



RULES OF PROCEDURE (RoP)
of
the Monitoring Committee
for
Interreg VI-A Romania-Hungary Programme

Version 1

Approved by the MC on May 22nd, 2023

Preamble/Legal Basis

(1) The Member States Romania and Hungary

Based on:

- ❖ [Regulation \(EU\) no. 1060/2021](#) of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy (CPR);
- ❖ [Regulation \(EU\) no. 1058/2021](#) of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (ERDF Regulation);
- ❖ [Regulation \(EU\) no. 1059/2021](#) of the European Parliament and of the Council on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments (Interreg Regulation);
- ❖ [Regulation \(EU\) no. 1046/2018](#) of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) no. 1296/2013, (EU) no. 1301/2013, (EU) no. 1303/2013, (EU) no. 1304/2013, (EU) no. 1309/2013, (EU) no. 1316/2013, (EU) no. 223/2014, (EU) no. 283/2014, and Decision no. 541/2014/EU and repealing Regulation (EU) no. 966/2012 (EURATOM);
- ❖ [Commission Delegated Regulation \(EU\) no. 240/2014](#) of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds;
- ❖ Interreg VI-A Romania-Hungary Programme (hereinafter referred to as Programme) approved by the European Commission on 16.12.2022 (COM Decision no. C(2022)9787);
- ❖ Nomination of the Romanian national representatives by the Romanian Government;
- ❖ Nomination of the Hungarian national representatives by the Ministry of Foreign Affairs and Trade;

Considering the principles of impartiality, conflict of interest, separation of functions, sound financial management, transparency and non-discrimination,

Based on the experience gathered during the operation of the Monitoring Committee of the Interreg V-A Romania-Hungary Programme,

And in agreement with the Managing Authority (hereinafter referred to as the MA) of the Programme,

Have established a Monitoring Committee (MC) for the Programme.

(2) The MC approves its own Rules of procedure, as well as any other revision of these rules. The present Rules of procedure establish the composition, the tasks, and the organization and functioning principles of the MC.

(3) The present Rules of procedure regulate the duties, responsibilities and principles that govern the procedures to be followed by MC members, as well as their liability in case of non-compliance. Each member of the MC is responsible for the prejudices caused to the Programme as a result of the violation of the RoP, the applicable Regulations, the *Code*

of Conduct (Annex 2), the principles mentioned above, and the own-responsibility declarations.

Rule 1 - Functions/Tasks

(1) The MC being the main decision-making structure ensures the efficiency and the quality of implementation of the Programme. In accordance with Article 30 of Interreg Regulation, the MC shall examine:

- (a) the progress in programme implementation and in achieving the milestones and targets of the Interreg programme;
- (b) any issues that affect the performance of the Interreg programme and the measures taken to address these issues;
- (c) the progress made in carrying out evaluations, syntheses of evaluations and any follow-up given to findings;
- (d) the implementation of communication and visibility actions;
- (e) the progress in implementing Interreg operations of strategic importance;
- (f) the progress in administrative capacity building for public institutions and beneficiaries, where relevant.

(2) In addition to its tasks concerning the selection of operations listed in Article 22 of the Interreg Regulation, the MC shall approve:

- (a) the methodology and criteria used for the selection of operations, including any changes thereto, after notifying the Commission, where requested, pursuant to Article 22;
- (b) the evaluation plan and any amendment thereto;
- (c) any proposal by the Managing Authority for the amendment of the Interreg programme including for a transfer in accordance with Article 19(5) of the Interreg Regulation;
- (d) the final performance reports.

(3) The MC shall, in accordance with the Programme's strategy and objectives, select the Interreg operations that shall receive funding under the Programme. The selection of operation shall be transparent, justified on objective grounds and shall not give rise to a conflict of interest. Accordingly, the MC examines and approves the lists of the projects proposed for funding according to the:

- ✓ assessment of projects by the internal/ external experts from Romania and Hungary, and of the pre-ranking done by the Joint Secretariat (JS);
- ✓ decisions on the complaints;
- ✓ decides on the use of the available ERDF;
- ✓ examines and approves the reserve list, if the case;
- ✓ examines and approves/rejects the amendments to projects which are subject to MC decision according to the contracts;
- ✓ co-ordinates with other EU Programmes and policies, to ensure synergies and avoid double financing.

