



DECISION

N° 01/2023

Adopting the Rules of Procedure of the Scientific Steering Group of Europe's Rail Joint Undertaking (EU-RAIL)

THE SCIENTIFIC STEERING GROUP OF EUROPE'S RAIL JOINT UNDERTAKING (EU-RAIL),

Having regard to the Council Regulation (EU) 2021/2085 of 19 November 2021¹ establishing the Joint Undertakings under Horizon Europe (“Single Basic Act or “SBA”), and, in particular:

- Article 21(6) of the Single Basic Act, stating that the Scientific Advisory Body shall adopt its own rules of procedure,
- Article 21(7) of the Single Basic Act, setting the role and tasks of the Scientific Advisory Group,
- Article 91(2) of the Single Basic Act, naming the Scientific Advisory Body of the EU-RAIL Joint Undertaking, referred to in point (a) of Article 21(1), as the Scientific Steering Group.

Having regard to the Decision n° 06/2023 of the EU-RAIL Governing Board on the launch of the call for expression of interest for the selection of the members of the Europe's Rail Scientific Steering Group²,

Having regard to the Decision n° 13/2023 of the EU-RAIL Governing Board on the on the appointment of the members of the Europe's Rail Scientific Steering Group and on the adoption of the reserve list³,

Having regard to the Decision n° 07/2018 of the Shift2Rail Joint Undertaking adopting the rules on the prevention and management of conflicts of interests applicable to the bodies of Shift2Rail Joint Undertaking, which applies to EU-Rail in accordance with EU-Rail Governing Board Decision No 2/2021,

Having regard to the specific provision on the Scientific Steering Group in Part Two of the Single Basic Act, in particular Article 91.

In its meeting of 15th November 2023, has adopted the following decision:

¹ [Council Regulation \(EU\) 2021/2085 of 19 November 2021¹ establishing the Joint Undertakings under Horizon Europe](#)

² <https://rail-research.europa.eu/about-europes-rail/europes-rail-structure-of-governance/europes-rail-governing-board/>

³ <https://rail-research.europa.eu/about-europes-rail/europes-rail-structure-of-governance/europes-rail-governing-board/>

Article 1

The rules of procedure of the Scientific Steering Group of the EU-RAIL Joint Undertaking annexed to this decision are hereby adopted.

Article 2

This decision shall enter into force on the day of its adoption.

Done in Brussels, 15 November 2023.

A handwritten signature in black ink, reading "Anjele Dr. Filhary". The signature is written in a cursive, flowing style.

The EU-RAIL Scientific Steering Group Chairperson

Annex I: EU-RAIL Scientific Steering Group's Rules of Procedure

ANNEX I

RULES OF PROCEDURE OF THE SCIENTIFIC STEERING GROUP OF THE EUROPE'S RAIL JOINT UNDERTAKING

Article 1

Members of the Scientific Steering Group

1. The Scientific Steering Group of the Europe's Rail Joint Undertaking (hereinafter SSG), shall consist of no more than twelve members, reflecting a balanced representation of world-renowned scientists and engineers from academia, industry, SMEs, non-governmental organizations and regulatory bodies, and having the necessary scientific competencies and expertise covering the technical domain of EU-RAIL.
2. The members of the Scientific Steering Group have been appointed by EU-RAIL Governing Board according to the procedure set out in EU-RAIL Governing Board Decision n° 13/2023.
3. The names and functions / posts of the SSG members shall be published on EU-RAIL website.
4. If a member decides to leave the Scientific Steering Group, he/she shall notify the SSG Chairperson, the EU-RAIL Executive Director and the Governing Board Chairperson in writing. The notice shall indicate the date on which the vacancy takes effect. In case of absence of such information in the notice, the effective date shall be a month from the date on which the notice is received by the Executive Director.
5. When vacancies arise, the Governing Board of EU-RAIL shall decide, acting on a proposal from the Executive Director of EU-RAIL, on the name of the expert to invite to the Scientific Steering Group based on the reserve list and taking into consideration the initial nominations from the EU-RAIL States' Representatives Group, the profiles and the complementarity of expertise of the candidates, as well as potential conflict of interests.
6. Members shall participate in the SSG in their individual capacity. They shall commit to discuss the questions put forward and provide advice in their relevant fields of expertise to the best of their ability and in the best interest of the EU-RAIL Joint Undertaking. They shall act independently of any external pressure or influence.
7. The SSG members may not delegate another person to carry out the work or be replaced by any other person. In case of non-performance of his or her duties or of serious misconduct, a member may be permanently removed upon request from at least 50% of the other members or following a request by the Executive Director.

