

## **WEEELABEX ORGANISATION INTERNAL RULES**

The Internal Rules (including any changes thereto) are drafted by the Governing Council and submitted to the General Assembly for approval.

The Internal Rules determine organisational, administrative and operational procedures not covered by the Articles of Association. In case of a conflict between the provisions of the Internal Rules and the provisions of the Articles of Association, the latter prevail.

Save when it is provided to the contrary in these Internal Rules, terms used in the Internal Rules have the same meaning given to them in the Articles of Association.

### **ARTICLE 1 - GENERAL ASSEMBLY**

The General Assembly decides on, amongst other things:

#### **1.1 Strategic orientation and specific objectives of the WEEELABEX Organisation**

The Governing Council prepares proposals for the strategic orientation and specific objectives of the WEEELABEX Organisation. The President submits these proposals to the General Assembly for approval.

#### **1.2 Approval of the working program, validation of the work of the teams**

Each member of the Governing Council may prepare a working program. All working programs will be included in the annual working program of the President, and will thereafter be submitted to the General Assembly for approval.

#### **1.3 Approval of annual financial report and annual accounts**

Before being submitted to the General Assembly, the annual financial report and the annual accounts have to be approved by the Governing Council. After the approval of the Governing Council has been obtained, the Ordinary General Assembly votes on the approval of the annual financial report and the annual accounts. The report of the independent auditor is part of the agenda of the General Assembly and is sent out together with the convening notice for the General Assembly.

#### 1.4 Budget

The budget for each financial year must be approved by the Governing Council before being submitted to the General Assembly for approval. The proposed budget is part of the agenda of the General Assembly and is sent out together with the convening notice for the General Assembly.

### **ARTICLE 2 - GOVERNING COUNCIL**

#### 2.1 General

The Governing Council decides on all the affairs of the WEEELABEX Organisation in accordance with the decisions taken by the General Assembly. The Governing Council prepares the agenda for the General Assembly.

#### 2.2 Meetings

The Governing Council can ask the Managing Director to be present at the meetings when it deems it appropriate. Minutes of the meetings will be prepared and sent to every member of the Governing Council and, as the case may be, the Managing Director.

#### 2.3 President and Vice-President

2.3.1 The President and the Vice-President exercise all powers necessary to carry out the purpose and the general political strategy of the WEEELABEX Organisation.

2.3.2 The President is vested with the power of management and administration granted by the General Assembly and presides the Governing Council. In the event that the mandate of the President is terminated during the term thereof, the Vice-President will assume the role of President and choose his Vice-President from amongst the other members of the Governing Council, until the next General Assembly appoints a new President and Vice-President.

#### 2.3. Members

2.3.1 The responsibility of the different members of the Governing Council (chairmanship of working groups, special tasks, etc.) is determined by the Governing Council on proposal of the President.

2.3.2 The responsibility of the treasurer is to:

- present a current financial statement to the Governing Council at each meeting;
- prepare each year the annual financial report and the annual accounts in relation to the previous financial year and to propose a budget for the current financial year;
- make each year a proposal pertaining to the membership fee.

#### 2.4. Reimbursement of expenses

2.4.1 The President and the Vice-President may be reimbursed for travel and accommodation expenses incurred in the exclusive interests of the WEEELABEX Organisation. Any other costs will not be reimbursed.

2.4.2 The expenses of the other members of the Governing Council incurred in connection with their membership of the Governing Council have to be approved by the President before being reimbursed.

### **ARTICLE 3 – WEEELABEX AUDIT GROUPS AND CO-ORDINATORS**

- 3.1 WEEELABEX systems can set up a national or supra-national audit group to mandate, co-ordinate and finance audits. Neither employees of WEEELABEX systems nor persons acting on their behalf can be involved in audits as WEEELABEX auditor, co-ordinator or observer if the WEEELABEX system is directly engaging in handling, trading or processing of WEEE streams.
- 3.2 WEEELABEX systems can appoint a co-ordinator to co-ordinate the audits in a particular area. Neither employees of a WEEELABEX system that are involved in handling, trading or treatment of WEEE streams, nor persons acting in WEEELABEX system's behalf, unless those persons are independent parties, can be co-ordinators, unless it is agreed otherwise among the WEEELABEX systems involved. A co-ordinator shall contractually adhere to the principles of objectivity, confidentiality, and non-discrimination of WEEELABEX systems. He can provide to the WEEELABEX Office, upon request, his expertise for the formal assessment of a candidate WEEELABEX operator's declaration of intent, can co-ordinate audits in a national or supra-national area and organise experience exchange and support to WEEELABEX auditors in his audit group.

### **ARTICLE 4 – WEEELABEX OFFICE, MANAGING DIRECTOR**

- 4.1 The WEEELABEX Office is the secretariat of the WEEELABEX Organisation, and it is entrusted with the following tasks:

- Identify the need to update the rules governing the WEEELABEX Organisation, including the WEEELABEX requirements, tools and CV procedures.
  - List and de-list WEEELABEX systems upon instruction of the General Assembly in case of breach of the membership rules.
  - List and de-list WEEELABEX auditors upon instruction of the Governing Council.
  - List and de-list a WEEELABEX operator's processes following the result of the WEEELABEX CV.
  - Select experts from the WEEELABEX systems and/or qualified WEEELABEX auditors to carry out the training.
  - Offer training to (aspiring) WEEELABEX auditors.
  - Manage issues raised to the WEEELABEX Organisation.
  - Organisation and preparation of the meetings of the Governing Council, the General Assembly and other meetings as requested by the President;
  - Communicate to stakeholders and the public at large.
  - Draft and implement management plans, budgets and accounts, and control financials.
  - Defend, on behalf of the WEEELABEX Organisation, the WEEELABEX trademark against infringements.
- 4.2 The Managing Director is appointed by the Governing Council and heads the WEEELABEX Office. The Managing Director works in close cooperation with the President and the Governing Council, and is the secretary of the General Assembly. The Managing Director gets reimbursed for travel and accommodation expenses incurred in the interest of the WEEELABEX Organisation. The Managing Director will not be reimbursed for travel and accommodation expenses incurred exclusively for the purpose of his work in Prague.