(4) In selecting operations, the MC shall:

- a) ensure that selected operations comply with the Programme and provide an effective contribution to the achievement of its specific objectives;
 - b) ensure that selected operations do not conflict with the corresponding strategies established pursuant to Article 10(1) of the Interreg Regulation or established for one or more of the external financing instruments of the Union;
 - c) ensure that selected operations present the best relationship between the amount of support, the activities undertaken and the achievement of objectives;
 - d) verify that the beneficiary has the necessary financial resources and mechanisms to cover operation and maintenance costs for operations comprising investment in infrastructure or productive investment, so as to ensure their financial sustainability;
 - e) ensure that selected operations which fall under the scope of Directive 2011/92/EU of the European Parliament and of the Council are subject to an environmental impact assessment or a screening procedure and that the assessment of alternative solutions has been taken in due account, on the basis of the requirements of that Directive;
 - f) verify that where the operations have started before the submission of an application for funding to the Managing Authority, the applicable law has been complied with;
 - g) ensure that selected operations fall within the scope of the Interreg fund concerned and are attributed to a type of intervention;
 - h) ensure that operations do not include activities which were part of an operation subject to relocation within the meaning of point (27) of Article 2 of the CPR or which would constitute a transfer of a productive activity within the meaning of point (a) of Article 65(1) of that Regulation;
 - i) ensure that selected operations are not directly affected by a reasoned opinion by the Commission in respect of an infringement within the scope of Article 258 TFEU that puts at risk the legality and regularity of expenditure or the performance of operations; and
 - j) ensure that, for investments in infrastructure with an expected lifespan of at least five years, an assessment of expected impacts of climate change is carried out.
- (5) Related to rules on the eligibility of expenditure under the Programme, the MC shall exercise its rights in line with the provisions of Article 37 and Article 38 of the Interreg Regulation.

Rule 2 - Composition

(1) The MC is a collective body composed of representatives of Romania and Hungary (the national representatives of each country in the MC form the national delegations), appointed by respecting the principles of partnership and multi-level governance, according to Article 8 of CPR and Article 29 of Interreg Regulation.

(2) The national delegations are made up of members and observers from local, county, regional, and national levels, nominated by the organizations designated in Annex 1 of the present Rules of procedure.

(3) During the process of nominating the MC members and observers, the organizations designated in Annex 1 will promote a balanced representation between men and women.

(4) The members and observers shall be delegated to be part of the MC. Each Member State is responsible for nominating its representatives and shall ensure a balanced representation of the relevant Member State authorities and intermediate bodies and of representatives of the partners through a transparent process.

(5) Representatives of the European institutions, of central, regional, and local public administration, and of other national organizations may participate as advisors to the meetings of the MC, at the invitation and with the agreement of the Chair and of the National Authority (NA).

(6) Representatives of the Commission shall participate in the work of the MC in an advisory capacity.

Also, external experts may participate in the meetings of the MC, upon agreement of the Chair and of the NA.

The list of members and observers nominated by each of the institutions/authorities/organizations represented in the MC shall be published on the official site of the Programme.

Rule 3 - Chair

(1) The MC is headed by a Chair.

(2) The Chairmanship will be ensured by the head of the MA for Interreg VI-A Romania-Hungary Programme.

(3) In the absence of the Chair, his/her attributions will be exerted by his/her substitute or by another person delegated by the Chair or by the head of the institution/authority that holds the Chairmanship.

(4) The Chair is heading the activity of the MC by exercising the following responsibilities:

- a) Is responsible for the proper functioning of the MC;
- b) Shall draw the provisional agenda of the meetings in consultation with the NA and in cooperation with the JS;
- c) Represents the MC in relation with third parties, including the mass-media in cooperation with NA, according to the rules of the institution that holds the MA function, or may delegate this task;
- d) Approves, after consultation with the NA, the list of documents, that will be submitted to all participants to the meeting, the list of the advisors, of the invited external experts, as well as the provisional agenda of the meeting;
- e) Convoques the meetings of the MC, at least once per year;
- f) Chairs the meetings of the MC (declares the opening and closing of each meeting, gives the right to speak, announces the decisions, rules on points of order, etc.);
- g) Ensures a smooth decision-making process, by trying to solve any divergence that may appear during the meetings;
- h) Signs the correspondence and the decisions of the MC meetings;
- i) Approves the publication on the webpage of the Programme of documents and of other information regarding the MC activity, after consultation with NA.