Article 2

Chairperson and Vice-Chair

1. The Scientific Steering Group shall elect its Chairperson and Vice-Chair from among its members.

2. The Chairperson tasks consist of:
 - a. Convening meetings and setting the agenda based on information provided by the Executive Director;
 - b. Chairing the meetings and moderating the discussions of the Scientific Steering Group;
 - c. Reviewing the minutes of the meeting that are prepared by EU-RAIL programme office, before they are approved by the committee;
 - d. Collecting the contributions, reporting and providing the consolidated advice of the Scientific Steering Group to EU-RAIL Executive Director for the consideration of the Governing Board;
 - e. Representing the Scientific Steering Group at external meetings and other events upon request of the Executive Director;
 - f. Submitting to the Governing Board a report after each meeting outlining the Scientific Steering Group's and its members' opinions on the matters discussed during the meeting and, unless otherwise duly justified, arrange for its publication in the website of the EU-RAIL Joint Undertaking;
 - g. Performing such other tasks as may reasonably be expected for a good functioning of the Scientific Steering Group operations.
3. In instances where the Chairperson is unable to fulfil his or her functions, the Vice-Chair shall act in the Chairperson's stead.
4. Candidates for the positions of Chairperson or Vice-Chair can put forward their own candidacy or be proposed as candidates by other members. All candidacies, accepted by the candidates themselves, will be put to a vote among the SSG members.
5. The Chairperson and Vice-Chair will be elected for a period of three years, which may be renewed following a vote among the SSG members.
6. Elections shall take place at the first meeting of the SSG. Any subsequent election shall then take place at the last meeting under the chairmanship of the outgoing Chairperson.
7. If the office of the Chairperson or Vice-Chair falls vacant, the Vice-Chair or Chairperson, as appropriate, shall initiate, no later than within three months, the procedure for electing a successor. The representative then elected shall serve as Chairperson or Vice-Chair, as appropriate, for the remainder of his/her predecessor's term.
8. In exceptional circumstances, in the absence of both the Chairperson and Vice-Chair, the SSG members shall select an interim Chairperson among those present at the meeting.

9. In case of non-performance of his or her duties or serious misconduct and upon request from at least 50% of the SSG members or following a request by the Executive Director, a vote can be held for the removal of the Chairperson and/or the Vice-Chair from office. The Executive Director of EU-RAIL shall chair this proceeding and organise the vote according to the procedures set in Article 8.

Article 3

Attendance at meetings

1. The SSG members should, unless duly justified, attend all meetings of the SSG.
2. In addition to the SSG members, the SSG meetings shall be attended by:
 - The Executive Director of EU-RAIL or his or her representative.
 - The Chairperson of the EU-RAIL Governing Board or his or her representative.
 - A limited number of the Commission staff and of EU-RAIL's programme office ensuring the secretariat of the SSG.
 - Maximum two representatives of different European research associations, not beneficiaries of Europe's Rail grants or contracts, as observers.
3. The SSG Chairperson, after consultation of the Executive Director of EU-RAIL, may also invite a limited number of external observers, such as the members of EU-RAIL Governing Board, of other EU-RAIL bodies or working groups, of the European Railway Agency, of the Transport Research Advisory Group, of the ERRAC Technology Platform or other scientific experts, to take part as observers in the deliberations of the Committee. These invitations shall be limited to duly justified cases, for instance if the presence of the above-mentioned participants is relevant to a specific item on the agenda.
4. The invited observers shall have no voting rights, and they shall not be entitled to any payment or reimbursement of costs by EU-RAIL.