#### **ARTICLE 5 – WORKING GROUPS**

- 5.1 The General Assembly, the Governing Council or the President can constitute any working group deemed necessary for the accomplishment of the aims of the WEEELABEX Organisation.
- 5.2 Each working group is chaired by a member of the Governing Council with functional responsibility for the activities and is supported by at least one (1) member of the Secretariat.
- 5.3 Working groups shall comprise relevant volunteers with the appropriate skills and knowledge appointed from amongst the Members, stakeholders, academia or

any other relevant third parties, subject to the approval of the chairman of the working group.

- 5.4 The President and the Managing Director are ex-officio members of all working groups.
- 5.5 Agendas and minutes will be produced for every meeting and be made available to all members of the working group.
- 5.6 Working groups, through their concentration on particular aspects of the WEEELABEX Organisation's operations, can undertake more comprehensive and detailed examinations on the issues involved. They can serve as valuable sources of support to the Managing Director, the Governing Council and the General Assembly through the provision of advice and expertise in their areas of interest.
- 5.7 The working groups remain at all times subject to the overriding authority of the General Assembly to ensure that the objective of co-ordination and effective implementation of agreed policy is achieved. To facilitate this, each working group shall present reports of its activities to the General Assembly. The Managing Director co-ordinates the activities of the working groups.

#### **ARTICLE 6 – MEMBERSHIP FEE**

- 6.1 The General Assembly determines the membership fee, upon proposal of the Governing Council.
- 6.2 The membership fee is always payable for an entire calendar year. The request for payment is sent out to every Member at the latest on 10 February of each year. The membership fee is due by the Members by the end of March. If a given Member does not fulfil its payment obligation, the Managing Director sends a reminder at the latest on 15 April. If the Member has not paid its membership fee at the latest on 30 April, its membership rights are suspended with effect as from 1 May.
- 6.3 The Governing Council will then decide what action to take against that Member.

#### **ARTICLE 7 – FINANCES**

- 7.1 The Managing Director, acting individually, can authorize expenditure up to [to complete; e.g. five thousand euro (EUR 5.000)].
- 7.2 For all expenditure between [to complete; e.g. five thousand euro (EUR 5.000)] and

[to complete; e.g. one hundred thousand euro (EUR 100.000)], two (2) signatures are required from amongst the Managing Director, the treasurer, the President or the Vice-President.

7.3 For all expenditure exceeding [to complete; e.g. one hundred thousand euro (EUR 100.000)], three (3) signatures are required from amongst the Managing Director, the treasurer, the President or the Vice-President.

## **ARTICLE 8 – APPEAL PROCEDURE**

8.1 A (candidate) WEEELABEX system, a (candidate) WEEELABEX operator and a (candidate) WEEELABEX auditor is entitled to lodge an appeal against a decision which negatively affects them:

- A (candidate) WEEELABEX system can appeal against a decision refusing its membership or suspending or terminating its existing membership of the WEEELABEX organisation because of its breach of the Articles of Association and/or the Internal Rules.
- A (candidate) WEEELABEX auditor can appeal against a decision not to list him or to de-list him because of a breach of the auditor rules of engagement and process requirement.
- A (candidate) WEEELABEX operator or WEEELABEX system may appeal against the outcome of WEEELABEX CV.

8.2 The following principles apply to an appeal introduced by a (candidate) WEEELABEX operator or WEEELABEX system against the outcome of WEEELABEX CV. The WEEELABEX operator or WEEELABEX system concerned are referred to hereinafter as the 'complainant':

- A complainant may lodge an appeal within 15 days from receipt of the decision.
- The appeal suspends the decision against which the appeal is introduced.
- The grounds of appeal must concern alleged formal and/or material errors made during WEEELABEX CV.
- The WEEELABEX Office provides the complainant with the names of up to four independent Appeals Auditors. The complainant appoints (and pays) for two Appeals Auditors, who receive a copy of the case file, including a copy of the complaint and grounds of appeal; a written response to the complaint from the auditor who performed the audit, and a copy of the summary audit report, to determine whether or not the formal and/or material errors claimed by the complainant have been made during WEEELABEX CV.

- If one or both of the Appeals Auditors is of the opinion that errors have been made or a conclusion cannot be reached through the desktop study of the case, the two Appeals Auditors will perform a new audit. On conclusion of their investigation they shall provide their decision and a case report (and a copy of the second summary audit report if one is performed) to the WEEELABEX Office.
- The language of the appeal proceedings will be English, unless the parties to the appeal agree otherwise.
- The WEEELABEX Office will take all best measures to complete the appeal procedure within six months from the date of receipt of the appeal.
- The decision of the Appeals Auditors shall be definitive.