

PROCEDURAL ACT

OF THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY

PA 2015/01/PHLG-EnC: on amending Procedural Act of the Permanent High Level Group of 17 October 2006 on the Adoption of Internal Rules of Procedure

THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community, and in particular Articles 55, 87, 82 and 83 thereof,

Having regard to Procedural Act of the Permanent High Level Group of 17 October 2006 (“Rules of Procedure of the Permanent High Level Group”),

Having regard to the proposal made by the Secretariat,

ADOPTS THE FOLLOWING PROCEDURAL ACT:

Article 1

The following new Item shall be inserted after Item II.5. of the Rules of Procedure of the Permanent High Level Group:

“Where the Presidency and the Vice-Presidency agreed to invite other bodies as observers, including representatives of Civil Society Organizations and participants in the meetings of the Parliamentary Plenum, the President shall inform the Parties at least three weeks before the meeting. The Parties decide on the invitation by simple majority by submitting their views to the Secretariat within five working days from receiving this information. Tacit agreement is assumed where no reaction is received by the Secretariat within this deadline.”

Article 2

Item V.10. of the Rules of Procedure of the Permanent High Level Group is replaced by the following:

“The Secretariat shall distribute draft conclusions for each Permanent High Level Group meeting one week ahead of the meeting to the Parties, Participants and Observers on the basis of the draft agenda and the documents received”.

Article 3

The following new Item shall be inserted after Item V.11 of the Rules of Procedure of the Permanent High Level Group:

“The conclusions cannot in any way restrict the scope or effects of legal acts or the Treaty. No statements or conclusions which contradict binding legal provisions shall be made. Conclusions cannot form part of legal acts nor have any normative effect.

Without prejudice to the decision making process under Title VI of the Energy Community Treaty, the Permanent High Level Group may identify Measures for adoption by the Ministerial Council without further discussion.

This does not exclude the possibility for any Party to have statements included in the conclusions of the PHLG.”

Article 4

The Secretariat shall consolidate the Rules of Procedure of the Permanent High Level Group and make the consolidated version available on the Energy Community website.

Article 5

This Procedural Act shall enter into force upon adoption.

After two meetings of the Permanent High Level Group following the entry into force of this Procedural Act, the Permanent High Level Group shall review the changes introduced by Article 2 of this Procedural Act based on the experience made.

Done in Tirana on 15 October 2015.

For the Permanent High Level Group



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Presidency