Article 4

Convening of meetings

1. The SSG shall hold its ordinary meetings at least twice a year.
2. The Chairperson shall convene the SSG meetings with the support of the Executive Director of EU-RAIL by sending a written notification (by means of a letter or e-mail) to the members no later than twenty calendar days before each meeting. This notification shall be accompanied by the provisional agenda.
3. Extraordinary meetings may be convened upon the Chairperson's own initiative or upon request to the Chairperson by EU-RAIL Governing Board and with the agreement of EU-RAIL Executive Director.

4. When an extraordinary meeting is requested, the Chairperson shall convene the meeting by sending a written notification (by means of a letter or e-mail) to the members, accompanied by the provisional agenda for decision-making within fifteen calendar days from the date of receipt of the request. In case of urgency, some documents may be forwarded to the SSG Members and the required observers at shorter notice, but not less than two working days before the meeting.
5. The SSG meetings may take place by audio conference, video conference or other means of communication. Alternatively, physical meetings shall normally take place in Brussels at the seat of the EU-RAIL Joint Undertaking.

Article 5

Agenda

1. The agenda shall be adopted by the members at the beginning of each meeting.
2. Subject to the agreement of the Chairperson, urgent questions may be added to the agenda at any time during the meeting. However, decisions on items that were not included in the provisional agenda circulated to the SSG Members shall be subject to a written procedure, unless otherwise decided at the meeting in duly justified cases. Items on the agenda may be deleted or carried over to a subsequent meeting where necessary.

Article 6

Advice

1. According to the Article 21(7) of the Single Basic Act, EU-RAIL's Scientific Steering Group shall carry out the following tasks:
 - a. Advise on the scientific priorities to be addressed in the work programmes including on scope of calls for proposals, in line with the Strategic Research and Innovation Agenda and the Horizon Europe strategic planning;
 - b. Advise on the scientific achievements to be described in the annual activity report;
 - c. Suggest, in view of the progress of the Strategic Research and Innovation Agenda and individual actions, corrective measures or re-orientations to the governing board, where necessary;
 - d. Provide independent advice and scientific analysis on specific issues as requested by the governing board, in particular as regards developments in adjacent sectors or to support the assessment of applications of potential associated members and contributing partners.
2. In accordance with section 2(c) and (d) of the call for expression of interest for the selection of the members of the Europe's Rail Scientific Steering Group, the members of the Scientific Steering Group may be contracted as individual experts by the EU-RAIL for the review of projects as well as for new

scientific deliverables and reporting that are not related to the SSG task as described in Articles 17(2)(n) and 21(7) of the SBA. However, in accordance with Article 11 of these Rules of Procedure and the Horizon Europe Code of Conduct for experts, members of the Scientific Steering Group may not be contracted as experts in the evaluation of a project proposal. For the Expert contracts and thresholds section 2(d) of the call for expression of interest apply.

3. An involvement in one or more EU-RAIL project reviews as a contracted expert in accordance with paragraph 2 of this Article shall not be considered to constitute a reportable Conflict of Interest affecting the impartiality of Scientific Steering Group members within the scope of Article 11 of these Rules of Procedure.

Article 7

Quorum

A quorum is required to enable a decision to be adopted by the SSG. A quorum is reached if at least the 50% of the total number of members are present at a given meeting.

Article 8

Voting

1. Each member shall have one vote.
2. The SSG Members shall use their best efforts to reach decisions by consensus. Failing consensus, the SSG shall adopt its opinions by a two-third majority of the members present and voting. If, for whatever reason, a consensus cannot be found, individual members may request to have divergent views recorded.
3. The votes shall be cast by show of hands unless a secret ballot is requested by at least one third of voting members present. A secret ballot shall be used when electing or removing a Chairperson or a Vice-Chair from office.
4. Each opinion adopted by the SSG as well as the record of votes, where applicable, shall be recorded in the minutes. Upon request by a SSG Member, a statement of his or her views may be entered in the minutes together with the final decision, opinion and/or recommendation adopted.

Article 9

Written procedure

1. Alternatively to the procedure in Article 8, decisions, opinions and recommendations may also be obtained from the members by written procedure. The Executive Director of EU-RAIL, following consultation with the Chairperson, shall send the proposal to all SSG Members, identifying a deadline

for replies, which shall not be less than fifteen calendar days. In duly justified cases of urgency, a shorter deadline of not less than five calendar days may be set. The tacit agreement principle is applied if no reply is received in writing within the deadline set. The proposal shall be considered adopted if it receives the agreement (explicit or tacit) of at least two thirds majority of the SSG Members.

