Rules of Procedure for the Scientific Technical Committee (STC) Sub-Committees

Approved by ESO Council on 4 December 2013

(document ESO/Cou-1513 rev)
## Contents

- Rules of Procedure for the STC Sub Committees
  - Rule 1. – Composition
  - Rule 2. – Chair of the Subcommittee
  - Rule 3. – Meetings
  - Rule 4. – Attendance
  - Rule 5. – Agenda and Documents
  - Rule 6. – Conflicts of Interest
  - Rule 7. – Voting
  - Rule 8. – Recommendations
  - Rule 9. – Miscellaneous

- Attachment 1 – Rules for dealing with Conflicts of Interests on ESO Committees

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### Rules of Procedure for the STC Sub Committees

<table>
<thead>
<tr>
<th>Rule</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Composition</td>
</tr>
<tr>
<td>2.</td>
<td>Chair of the Subcommittee</td>
</tr>
<tr>
<td>3.</td>
<td>Meetings</td>
</tr>
<tr>
<td>4.</td>
<td>Attendance</td>
</tr>
<tr>
<td>5.</td>
<td>Agenda and Documents</td>
</tr>
<tr>
<td>6.</td>
<td>Conflicts of Interest</td>
</tr>
<tr>
<td>7.</td>
<td>Voting</td>
</tr>
<tr>
<td>8.</td>
<td>Recommendations</td>
</tr>
<tr>
<td>9.</td>
<td>Miscellaneous</td>
</tr>
</tbody>
</table>

Attachment 1 – Rules for dealing with Conflicts of Interests on ESO Committees
Rules of Procedure for the STC Sub-Committees

1 Composition

1.1 The Sub-Committee shall consist of 7-9 members, of whom at least three shall be members of the STC. Members will be appointed by the Director General in consultation with the Chair of the STC. Members of the STC to serve on the Sub-Committee shall be nominated by the STC.

1.2 Members shall be selected by their expertise and scientific eminence in the relevant domain.

1.3 Members of the Sub-Committee are appointed for an initial term of up to three-years. Appointments may be renewed for one further term of up to three years, at the discretion of the Director General after consultation with the Chair of the STC.

2 Chair of the Subcommittee

2.1 The Chair of the Sub-Committee will be appointed by the Director General, in consultation with the Chair of the STC, from among the STC members appointed to the Sub-Committee.

2.2 The Chair shall be appointed annually for a term of one year.

3 Meetings

3.1 The Sub-Committee shall meet at the request of the STC, normally twice per year before the regular meetings of the STC, in such a way that the advice from Sub-Committee can be conveyed to the STC in a timely and efficient manner.

3.2 Exceptionally, the Sub-Committee may hold additional meetings, subject to the agreement of the Chair of the STC, who shall consult with the Director General.

3.3 ESO shall assume the travel and subsistence expenses of the members of the Sub-Committee attending its meetings.

4 Attendance

4.1 Meetings of the Sub-Committee shall normally be attended by the members of the Sub-Committee, the Director General (or his/her representative) and such members of personnel of the Organisation as may be considered necessary to enable the Sub-Committee to carry out its business.

4.2 Exceptionally, additional persons may be invited to attend for all or part of the meeting at the discretion of the Chair of the Sub-Committee.

5 Agenda and Documents

5.1 The draft Agenda is drawn up by the Chair or the Sub-Committee, in consultation with the Director General and the Chair of the STC.

5.2 Any documents relating to matters on the Agenda shall be made available to the
Sub-Committee not less than two weeks before the date of the meeting.

6 **Conflicts of interest**

The general definition and rules for dealing with conflicts of interest on ESO committees (Attachment I) apply to the Sub-Committee.

7 **Voting**

The Sub-Committee shall reach its conclusions by consensus.

8 **Recommendations**

8.1 Minutes are not produced for meetings of the Sub-Committee, but the outcome of the meeting shall be summarised in its Recommendations.

8.2 It is the responsibility of the Chair to formulate the Recommendations of the Sub-Committee and to present them to the STC at its next meeting.

8.3 The Recommendations shall be reached by consensus. Dissenting opinions may be reported, if deemed appropriate by the Chair and if clearly indicated as such.

8.4 The Recommendations of the Sub-Committee are not published, unless decided otherwise by the Chair of the Sub-Committee and the Chair of the STC in consultation with the Director General.

9 **Miscellaneous**

9.1 These Rules shall come into effect on the date of their approval by Council.

9.2 For matters not dealt with in these Rules, the Rules of Procedure for the STC shall apply.
E. Rules for Dealing with Conflicts of Interest on ESO Committees

1. A conflict of interest arises when the Committee is called upon to make a decision or recommendation on a matter in which a member, or her/his institution, or a closely connected associate, or her/his immediate family has a professional, financial, or commercial interest.

2. It is the responsibility of all members of the Committee to recognize and report all their own actual or potential conflicts of interest. All members must declare any potential conflicts of interest to the Committee through ESO before accepting appointment, and ESO shall keep a record of such declarations.

3. Committee members shall declare to the Committee any actual or potential conflict of interest in any item on the Agenda immediately they become aware of it, and ESO shall update the record of declarations.

4. In any situation dealing with finite resources, some decisions have implications for all other decisions. If an actual or potential conflict of interest arises, the Committee Member may be requested by the Chair of the Committee either to withdraw from discussion of that item, or to participate in all or part of the discussion, but should a vote be called, the conflicted member shall not be present during the voting.

5. The request to withdraw may be challenged in which case it shall be put to a vote of the Committee, with the potentially conflicted member not participating; in the event of a tied vote, the decision of the Chair shall be final.

6. Should the Chair be required to withdraw from a discussion, the Committee members shall agree on one of their number to act as temporary Chair for the discussion of that item.

7. Should a conflict of interest be discovered after a vote or recommendation has been made, the Chair shall propose to the Committee that either

   (a) the vote or recommendation should stand with the vote of the conflicted member converted to an abstention

   or

   (b) the vote or recommendation is declared null and void, and shall be revisited with the conflicted member withdrawn.

8. Any deliberate failure to report a conflict of interest shall be reported by ESO to the person or body appointing members to the Committee, and this person or body shall decide upon the action to be taken, and inform the Committee.

9. Any action under the rules above shall be recorded in the minutes of the Committee meeting.