Rule 4 - Members and observers

(1) The members and observers in the MC are delegated by the institutions/authorities/organizations mentioned in Annex 1 of the present Rules of procedure.

(2) Each member of the MC shall have 1 vote, except for the Hungarian County Councils, which shall have 1,5 votes each. Therefore, each national delegation shall have 10 votes.

In view of respecting the provisions of Regulation (EU) 2021/1060, Articles 72, 74 and 75, with the exception of the task of selecting operations referred to in point (a) of Article 72(1), as well as the provisions of Regulation (EU) 2021/1059, Article 46, bearing the main responsibility for the effective and efficient implementation of the Funds, the Managing Authority shall act in a preventive manner in order to ensure that applicable legislation and procedures are observed. The MA may block a decision if it goes against the national and European regulations or the Interreg Programme.

(3) Each member might have one substitute nominated by the same organization.

(4) The substitute person has decision-making power only in the absence of the member. In case of absence, members whose substitute is not present may delegate their voting right in writing or verbally as a general rule before the MC meetings or in unexpected situations during the MC meetings, to another member of the MC.

(5) Members may be assisted by one advisor during the MC meetings. Nominations of advisors have to be sent to MA and NA in writing prior to the meeting.

(6) The MC members have the following tasks:

- a) participate in the MC meetings and in the decision-making process;
- b) participate in the decision-making process through the written procedure, according to the present Rules of procedure;
- c) inform the MC about the activities developed in the institutions/organizations they represent when related to the Programme;
- d) contribute to the achievement of the decisions of the MC, according to their responsibilities.

(7) The observers are the representatives of institutions/authorities/ organizations included in Annex 1 of the present Rules of procedure, who participate in the MC meetings with an exclusively consultative role, without decision-making powers. At the same time, the observers are consulted also for the decisions taken via written procedures.

(8) Each observer has the right to have a substitute, who undertakes the same tasks as the observer, when the observer is absent.

(9) The observers have the same tasks as the members of the MC, with the exception of participation in the decision-making process.

(10) The initial delegation procedure is applied for any changes of the members and observers or their substitutes.

(11) The function of the member, observer or substitute ceases, when the persons delegated in the MC are in one of the following situations:

- a) end their activity in the institution/authority/organization that they represent or they are nominated by;

b) withdrawal of his/her nomination from the institution/authority/organization that they represent or withdrawal of designation for the respective institution/authority/organization;

c) violates the provisions of the present Rules of procedure, including the Code of conduct.

(12) In case of point c, the exclusion is approved by the MC and consecutively the Member State will notify the relevant institution/authority/organization with the request for a new nomination.

(13) The function of member, observer or substitute ends also at the decision of the institution/authority/organization that he/she represents, communicated to the JS together with the nomination of a new person.

(14) The members, observers and their substitutes shall submit to the JS any changes regarding their contact details.

(15) The personal data of the MC members, observers, and their substitutes are processed in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (please see Annex 6). In this respect, the members, observers, and their substitutes shall submit *the agreement concerning personal data processing* (Annex 7);

(16) The technical assistance of the Programme may be used for strengthening the institutional capacity of the members, observers, and their substitutes.

(17) Membership in the MC is an honorary office. The MC members, observers, and their substitutes are not remunerated for the activities performed in the MC.

Rule 5 - Meetings

(1) The MC shall meet at least once a year, in the Programme Area. Exceptionally, the meetings may be organized outside the Programme Area, with the approval of the MA and NA. The meetings will take place either physically, respecting, if possible, the principle of rotation between the two Member states as regards the location or online by decision of the MA in agreement with the NA.

(2) If serious problems appear in the implementation of the Programme or if urgent decisions must be adopted, decisions that will lead to the improvement of the implementation of the Programme, the MC can meet in extra-ordinary meetings at the initiative of the Chair, at the request of the European Commission or at the request of any of the MC members. In the last two cases, a written proposal is submitted to the JS, which immediately informs the Chair, who will decide on the organization of such a meeting in agreement with the NA.