2. A proposal for an opinion to be taken by written procedure shall not be subject to amendments; it shall be approved or rejected in its entirety. If a proposal is rejected, it may be included in the agenda of the next SSG meeting at the request of at least one third of the SSG Members.
3. The result of the written procedure shall be notified to the SSG Members by the Executive Director of EU-RAIL within ten calendar days after the deadline for replies to the procedure has elapsed.

Article 10

Minutes

1. Draft minutes of the SSG meetings, including an attendance list, shall be drawn up by a secretariat placed under the responsibility of the EU-RAIL Executive Director. These shall be sent to the Chairperson for review and approval not later than fifteen calendar days after the meeting. Once approved by the Chairperson, the Executive Director shall send the minutes to the SSG Members by not later than thirty calendar days after the meeting.
2. The SSG Members shall send their written comments to the Chairperson and to the secretariat not later than fifteen calendar days after receipt of the draft minutes. The tacit agreement principle is implied if no reply is received in writing within this period.
3. The Program Office of EU-RAIL shall support the Chairperson to consolidate the minutes. Formal approval of the minutes shall take place at the following meeting.
4. The minutes of the meeting shall be published on the EU-RAIL website.

Article 11

Confidentiality and Conflict of Interest

1. Without prejudice to Article 33 of the Single Basic Act, SSG Members are required to refrain from divulging information acquired through their participation in the work of the SSG. Any such information should not be disseminated, unless expressly authorised by the Executive Director and/or the Chairperson or unless unequivocally known to be in the public domain.
2. In line with the EU-RAIL Governing Board Decision No 02/2021, members, observers and experts shall sign confidentiality agreements and declaration confirming the absence of conflict of interest prior to their first attendance to the meetings of the SSG.
3. Declarations of confidentiality and conflict of interest signed by the members, observers and experts at meetings shall be based on the template annexed to these rules of procedure.

4. All SSG Members shall be bound by the rules on conflict of interest adopted by the Governing Board to give effect to Article 42(2) of the Single Basic Act. In particular, Members of the SSG must not seek or act in any way to take undue advantage of, or exercise undue influence on, the implementation of the EU-RAIL activities. Therefore, the members of the EU-RAIL SSG shall not be involved in any way in the evaluation or selection of individual proposals for funding under the EU-RAIL.
5. Members of the SSG must refrain from participating in the preparation of any proposals for calls launched by the EU-RAIL, or from taking part in the activities to be co-funded by the Joint Undertaking. This does not prevent the organisation that directly or indirectly employs the person from participating in the preparation of any proposals for calls launched by the EU-RAIL, or from taking part in the activities to be co-funded by the Joint Undertaking. Should any item on the agenda or any subject discussed in a given meeting of a SSG be of relevance for projects or proposals under the EU-RAIL that a member, or the organisation to which he/she belongs, has submitted or is likely to submit, the member should inform EU-RAIL and the SSG Chair of the situation at least ten calendar days before the meeting. He or she can be requested to abstain from the deliberations and/or leave the room for the discussion of the concerned item/subject.
6. Members of the SSG must inform the EU-RAIL of all interests, not explicitly stated above, which could be considered prejudicial to their independence.
7. During a meeting any attendee whose participation in the work of the SSG leads or may lead to a conflict of interest with regard to a particular agenda item shall without delay inform the Chairperson who shall without delay and before any discussion is initiated decide on any specific measure in this respect in consultation with the Executive Director of EU-RAIL.
8. Upon proposal by the Chairperson, the SSG may decide to examine such an item without the presence of the concerned attendee.
9. Any member acting in a breach of any of the relevant rules of confidentiality and/or conflict of interest shall, due to such misconduct, be considered as no longer being in a position to maintain the status of member of the SSG.
10. The SSG members and any other person attending a SSG meeting shall respect the confidential character of these proceedings and shall protect any sensitive information, the disclosure of which could damage the interests of the EU-RAIL, its members and partners, and/or the participants in the activities of the EU-RAIL. The general rule is that all information received by the SSG members should not be disseminated, unless authorised by the Executive Director and the SSG Chairperson.
11. The decisions and minutes of the meetings of the SSG shall be subject to the provisions of Article 21(3) and Article 33 of the Single Basic Act and the measures taken for its implementation.

