate by consensus.
12. In the event that the Management Board is unable to agree on the election of a Chairperson or Deputy Chairperson at the meeting, an additional, extraordinary meeting of the Management Board may be convened for the purpose of concluding the election process.
13. In the event that the election process has not been concluded before the expiry of the terms of office of the Chairperson and Deputy Chairperson, they shall continue exercising their duties until their successor is elected. However, if they are candidates for re-election, the ensuing meeting(s) of the Management Board shall be Chaired by its longest-serving member, or the eldest of the longest-serving members in the event of equal length of services. Pending the election of the new Chairperson and Deputy Chairperson, this member shall carry out the responsibilities of the Chairperson of the Management Board.
14. If the office of the Chairperson or Deputy Chairperson falls vacant during their elected term of office, the Chairperson or Deputy Chairperson, as the case may be, shall convene an election at the next scheduled meeting. The succeeding Chairperson or Deputy Chairperson thus elected shall hold office for the remainder of their predecessor's term of office.
15. The terms of office of the Chairperson and Deputy Chairperson shall commence on the first day following the end of their predecessor's term of office.

Article 3 - Attendance at meetings

1. The Management Board members shall attend all its meetings. Where this is not possible, their alternate may attend in their stead. Both members and alternates can participate in the meetings. They may be assisted by one adviser or expert, unless the Management Board decides otherwise in a particular case.
2. In case of absence, the members and alternates shall inform the Secretariat thereof in advance and notify the Chairperson at the latest at the beginning of the meeting.
3. Any Management Board member can nominate another member as proxy, provided that a written authorisation from the absent member is provided to the Chairperson.
4. Unless the Management Board decides otherwise in a concrete case, in particular when participation may lead to a conflict of interests, as decided by the Chairperson, or when the Management Board

shall take a decision concerning the Executive Director, the Executive Director shall also take part in the Management Board's deliberations and may be assisted by other staff of the Agency.

5. In line with Article 19.4 of the Regulation, where there is a matter of confidentiality or conflict of interest, the Management Board may decide to examine specific items of its agenda without the presence of the members concerned. This shall not affect the right of the Member States or of the Commission to be represented by an alternate, or by any other person. Should this be the case, the nominated representative shall sign a Declaration of confidentiality and of interests for the specific agenda item.
6. A justified request for exclusion of a member, in line with the previous paragraph, shall be addressed to the Chairperson at least 3 working days before the meeting in question takes place. Any Management Board member is entitled to introduce such request. The Chairperson will present such justified request at the opening of the meeting, and the Management Board shall decide with absolute majority.

Article 4 - Admission of observers/Representatives of third countries

1. In line with article 19.5 of the Regulation, the Management Board may invite any person whose opinion can be of interest to attend its meetings or part of its meetings as an observer.
2. Representatives of third countries having entered into agreements with the European Union in accordance with article 23 of the Regulation may attend the Management Board's meetings or part of its meetings under the terms and conditions specified in such agreements.
3. The Management Board may invite representatives of any State which has applied for membership of the European Union, on condition that the accession negotiations have been successfully completed, to attend its meetings or part of its meetings as observer.
4. Representatives of third countries not covered by paragraphs 2 or 3 may be invited to attend Management Board meetings or part of its meetings as observers, in case an agenda item is of particular interest to these countries.

Article 5 - Convening of meetings

1. The Management Board shall hold an ordinary meeting three times a year, convened by the Chairperson. At the last meeting of a calendar year at the latest, the Management Board shall agree on a meeting calendar for the forthcoming year. The proposed meeting calendar shall take into account the Agency's planning cycle.
2. Additional meetings may be organised on the initiative of the Chairperson, or at the request of the Commission or of one-third of the Member States. In such cases, the Chairperson shall convene a meeting to take place within six weeks of receipt of the request, or as soon as practicable in urgent cases.

3. Meetings shall normally be held at the seat of the Agency. The Chairperson can, however, decide to hold one or more meetings via video conference or in a different location than the seat of the Agency.
4. When circumstances require and provided a majority of the members does not object, the Chairperson may change the date or place of a meeting of the Management Board. Notification of such change shall be given to members no later than three weeks before the original or revised date of the start of the meeting, whichever is the earlier.