(3) The convening of the meetings, and the transmission of the provisional agenda and supporting documents are realised by the JS at least 15 working days before the date of the meeting. In exceptional cases, conditioned by the MC approval, this term could be shortened to at least 7 working days before the day of the meeting.

(4) The deadline for the MC members to send their comments on the documents and agenda by replying to all MC members/ observers is 7 working days before the date of the meeting; all comments shall be aggregated by the JS and sent to MA. The MA in consultation with NA formulates its position regarding the received comments 3 working

days before the meeting, which is consequently transmitted by the JS to all the MC members, together with improved versions of documents - if the case - within at least 2 working days before the date of the meeting.

(5) The JS may provide the members of the MC with other relevant information regarding the provisional agenda (until the day of the meeting or even during the meeting), in order for them to have at their disposal the most recent information regarding the subjects of the provisional agenda.

(6) The convocation of the MC meetings will always be done in written by e-mail in a transparent way by sending it to all MC members/ observers, with a request for confirmation of participation.

(7) Each meeting will begin with the approval of the agenda.

(8) In order to avoid any conflict of interest, the MC members (including their substitutes) will not take part in the voting regarding the issues where they find themselves in a conflict of interest. The respective votes cannot be delegated. The members, observers as well as advisors, and external experts will sign a *declaration of impartiality and confidentiality* (Annex 4) at the beginning of the first meeting they attend. All documents submitted for approval of the MC are confidential until their approval by the MC. Certain documents, after approval, may be public, according to the Decision of the MC. Only for these documents, the confidentiality clause is waived.

(9) In the situation that, a MC member or observer finds herself / himself in a conflict-of-interest situation, she/he shall announce at the meeting or notify in written form the MC, through the JS, who will inform immediately also the MA.

(10) At the beginning of each meeting or at the beginning of the written consultation procedure, the MC members and observers are requested to declare any conflict of interest that might exist on certain points of the agenda/consultation.

(11) In case of written decision-making procedure, the MC members and observers who have not yet submitted *declarations of impartiality and confidentiality* shall provide them signed via e-mail (scanned or digitally signed). The original signed declaration (scanned version) shall be provided to the JS at the next MC meeting or by post.

(12) A member or observer that declares her/his conflict-of-interest situation concerning one of the agenda points or one of the decision-making issues, she/he will not participate in the related decision-making process.

(13) The Minutes of the meeting (including a Synthesis of Decisions), elaborated by the JS, is submitted to all the MC members and observers not later than 10 working days from the date of the meeting, by e-mail, through written consultation procedure, stipulated in Rule 6.

(14) The remarks on the Minutes, formulated by the MC members or the requests for clarifications sent by members are submitted by replying to all MC members, observers in maximum 5 working days from the sending date. The remarks on the Minutes cannot contain comments which were not made during meetings. All meetings shall be (at least) audio recorded by the JS.

Rule 6 - The decision-making process

(1) The quorum is reached if the MA and at least half plus one of the members of each national delegation (including NA) is attending/represented at the meeting and all levels (national RO and HU, regional RO and county RO and HU) on both sides are represented.

(2) In case the quorum as described in paragraph (1) is not reached at the time envisaged for starting the meeting, the meeting is postponed/rescheduled.

(3) To reach a decision at the meeting, the Chair shall present its proposal and, if the case, possible alternatives to this proposal. Also, alternative choices may be proposed by any of the participants in line with the Programme rules, MC Rules of Procedure and Code of Conduct (Annex 2).

(4) Following the discussion, the Chair may submit the proposal to vote.

(5) The MC members shall seek consensus. However, if they fail to reach a consensus, the decision shall be made according to two-thirds majority rule (minimum 13/20, 13/19, 12/18, 11/17, 11/16, 10/15, 10/14, 9/13, 9/12, 8/11). Any decision shall be considered adopted, either by consensus or by 2/3 majority rule, unless the Managing Authority exercises its veto right, as mentioned in Rule 4(2).

(6) At the initiative of the Chair or any of the MC members, the consultation in view of adopting the decisions may be done in written form, without arranging an actual meeting of the MC. The written consultation procedure will be organized with the approval of the Chair after the prior agreement between Managing Authority and National Authority.

(7) In cases when written consultation procedure is launched by MA/JS on important issues and at least 1/3 of all MC members consider (request in writing) that an MC meeting shall be organized instead of the written procedure, the MA will call for it.