Article 12

Transparency

1. The SSG's work shall be subject to the provisions of Article 34 of the Single Basic Act and measures taken for its implementation.
2. The final decisions, opinions and/or recommendations adopted during the SSG meetings, together with the minutes, shall be published on the website of EU-RAIL.
3. The Rules of Procedure and its amendments shall be published on the website of EU-RAIL.

Article 13

Reimbursement of travel and subsistence expenses

1. The reimbursement of travel and subsistence expenses shall be done in accordance with the decision of the Executive Director of EU-RAIL in line with Decision C(2007)5858 on the reimbursement of expenses incurred by people from outside the Commission invited to attend meetings in an expert capacity.
2. In any assignment involving travel, only travel and subsistence expenses will be reimbursed. Travel expenses are reimbursed on the basis of actual expenditure and subsistence expenses are based on a flat rate per diem.
3. Except in the case of "*force majeure*", the reimbursement of travel and subsistence expenses will be strictly limited to one return travel per meeting from the point of origin and for the dates agreed in the appointment letter.

Article 14

Secretariat and administrative support

1. The EU-RAIL Programme Office shall provide the Secretariat and the appropriate administrative support to enable the SSG to carry out its work. It shall assist the SSG in its operation through drafting and circulating agendas, meeting summaries and related documents. Where appropriate and requested, the Secretariat may collect and/or circulate information of potential interest to the SSG, in time for the next meeting.
2. All correspondence with the EU-RAIL Scientific Steering Group shall be addressed to the seat of the EU-RAIL Joint Undertaking.

Article 15

Amendment and application of these Rules of Procedure

1. At the request of the Chairperson or the Executive Director of EU-RAIL, the SSG may amend these Rules of Procedure following approval by decision of the SSG Members.

2. Amendments to the Rules of Procedure shall be approved by at least two thirds of all members and shall enter into force on the day of their adoption by the SSG.
3. Any provision in these Rules of Procedure that contradicts or conflicts with the provisions of the Single Basic Act shall be without effect.

Article 16

Entry into force

1. These Rules of Procedure shall come into force upon their adoption by the SSG.
2. These Rules of Procedure cannot contradict EU-RAIL's Regulation and annexed Statutes.
3. These Rules of Procedure and any amendment thereto shall be published on the website of EU-RAIL.

Annexes:

Annex 1 – Annual Declaration of interests for members of EU-RAIL Scientific Steering Group – after appointment.

Annex 2 – Declaration of confidentiality and of conflict of interest for members of EU-RAIL Scientific Steering Group – before each meeting.

Annex 3 – Spontaneous Declaration of conflict of interest for members of EU-RAIL Scientific Steering Group – at any time.

Annex 1 – Annual Declaration of interests for members of EU-RAIL Scientific Steering Group – after appointment.

ANNUAL DECLARATION OF INTERESTS

Surname:

First name:

Professional address:

Phone:

E-mail:

Position*:

Chairperson or Deputy Chairperson of the Scientific Steering Group

Member of the Scientific Steering Group

Other (please specify)

Do hereby declare on my honor that, to the best of my knowledge, the only direct or indirect interests I have in the sectors in which the Joint Undertaking is active, [are][is] those listed below:

1. Past activities:

[Posts held over the last 7 years in foundations or similar bodies, educational institutions, companies or other organisations (the nature of the post and the name of those bodies should also be indicated); other membership/affiliation or professional activities held over the last 3 years including services, liberal professions, consulting activities, and relevant public statements.]

2. Current activities:

[Posts held in foundations or similar bodies, educational institutions, companies or other organisations (the nature of the post and the name of those bodies should also be indicated); other membership/affiliation or professional activities, including services, liberal professions, consulting activities, and relevant public statements.]