Article 6 – Agenda and meeting documents

1. A provisional agenda shall be drawn up by the Chairperson. It shall contain, in addition to those items requested by a member, any item requested by the Executive Director.
2. For ordinary meetings, an agenda, accompanied by the relevant material for decision making, will be shared to the members at least two weeks prior to each ordinary meeting. In other cases, the provisional agenda and eventual working documents shall be shared with members no later than the tenth day before the start of the meeting, except in cases of 'force majeure'.
3. Notwithstanding paragraph 5, items to be included on the provisional agenda shall be submitted to the Chairperson not less than six weeks before the date of the start of the meeting, except in cases of "force majeure".
4. The agenda should indicate for each item the requested action to be taken by the Management Board, as follows:
 - a) "For decision": The agenda item will be concluded with a decision by the Management Board.
 - b) "For discussion": The agenda item will be discussed by the Management Board without taking a decision. The Chairperson will summarise the conclusions at the end of the discussion.
 - c) "For information": The Management Board takes note of the information provided under this agenda item.
5. The agenda shall be adopted at the beginning of each meeting.
6. With the agreement of the Management Board, urgent items may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.
7. Items may be grouped under one agenda item for decision by the Management Board ("A" items). The Management Board will decide on these items "*en bloc*", unless a member asks for a separate deliberation on a specific point.

Article 7 – Quorum

The members, alternate members or proxy holders of at least two third of the members with voting rights shall constitute the quorum necessary for the meeting to be valid. In the absence of a quorum, the Chairperson shall close the meeting and convene another as soon as possible.

Article 8 – Voting

1. The Management Board shall take its decisions by absolute majority of its members with voting rights, in accordance with Article 20 of the Regulation, except where otherwise provided in the Regulation, in particular:
 - adopt the single programming document of the Agency, by two-thirds majority of its members with voting rights, in line with Article 16.1(b);
 - adopt the annual budget and the staff establishment plan of the Agency and exercise other functions in respect of the Agency's budget pursuant to Chapter VI, by two-thirds majority of its members with voting rights, in line with Article 16.1(c);
 - adopt the consolidated annual activity report on the Agency's activities, by two-thirds majority of its members with voting rights, in line with Article 16.1(d);
 - deliver an opinion on the Agency's final accounts, by two-thirds majority of its members with voting rights, in line with Article 16.1(f);
 - establish the methodology for the visits to be carried out pursuant to Article 10, in the second reading only, either with a two-thirds majority, including the Commission representatives, or by unanimity of the representatives of the Member States, in line with Article 16.1(g);
 - appoint, provide guidance and monitor the performance of the Executive Director and where relevant extend his or her term of office or remove him or her from office, by a two-thirds majority of its members with voting rights, in line with Article 16.1(p);
 - take all decisions on the establishment of the Agency's internal structures, including the set-up of advisory or working groups without decision-making powers and, where necessary, their modification, by a two-thirds majority of its members with voting rights, in line with Article 16.1(t);
 - authorise the arrangements for the participation of third countries in the work of the Agency, by two-thirds majority of its members with voting rights, in line with Article 16.1(u);
 - elect a Chairperson and a Deputy Chairperson, by a two-thirds majority of its members with voting rights, in line with Article 18(1);
 - re-examine and adopt a decision on matters related to the Financial Framework Regulation for decentralised regulatory agencies and the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, possibly amended, in the second reading only, after the Commission raised serious concerns in the first reading, either with a two-thirds majority, including the Commission representatives, or by a four fifths majority, in line with Article 20(2).
2. Only the representatives of the Member States and the Commission shall have voting rights, with one vote each.
3. In the absence of a member, their alternate or nominated proxy according to Article 3.2 shall be entitled to exercise their voting right. In addition to their own vote, each voting member may receive only one vote by proxy.

4. Unless a secret ballot is requested by at least one third of the members present, votes shall be taken by show of hands or an equivalent electronic voting system.
5. For each decision adopted by the Management Board, figures for the votes cast shall be recorded.
6. A statement of the views of the minority may be entered in the minutes along with the decision, if the minority so requests.
7. The Chairperson may authorise a member to speak briefly in explanation of their vote.

Article 9 – Transmission of decisions and minutes of meetings

1. A draft summary of the decisions taken at each meeting of the Management Board shall be shared with the members not later than two weeks after the end of the meeting.
2. The draft minutes, to which shall be attached the draft summary referred to in paragraph 1, the attendance list, and the decisions taken with figures for the votes cast at each vote, shall be shared with members not later than four weeks after the end of the meeting.
3. The final text of the minutes shall be considered as being approved if none of the members attending the meeting informed the Secretariat in writing of any comments to the minutes within 15 calendar days from the date of dispatch of the draft minutes. If comments are received, the Chairperson will either circulate a revised version of the draft minutes, subject to the same procedure, or their approval may be deferred to the next meeting of the Management Board,
4. Once approved, the minutes shall be signed by the Chairperson. The signed copy of the minutes shall be kept by the Secretariat in the archives of the Agency.
5. The final text of the minutes shall be shared with members not later than two weeks after its approval.