(8) In case of written consultation procedure, the JS submits to the MC members the draft decision/s and the necessary documents for its/their adoption in a written form (e-mail).

(9) The objections¹ or the agreement on the documents transmitted according to the written consultation procedure can be submitted to the JS in written form (e-mail) within maximum 5 working days from the date the documents were submitted. In exceptional cases, the Chair after consultation with the NA may request the extension of the 5 working days deadline to 10 working days.

(10) If no objection was received by the deadline, the proposal is considered approved in the sent format.

(11) In case objections are received, the JS transmits all received objections to the MA. The MA formulates its position in consultation with NA, maximum within 3 working days regarding the received objections, position which is consequently transmitted by the JS to the MC members. The lack of reaction on proposals/objections is equivalent with the silent approval of the MA position. In case new objections are formulated within 3 working days, the MA has the right to decide, as Chair of the MC, after consultation with the NA within 3 working days, and after consultation with the EC, if the case, on the closure of the written procedure. In case of no agreement, a new written consultation procedure may be launched or an MC meeting may be convoked afterwards. In that case, the MC shall issue a decision in order to cancel a written consultation procedure.

(12) In case an MC decision is cancelled, the following MC decision will be registered with the following consecutive number.

(13) In case comments are made by the MC members or in case clarifications / further information are required, the JS will respond to all of them when closing the respective written consultation procedure.

(14) The JS submits to the MC members the final version of the documents adopted under the written consultation procedure.

(15) Technical mistakes (misspelling, miscalculation) in approved documents may be corrected by the JS, with the prior approval of the MA, under the condition that the JS consequently informs all the MC members and all interested parties.

¹ Only MC members can formulate objections. If the case, the objections are to be justified.

Rule 7 - Code of conduct

(1) The MC members and observers, together with their substitutes, are guided in their activity by the principles of the *Code of conduct*, which is an integral part of the present Rules of procedure and is presented in Annex 2.

(2) In case any member and/or observer or their substitutes do not observe the Code of conduct or the present Rules of procedure, the MC has the right to exclude the respective member/observer/substitute.

(3) Each member, observer and their substitutes shall sign a *declaration on code of conduct* (Annex 5) and, in case the provisions of the *Code of conduct* and of the Rules of procedure are not respected, may be revoked and replaced according to the procedures provided in the present Rules of procedure.

Rule 8 - Technical working-groups

(1) The MC may decide, at the proposal of its members, to set up technical working-group/s with a temporary or permanent character, with the task to support the activity of MC by drafting and analysing specific documents, by issuing specific opinions, by proposing specific solutions, etc.

(2) The technical working-group/s are made up of at least three representatives of each delegation, one representative from MA, one from NA, and one from JS.

(3) The results of the meetings of the technical working-groups are presented to the MC. The technical working-group/s do not have decision-making power on behalf of the MC.

(4) The technical working-group/s are supported by JS on organizational matters and in preparing the documents.

Rule 9 - Working language

(1) The official working language of the MC is English.

(2) During the meetings, working languages of the MC might be Romanian and Hungarian. Simultaneous translation in English, Romanian and Hungarian will be ensured.

(3) The documents will be presented to the MC members in English.

Rule 10 - Secretariat

(1) The activity of the MC is assisted by the JS, with the support of the MA and NA, if needed.

(2) The JS, acting under the responsibility of the MA, has the following tasks related to MC:

- a) Prepares the documents that will be provided to the representatives in the MC, the list of participants, as well as the provisional agenda of the meetings;
- b) Ensures the logistical preparation and the submission of the invitations for participation in the MC meetings;
- c) Participates in all MC meetings for technical support;
- d) Officially submits to the MC members the relevant documents by e-mail;
- e) Provides to the representatives of the MC, at their request, all the necessary information in order to support the decision-making process in the MC;
- f) Manages the written consultation procedures on behalf of MA, with the consultation and agreement of NA;

- g) Drafts the Minutes of the MC meetings and ensures the submission of the final Minutes to all participants, as well as to those members who were absent;
- h) Ensures the correspondence regarding the activity of the MC and informs accordingly the MC Chair;
- i) Ensures the electronic archiving of all documents regarding the MC activity, as a whole;
- j) Ensures a special registry with the evidence of all decisions of the MC;
- k) Supports the Chair of the MC in any other matter related to the activity of the MC.

