

Rules of Procedure of the Bioethics Commission

At its meeting held on 28 April 2014, the Bioethics Commission of the Austrian Federal Chancellery, hereinafter referred to as the "Commission", after having obtained the approval of the Federal Chancellor, issued the following Rules of Procedure based on § 8 of the Order of the Federal Chancellor Regarding the Establishment of a Bioethics Commission, Federal Law Gazette II No. 226/2001, as amended by Federal Law Gazette II No. 517/2003, Federal Law Gazette II No. 362/2005 and Federal Law Gazette II No. 335/2012, hereinafter referred to as the "Order":

Convocation of Meetings and Invitation

§ 1. (1) Meetings of the Commission shall be convened by the Federal Chancellor or the Chairperson. Supplementary to the provisions of § 6 of the Order, meetings of the Commission shall be convened without delay if this is requested by three members by stating the subject matter to be dealt with at the meeting.

(2) Unless the meetings are convened by the Federal Chancellor directly, the latter shall be informed whenever a meeting is convened.

(3) The invitations to the meetings shall be issued in writing - wherever possible electronically - and shall state the date and place of the meeting, and the provisional agenda shall be attached. If possible, the invitation should be delivered to the members not later than three weeks before the date of the meeting.

Attendance of Meetings

§ 2. (1) Irrespective of a possible attendance by the Federal Chancellor or by other members of the Austrian Federal Government, the meetings shall be attended by the members of the Commission, by members of the Secretariat, by observers pursuant to § 3 Para. 3 of the Order and, if required, by any experts or other persons who are able to provide information that are brought in pursuant to § 6 Para. 3 of the Order.

(2) Whether experts or other persons who are able to provide information should be brought in pursuant to § 6 Para. 3 of the Order shall be decided by the Commission at its preceding meeting. If they are to be brought in, they shall be invited to the meetings in question.

Procedures

§ 3. (1) The Chairperson shall ensure orderly procedures at the meeting and, together with the Secretariat, take care of compliance with the Rules of Procedure.

(2) The Chairperson shall give leave to speak, put any motions to the vote, and pronounce the decisions. At the end of each meeting, he or she shall announce the date of the next meeting and provide an outlook on the items foreseeable for the agenda of that meeting.

(3) The presence of at least one third of the members shall be necessary for the Commission to have a quorum. Resolutions of the Commission shall be adopted by a majority of the votes cast; abstentions are not permissible. In the event of a tie, the Chairperson has the casting vote.

(4) One member of the Commission can assign another member to act as his or her proxy during a single meeting of the Commission by giving written notice thereof to the Secretariat. Each member can take over only one representation. The represented member must not be counted when a quorum is determined.

(5) The Commission may, by way of a framework decision to be taken pursuant to Paragraphs 3 and 4, establish different rules for adopting resolutions on individual items; in particular, it may delegate the clarification of details to working groups or to individual members or provide that revised documents may be adopted by circular vote (electronically). In case of a decision by circular vote, Paragraph 3 shall be applied by analogy, it being understood that any vote cast will be deemed a member present.

(6) The Chairperson may interrupt meetings of the Commission. Adjourning a meeting shall require a resolution to be adopted by the Commission. If the date for resuming the adjourned meeting can be fixed already at the time the decision to adjourn is taken, no separate invitation to that meeting shall be required.

Agenda of Meetings

- § 4.** (1) The provisional agenda shall include
1. any item which the Commission decided at earlier meetings to put on the agenda;
 2. any item proposed by the Chairperson;
 3. the item "Any Other Business (AOB)".

(2) A revised provisional agenda shall be sent out if three members request that an item be put on the agenda and notify the Chairperson of such request at least two weeks before the date of the meeting.

(3) The agenda must be set at the start of each meeting. Including any items that were not on the provisional agenda shall require consensus among the Commission members.

(4) During a meeting, the Commission may postpone items or take them off the agenda altogether.

- (5) No resolutions may be adopted under "AOB".

Minutes and Documentation

§ 5. (1) The minutes shall be submitted to the members of the Commission at the next meeting.

(2) The minutes shall be adopted at the start of the second meeting following the original meeting at the latest.

(3) The use of audio recording equipment shall be permissible. The audio recording shall be deleted after the minutes have been adopted.

Publication of Resolutions and External Representation of the Commission

§ 6. (1) The Commission may decide to publish any of its resolutions in a suitable manner.

(2) Publications issued in accordance with Para. 1 must also include views which dissent from the majority opinion. The Commission may resolve to refrain from including a dissenting view if fewer than three members representing such view demand that it be published.

(3) It shall be the duty of the Chairperson to represent the Commission externally unless the Commission determines otherwise in any given case.

Working Groups

§ 7. (1) The working groups provided for in § 7 Para. 4 of the Order shall be composed of members of the Commission. The working groups shall be supported by the Secretariat. These Rules of Procedure shall apply to the work of the working groups by analogy.

(2) The composition of the working groups, its chairperson and powers, as well as the matters to be held in confidence (§ 7 Para. 2 of the Order) are subject to resolutions by the Commission. § 4 Para. 5, § 6 Para. 3 and § 7 Para. 4 sentence 1 of the Order shall apply to the working groups by analogy.

(3) The chairperson of the working group shall report to the Commission on the progress of the working group's deliberations.

Disclosure of Conflicts of Interest

§ 8. (1) Conflicts of interest in performing the tasks within the Commission pursuant to § 4 Para. 4 of the Order may relate to financial, academic or any other interests.

(2) The existence or non-existence of conflicts of interest has to be reported by filling in and signing the form created for that purpose and transmitting it to the Secretariat, which shall forward the forms to the Chairperson. Any changes with respect to conflicts of interest shall be notified in the same way.

(3) The Secretariat shall make the reports regarding the existence or non-existence of conflicts of interest accessible to the public in a suitable manner on the home page of the Commission.

Approved by
Federal Chancellor Werner Faymann