Article 10 - Written procedure

1. Without prejudice to Articles 7 and 8, decisions of the Management Board may be taken by written procedure, on a proposal from the Chairperson.
2. Management Board members shall be given the opportunity to submit written comments prior to the initiation of a written procedure. Such comments shall be duly considered before the proposal is submitted for approval. Such prior consultation may be waived, in case of urgency if so decided by the Chairperson.
3. Once a written procedure is launched, the proposal shall not be subject to amendment and shall be approved or rejected in its entirety.
4. The result of a written procedure will be notified without delay to the Management Board members.

Article 11 – Advisory or working groups

1. The Management Board may set-up or modify, by a two-thirds majority of its members with voting rights, advisory or working groups without decision-making powers to facilitate the work of the Management Board, having regard to sound budgetary management.
2. The Management Board shall specify the mandate and the composition of any such advisory or working group. The decision establishing them shall determine their classification based on the nature and scope of their work:
 - a. An advisory group provides strategic guidance, assessments, opinions or expert recommendations to support decision-making to the Management Board. The scope of its work may include reviewing, evaluating, or providing opinions or drafting on concrete issues or matters of substance, as mandated by the Management Board.
 - b. A working group is operational in nature and tasked with delivering specific outputs such as drafting technical documents, conducting risk assessments, or coordinating activities, carrying out preparatory or ground work that facilitates the outputs of the Management Board. It is task-driven and limited in time.
3. The Management Board shall appoint the Chairperson of each advisory or working group.
4. The members of such advisory or working groups shall be entitled to the same rules for reimbursement of costs as Management Board members.

Article 12 – Authorisation to exercise powers

1. The Management Board may authorise a group of its members to exercise powers in relation to its tasks. Such authorisation shall be granted in accordance with the same majority requirements as set out in the Regulation. Members entrusted with a specific task shall carry it out under the responsibility of the Management Board. Any decisions taken on behalf of the Management Board shall be signed by the Chairperson.
2. This includes, in particular, the implementation of guidelines adopted by the Management Board related to the selection, appointment, extension of contract, termination of contract, appraisal and reclassification of the Accounting Officer and the Data Protection Officer, and relating to the Complaints Committee established in relation to complaints under Article 90(2) of the Staff Regulations.

Article 13 - Reimbursement of expenses

1. Travel and subsistence expenses incurred by the members of the Management Board in connection with attending physical meetings relating to Management Board business shall be covered by the Agency in accordance with its rules on the reimbursement of high-level experts in force.

2. Expenses incurred by alternate members relating to the Management Board business shall be covered by the Agency in accordance with paragraph 1 only in case where the alternate member replaces the member for whom they have been appointed as alternate.
3. Travel and subsistence expenses incurred by observers or experts invited by the Management Board in connection with attending physical meetings related to the Management Board business shall be covered by the Agency in accordance with its rules on the reimbursements of experts or high-level experts. The Chairperson shall decide when inviting the person in question whether the person shall be considered participating (expert reimbursement) or contributing (high level expert reimbursement) to Management Board business.

Article 14 – Annual Declaration of confidentiality and of interests

1. Members of the Management Board and their alternates shall, when taking up their duties, make a written Declaration of confidentiality and of interests and shall provide their CVs. The Declarations shall be renewed annually and at the beginning of each term of office and shall be published annually on the Agency's website.
2. In line with the Policy for the Prevention and Management of Conflicts of Interest, the members of the Management Board and their alternates shall undertake to act independently in the public interest. For this purpose, at each meeting, members and their alternates shall declare any interest which could be considered to be prejudicial to their independence with respect to any point on the agenda.
3. Members and their alternates shall be required, even after their duties have ceased, not to disclose information of the kind covered by the duty of professional secrecy.
4. All proceedings of the Management Board shall be confidential. Members and others present at meetings of the Management Board shall respect the confidential character of these proceedings.
5. The Management Board's decisions and minutes of meetings shall be subject to the provisions of Article 34 of the Regulation and measures taken for its implementation.

Article 15 – Correspondence

All correspondence with the Management Board shall be addressed to the Agency at its Headquarters location.

Article 16 – Secretariat

The Agency shall provide the Secretariat and the appropriate administrative support to enable the Management Board to carry out its work.

Article 17 – Adoption, amendment, entry into force and publication

1. The Management Board shall approve and amend these Rules of Procedure by a two-thirds majority.
2. The Rules of Procedure shall enter into force on the date of their adoption.
3. These Rules of Procedure shall be made publicly available on EMSA's website.