(3) Any request for information regarding the activity of the MC is electronically addressed to the JS.

Rule 11 - Final provisions

(1) The present Rules of procedure enter into force from the date of the approval by the MC.

(2) The Rules of procedure may be amended whenever is deemed necessary, at the initiative of any of the MC members, the MA or the NA.

(3) The Rules of Procedure shall remain valid until the acceptance of the Programme closure documents by the European Commission.

ANNEX 1

to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary Programme
Institutions / authorities/ organizations delegating members and observers to the Monitoring Committee of the Interreg VI-A Romania-Hungary Programme

Romanian national delegation

Members:

1. Ministry of Development, Public Works, and Administration
2. Ministry of Foreign Affairs
3. Ministry of Internal Affairs
4. Ministry of Environment, Water and Forests
5. Regional Development Agency - North-West Region
6. Regional Development Agency - West Region
7. Arad County Council
8. Bihor County Council
9. Satu Mare County Council
10. Timiș County Council

Observers:

1. Ministry of European Investments and Projects
2. Ministry of Healthcare
3. Ministry of Culture
4. Audit Authority within the Romanian Court of Accounts
5. Oradea Regional Office for Cross Border Cooperation (BRECO)
6. Romanian Competition Council
7. National Council for Combating Discrimination
8. West University Timișoara
9. Association for promoting natural and cultural values of Banat and Crișana "EXCELSIOR"

Hungarian national delegation²

Members:

1. Ministry of Foreign Affairs and Trade (National Authority)
2. Ministry of Interior - Deputy State Secretariat for Coordination of European Union Development
3. Ministry of Culture and Innovation - Deputy State Secretariat of Cultural Development and Financing
4. Hajdú-Bihar County Council
5. Szabolcs-Szatmár-Bereg County Council
6. Békés County Council
7. Csongrád-Csanád County Council
8. Széchenyi Programme Office Nonprofit LLC

² Hungary reserves the right to form national coordination board to carry out consultation via extended national platform as stipulated in the Programme document.

Observers:

1. Ministry of Foreign Affairs and Trade - Secretariat for Macro-regional Strategy for Danube
2. Prime Minister's Office - Deputy State Secretariat for the Coordination of European Union Development
3. Ministry of Energy (nature protection)
4. Prime Minister's Office - Deputy State Secretariat for Strategic Planning of Regional Development
5. DKMT Euroregion
6. Hungarian Green NGO Cooperation
7. Association of Cities with County Rights
8. Hungarian National Association of Local Authorities
9. Audit Body, GoA member Hungary (DGAEF)

ANNEX 2

**to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary
Programme
Code of Conduct**

(1) The members of the MC have the obligation to observe the following rules of conduct:

- a) to participate in MC meetings, as well as in the decision-making process through the written consultation procedure, when necessary;
- b) to act in the interest of the efficient implementation of the Programme, in accordance with the scope and objectives established by the Programme;
- c) to take decisions in the public interest and not to act in the purpose of obtaining financial advantages or other benefits for themselves, their institution/authority/organization or for others;
- d) to declare to the Chair, at the beginning of or during the meeting, any situation of conflict of interest in which they might be with regard to the discussions on a specific subject. In this case, the person will not vote;
- e) to inform, after the closure of the meeting, the public authority, the institution or the organization that they represent about the main issues discussed and about the decisions taken;
- f) to maintain the confidentiality of the information which, if disclosed, might harm the legitimate interest of any institution, authority, organization or person, or the information that might create illegitimate advantages through their privileged usage;
- g) to observe the MC decisions, according to the Rules of procedure;
- h) to behave in a professional and educated manner;
- i) to justify and give clear reasons for the decision of his/her vote, in case he/she votes against the proposal presented in the meeting, if required/necessary.

(2) The obligations stipulated at the previous article must also be complied with by observers, advisors and external experts invited, with the exception of the participation in the decision-making process.

(3) Each member / observer / substitute / advisor / external expert will sign a *Declaration form for cases of conflict of interest* (Annex 3) as a part of the code of conduct, with accent on the operations (projects with title, acronym, code).