3. Current Financial Interests:

[Any direct financial interests, (managerial stakes in companies, including ownerships of patents or any other relevant intellectual property rights), or assets (shares and/or securities held in companies) or grants or other funding which might create a conflict of interests in the performance of their duties, with an indication of their number and value, as well as the name of the company/provider of the grant/funding.]

[No Interest Declared] / [Interest...]

*Delete, as appropriate.

4. Any other relevant interests

[No Interest Declared] / [Interest...]

5. Family Member Interest

[Spouse's/partner's/dependent family members' current activity and financial interests that might entail a risk of conflict of interest.]

[No Interest Declared] / [Interest...]

I confirm the information declared on this form is accurate to the best of my knowledge and I consent to my information being stored electronically by EU-RAIL.

Done at [place], [date]

Name and Signature

Annex 2 – Declaration of confidentiality and of conflict of interest for members of the EU-RAIL Scientific Steering Group – before each meeting.

DECLARATION OF CONFIDENTIALITY AND CONFLICT OF INTEREST

Surname:

First name:

Professional address:

Phone:

E-mail:

Position*:

Chairperson or Deputy Chairperson of the Scientific Steering Group

Member of the Scientific Steering Group

Other (please specify)

I hereby undertake to act in the performance of my duties in the general interest of EU-RAIL.

At each meeting of the Scientific Steering Group I shall declare any interest which might be considered to influence or bias my judgment and therefore be prejudicial to the way an item on the agenda is handled.

I undertake to ensure the confidentiality of sensitive information whose disclosure could damage the interests or the reputation of EU-RAIL, the Members of EU-RAIL or of the participants in the activities of EU-RAIL.

I shall not disclose sensitive information learnt during the activities of EU-RAIL even after my duties have ended.

Done at [place], [date]

Name and Signature

*Delete, as appropriate.

Annex 3 – Spontaneous Declaration of conflict of interest for members of EU-RAIL Scientific Steering Group – at any time.

SPONTANEOUS DECLARATION OF CONFLICT OF INTEREST

PART I
TO BE FILLED IN BY THE DECLARANT

Surname:

First name:

Professional address:

Phone:

E-mail:

Position:

Describe the situation you are facing – in the performance of your duties – and in which you have, or could be perceived to have, personal interests in particular possible family and financial interests, such as to impair your independence:

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.....
.....

State the reasons why your independence may be impaired:

.....
.....
.....

If appropriate, propose measures to avoid this conflict of interest:

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.....

Done at [place], [date]

Name and Signature

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PART II
OPINION OF THE COMPETENT BODY REFERRED IN ARTICLE 6* BASED ON THIS FORM AND ON THE INFORMATION PROVIDED BY THE DECLARANT

- No (risk of) conflict of interest.
- (Potential) conflict of interest.

Describe the personal interests which would actually or potentially impair the declarant's independence in carrying out his/her duties or any other circumstance which actually or potentially constitutes a conflict of interest:

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.....

Describe measures which could be taken to mitigate the negative effects of the actual or potential conflict of interest:

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.....
.....

Explain how the measures proposed are proportionate to the scope of the actual or potential conflict of interest:

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CONCLUSION

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SURNAME/FIRST NAME:	POSITION:
SIGNATURE:	DATE:

**If the conflict of interest regards a member of the Governing Board/Scientific Steering Group or State Representatives Group, this part can be filled in by the competent body.*

<p><u>PART III</u></p> <p>OPINION OF THE COMPETENT BODY REFERRED IN ARTICLE 6</p>

- No (risk of) conflict of interest.
- (Potential) conflict of interest.

Describe the personal interests which would actually or potentially impair the declarant's independence in carrying out his/her duties in the specific position offered or any other circumstance which actually or potentially constitutes a conflict of interest with respect to the proposed position:

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.....

Describe measures which could be taken to mitigate the negative effects of the actual or potential conflict of interest:

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Explain how the measures proposed are proportionate to the scope of the actual or potential conflict of interest:

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CONCLUSION

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SURNAME/FIRST NAME:	POSITION:
SIGNATURE:	DATE:

**If the conflict of interest regards a member of the Governing Board/Scientific Steering Group or State Representatives Group, this part can be filled in by the competent body.*