ANNEX 3**to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary Programme****Declaration form for cases of conflict of interest**

I, the undersigned,[function] within the[institution/authority/organisation], as of the MC, hereby declare on my own responsibility in line with applicable law for false statement that I have a conflict of interest for the following project:

Name of the delegating institution / authority/ organisation	
Delegated member / observer / advisor / external expert invited	
Signature	
Date	
Object of conflict of interest (Project with title acronym and code)	

ANNEX 4**to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary Programme****Declaration of impartiality and confidentiality³**

I, the undersigned, participating in the work of the MONITORING COMMITTEE (MC) of INTERREG VI-A ROMANIA-HUNGARY PROGRAMME, hereby confirm that I am aware of the role, tasks, and responsibilities that I shall undertake. I declare that by accepting to be a member (/ observer / substitute)/ adviser / external expert invited to the MC, I shall execute my responsibilities impartially and objectively and in accordance with the Programme and other programming documents as well as with the Rules of Procedure of this Committee.

I accept that I shall declare to the Joint Secretariat if, in relation to one or more particular points on the agenda of an MC meeting, any direct or indirect, personal or institutional, financial or professional conflict of interest emerges with or due to my involvement. Should it be the case, I accept being excluded from the discussions and/or voting related to the given issue.

I agree to hold in trust and confidence and not to disclose to any third party, any information or documents ("confidential information") I will become aware of, discover or prepare in the course of or as a result of the MC proceedings.

Name of the delegating institution / authority/ organisation	
Delegated member (or substitute) / observer (or substitute) / advisor invited	
Signature	
Date	

³ To be filled in and signed by all persons involved in the proceedings

ANNEX 5**to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary Programme****Declaration on code of conduct⁴**

I, the undersigned, participating in the work of the MONITORING COMMITTEE (MC) of INTERREG VI-A ROMANIA-HUNGARY PROGRAMME, in role of member /observer / substitute, hereby confirm that I am aware of the following rules of the code of conduct, compulsory to be observed:

- to participate in MC meetings, as well as in the decision-making process through the written procedure, when necessary;
- to act in the interest of the efficient implementation of the Programme, in accordance with the scope and objectives established by the Programme;
- to take decisions in the public interest and not to act in the purpose of obtaining financial advantages or other benefits for themselves or for others;
- to declare to the Chair, at the beginning of or during the meeting, any situation of conflict of interest in which I might be with regard to the discussions on a specific subject. In this case, I will not vote. Also, I will exit the meeting room and come back only after the end of the voting of that specific point on the agenda;
- to inform, after the closure of the meeting, the public authority, the institution or the organization which is being represented about the main issues discussed and about the decisions taken;
- to maintain the confidentiality of the information which, if disclosed, might harm the legitimate interest of any institution, organization or person, or the information that might create illegitimate advantages through their privileged usage;
- to observe the MC decisions, according to the Rules of procedure;
- to behave in a professional and educated manner.

Name of the delegating institution / authority/ organisation	
Delegated member / observer / advisor invited	
Signature	
Date	

⁴ To be filled in and signed by all persons involved in the proceedings

ANNEX 6

to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary Programme

Information concerning the personal data processing

We inform you that your personal data are processed in accordance with the *Regulation (EU) 2016/679 of the European Parliament and of the council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)*.

Processing of data

The Ministry of Development, Public Works and Administration (MDPWA) is processing your personal data, like: first name, surname, address, telephone/fax number, e-mail address(es), which are collected and processed strictly in accordance with the legal provisions. We mention that MDPWA does not process this data for another purpose besides the above-mentioned.

Also, we mention that this data can be communicated to other public authorities, in the case of the existence of a legal obligation of MDPWA in this regard.

We mention that MDPWA does not transfer personal data to any other state from the European Union or to a third-party state.

Also, your data will be stored in the database of the MDPWA, for a period in accordance with the legal provisions in the field, excepting the situation in which you request the deletion of data (the right of being forgotten), when, within maximum 30 days from the receipt of your notification, your data will be deleted from our database.

Your rights

- ❖ **The data access right** means that you have the right of requesting and receiving an answer referring to the processing or not of your personal data. If the answer is affirmative, you have the right to receive access to those data as well as to information concerning the modality in which the data is processed.
- ❖ **The right to delete data** (“right to be forgotten”) means that you have the right to request the deletion of personal data, without unjustified delays, if you withdraw the agreement and if there is no other legal basis for processing.
- ❖ **The right to restriction** means that you have the right of requesting the restriction of the way in which the personal data is processed. Once this data is restricted, it can be processed only with your agreement.
- ❖ **The right to data portability** refers to the right of receiving personal data in a structured format, used currently ad which can be read automatically. Also, you have

the right that this data is submitted directly to another operator if this is feasible from the technical point of view.

- ❖ **The right to opposition** targets the right of opposing to personal data processing when the processing is necessary for the fulfilment of a duty which serves to a public interest or when it is taken into consideration the legal interest of the operator. When personal data processing has as purpose the direct marketing, you have the right to oppose the processing anytime.
- ❖ **The right to rectification** refers to the correction, without unjustified delays, of imprecise personal data. The rectification will be communicated to each addressee to whom the data have been submitted, except the case in which it is proven to be impossible or it is assumed to have exaggerated efforts.

All these rights can be exercised by the submission of a notification in this regard, on our e-mail address: rohu@mdrap.ro or directly at MA headquarters at: No. 16, Libertății Blvd, Latura Nord, 5th district, Bucharest, postcode 050706.

Moreover, for any information related to your personal data processing by MDPWA, you can address to the Data Protection Officer, at the e-mail address: datepersonale@mdrap.ro, or at the address: No. 16, Libertății Blvd, Latura Nord, 5th district, Bucharest, postcode 050706.

The complaints referring to the personal data processing can be address to the National Authority for the Supervision of Personal Data Processing.

**to the Rules of procedure of the MC for the Interreg VI-A Romania-Hungary
Programme**

AGREEMENT FOR PROCESSING OF PERSONAL DATA

I, the undersigned,

I agree for the Interreg VI-A Romania-Hungary Programme management structures, considering the provisions of Regulation EU no. 679/2016 and national applicable laws, to process my personal data communicated by this form:

1. **Surname and first names**, as well as e-mail address (please provide institutional contact) - - for carrying out the activities within the Monitoring Committee of the Interreg VI-A Romania-Hungary Programme and/or for publication on the Programme website, for the purpose of presentation of the MC competence and activities.

YES..... NO

2. **Own image (photo)** - for promotional purposes - for publication on Programme website/ Facebook page for presentation of activities of the Programme.

YES NO.....

The consent regarding the processing of personal data and the supply of data mentioned above is voluntary, freely consented and express. This consent can be revoked or changed at any time, with effect for the future, by a notice addressed to the Managing Authority of the Interreg VI-A Romania-Hungary Programme or by e-mail to joint.secretariat@breacoradea.ro and we will act immediately accordingly unless there is a legal reason or a legitimate interest not to do so.

I, the undersigned, declare that I agree to the processing of my personal data by the means and for the purposes described above. I also declare that I was informed that I benefit from all the other rights set out by Regulation EU no. 679/2016, which are:

The right to be informed - This agreement for data protection provides the information you are entitled to receive.

The right of access to data - Please contact us if you want a confirmation that your data are processed and if you want to be informed about the processing method. There is no fee for this and the answer is provided within one month from the date of the request (except for cases when the request is unfounded or excessive).

The rectification right - Please inform us about any personal data you want us to correct/update.

The right to erasure - You can exercise your right to erase your personal data (for example, if the data are no longer necessary for the purpose for which they were requested or you withdraw your consent).

The right of restriction of processing - You can communicate to us that we can store your data, but we have to stop the processing. This can be requested when you want to check the accuracy of data or the purpose of the processing - for a period that allows checks in this respect.

The right of data portability - At request, we will make diligences to provide you with the information in a portable format, for the transfer to another controller or processor.

The right of opposition - to the possible extent, we will stop processing your data if you oppose the processing based on a legitimate interest or if in your personal situation there are situations that determine you to exercise this right (including profiling).

The right not to be subject to a decision based exclusively on automatic processing, including the creation of profiles.

We also inform you that the National Supervisory Authority for Personal Data Processing (NSAPDP/A.N.S.P.D.C.P.) operates in Romania and you have the right to submit a complaint when you believe that your rights were violated, by accessing the website www.dataprotection.ro.

Place....., Date

Signature: