

STATUTES

of the European Grouping of Territorial Cooperation
“Interregional Alliance for the Rhine-Alpine Corridor EGTC”

based on

Regulation (EU) No 1302/2013 of the European Parliament and of the Council
of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European Grouping
of Territorial Cooperation (EGTC)

Amended version as of April 2024

PREAMBLE

In order to continue the activities of the INTERREG Project “CODE24 for the Development of the Corridor Rotterdam-Genoa” (10/2008 – 03/2015), it was decided to establish the “Interregional Alliance for the Rhine-Alpine Corridor EGTC”.

The area covered by the EGTC’s activities is the multimodal Rhine-Alpine Corridor. The registered office of the EGTC is located in Mannheim, Baden-Württemberg, Germany, at the premises of Verband Region Rhein-Neckar (Körperschaft des öffentlichen Rechts), M1, 4-5, 68161 Mannheim.

The following Statutes derive from the application of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013 and are adopted on basis of and in accordance with the EGTC’s Convention.

ARTICLE 1 – OBJECTIVES AND TASKS

The main objective of the EGTC is to facilitate and promote the territorial cooperation among its members and to jointly strengthen and coordinate the territorial and integrated development of the multimodal Rhine-Alpine Corridor from the regional and local perspective

The objectives and tasks of the EGTC are

- a) Combining and focusing the joint interests of its members towards national, European and infrastructure institutions
 - Organisation and implementation of joint lobbying activities for the development of the Rhine-Alpine Corridor from a bottom-up perspective,
 - Representation of the EGTC members in the EU Rhine-Alpine Corridor Forum
- b) Evolution of the joint development strategy for the multimodal Rhine-Alpine Corridor
 - Coordination of regional development in the Rhine-Alpine Corridor, taking into account local and regional perspectives
 - Consideration of transport infrastructure projects and land use conflicts along the Rhine-Alpine Corridor

- c) Directing funds to corridor related activities and projects
 - Information to EGTC-members about funding opportunities for corridor related projects
 - Application for new EU-funded projects and joint management of EU-funds
- d) Providing a central platform for mutual information, exchange of experience and encounter
 - Organisation of meetings of members
 - Ensuring information transfer
 - Taking charge of the Corridor Information System, developed within the project CODE24
 - Maintaining the website www.egtc-rhine-alpine.eu
- e) Improving the visibility and promotion of the corridor
 - Organisation of corridor events (congresses, workshops, etc.)
 - Elaboration and distribution of publications (newsletters, leaflets, brochures)

ARTICLE 2 – ORGANS

The organs of the EGTC are:

- the Assembly
- the Director and
- the Managing Committee.

ARTICLE 3 – THE ASSEMBLY

3.1 Competences

The Assembly is the decision-making body of the EGTC.

The Assembly is responsible for the adoption of the general strategy and the annual work plans, the adoption of the annual budget of the EGTC in accordance with Article 11 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013 and for the approval of the annual statement of accounts.

The Assembly is entitled to establish an external Advisory Board.

3.2 Composition

Each member organisation is represented by one person in the Assembly. The nominated person from a member organisation can be represented by a substitute from the concerned member organisation.

3.3 Expert committees

The Assembly can establish advisory expert committees.

3.4 Chair

3.4.1 Chair

Every three years the Assembly elects the Chair and two Vice Chairs. The candidature is based on an open invitation to members of the Assembly. If there is more than one candidate for a particular post, the Assembly elects the Chair and the Vice Chairs by a simple majority in a secret ballot. The Chair and the two Vice Chairs can be re-elected for two successive periods. The Chair and the two Vice Chairs are elected by the Assembly from among its members for a term of three years. When feasible, the position of chair should be filled with a representative of a member organisation from a different part of the corridor (North: BE, NL; Centre: DE, F; South: CH, IT) on a rotation principle with each new election.

3.4.2 *Function*

The Chair represents the EGTC in relations with third parties within the limits of his / her responsibilities.

In case of prevention of the Chair, the Vice Chairs will carry out his / her tasks.

The Chair is responsible for:

- inviting to the Assembly meetings
- setting the agenda of Assembly meetings, supported by the Director
- liaising with EGTC members and the Director on strategic issues in preparation for the Assembly meetings
- chairing the Assembly meetings
- preparing the strategic thematic agenda of the EGTC. This agenda is aimed at strengthening the strategic position of the EGTC in Europe and is to be officially approved by the Assembly.

3.5 **Meetings of the Assembly**

The Assembly meets at least once a year. Additional meetings may be convened by the Chair or on request of 1/5 of the Assembly members.

The Assembly may be held as an in-person meeting, in the form of a virtual meeting or in hybrid form (virtual participation of members in an in-person meeting). The Management Committee decides on the form at its discretion. The chair shall announce the form in the invitation to the Assembly.

3.6 **Rules applying to the meetings of the Assembly**

The invitation for the Assembly meeting is to be sent by the Chair to the members of the Assembly at least 21 days in advance.

The Director is responsible for taking and conveying the minutes of meetings to all Assembly members for validation and approval.

3.7 **Decision-making procedures**

The Chair decides on the items on which a decision has to be taken in the Assembly. Furthermore, an item has to be put on the agenda on request of 1/5 of the Assembly members.

The Assembly needs to have a two thirds quorum of Assembly members to make decisions.

If not otherwise provided in these Statutes or in the Convention, decisions of the Assembly need a simple majority of Assembly members participating.

Each member of the Assembly has one vote. If a member is unable to participate in the Assembly meeting, it may delegate its vote to another Assembly member. An Assembly member may not receive and cast more than one delegated vote.

3.8 **Decision about amendments to the Convention and to the Statutes**

Amendments to the Convention and amendments to the Statutes which entail an amendment to the Convention require the unanimous decision of all Assembly members. Based on a proposal of amendment by a EGTC member, the proposal will be submitted to the Assembly for decision.

Any other amendments to the Statues require the approval of a 2/3 majority of present Assembly members.

ARTICLE 4 – THE DIRECTOR

4.1 Designation

The Director is appointed by the Assembly, he / she is not a member of the Assembly. He / she can be directly employed by the EGTC or seconded by a member organisation.

In principle, the Director serves a seven-year term with a possibility of prolongation.

4.2 Responsibilities

The main responsibilities of the Director include:

- representing the EGTC in law
- presenting the strategic outlook for seven years
- presenting annually the work plan and the budget plan to the Assembly for approval
- presenting the annual state of account with a detailed report on the activities for approval by the Assembly
- presenting the annual state of account after its approval by the Assembly to the competent authority due to the seat of the registered office for approval
- engaging actively with European programmes, urban networks and the European Commission with a view to intensified collaboration
- taking and conveying the minutes of meetings to all Assembly members for validation and approval
- establishing and leading a Secretariat with a view to ensuring its optimal functioning
- administering personnel issues, preparing the recruitment procedures and working contracts for the personnel of the Secretariat.

ARTICLE 5 – THE MANAGING COMMITTEE

5.1 Composition

The Managing Committee consists of

- the Chair
- the two Vice Chairs and
- the Director – without a right to vote.

Only a representative of a member organisation can be elected as Chair or Vice Chair. Membership of the Management Committee is linked/bound to the respective position of the Management Committee member within the member organisation. If a member organisation declares its withdrawal from the EGTC or if a member organisation whose representative is a managing committee member is excluded or if the managing committee member leaves the member organisation, the managing committee member shall remain in office until the Assembly meeting at the latest. At the next Assembly, a new election shall be held for the vacant/vacant managing committee position for the remaining term of office.

5.2 Tasks

The Managing Committees' main task is the preparation of the strategic decisions to be submitted to the Assembly.

The Managing Committee decides about the recruitment of personnel upon proposal submitted by the Director.

5.3 Meetings

The Managing Committee organises its own work. The Managing Committee meets at least twice a year. Additional meetings may be convened. Meetings shall be chaired by the Chair. In the

Managing Committee meetings, the Chair and the Vice Chairs can be represented by a substitute of their member organisation.

ARTICLE 6 – THE ADVISORY BOARD

To provide the possibility for stakeholders to stay involved in the cooperation, in order to benefit from each other's knowledge and to join forces, the Assembly is entitled to establish an Advisory Board.

6.1 Members and membership

Representatives of other public bodies and private organisations not being members of the EGTC may become members of the Advisory Board. The Management Committee decides on admission of candidates on the recommendation of the member organisations and/or the Director.

6.2 Mission

The Advisory Board acts as the Assembly's adviser, it does not have a right to vote on corporate matters.

6.3 Meetings

The Advisory Board meets at least once a year.

ARTICLE 7 – MEMBERS OF THE EGTC

7.1 Members

Members of the EGTC are

- Provincie Zuid-Holland
- Havenbedrijf Rotterdam N.V.
- Provincie Vlaams-Brabant
- Provincie Gelderland
- Provincie Limburg
- Regio Venlo
- Duisburger Hafen AG
- Metropolregion Rheinland
- Regionalverband FrankfurtRheinMain
- Landeshauptstadt Mainz
- Verband Region Rhein-Neckar
- Stadt Mannheim
- Regionalverband Mittlerer Oberrhein
- Stadt Karlsruhe
- Port Autonome de Strasbourg
- Stadt Lahr
- Regionalverband Südlicher Oberrhein
- Kanton Basel-Stadt
- Regione Lombardia
- Uniontrasporti Scarl
- Regione Piemonte
- Regione Liguria
- Ports of Genoa.
- Comune di Novara
- Provincie Noord-Brabant

7.2 Accession of new members

An integration of a new member according to Article 3, paragraph 1, subparagraph 1 of Regulation (EG) No 1082/2006 as amended by Regulation (EU) No 1302/2013 is possible at any time upon application of the potential member. The approval of the Assembly is a necessary condition. New members must agree to the measures and procedures described in the Convention and Statutes.

7.3 Accession of members from third countries

Entities from third countries, in particular Switzerland, can become members in accordance with the rules of Articles 3 a, 4 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013.

7.4 Resignation of a member

A member can resign from the EGTC effective to the end of the calendar year.

A member wishing to resign from the EGTC must notify the Chair by means of an official letter three months prior to the end of the current calendar year.

It is permitted to resign on condition that all outstanding annually committed financial contributions are paid. Notwithstanding the resignation, the resigned member remains liable for obligations arising out of activities during its membership.

7.5 Exclusion of a member

A member shall be excluded if it contravenes the purposes and principles of the EGTC. The Director of the EGTC liaises with the member in question for a consultation and reports to the Assembly on the result of the consultation. The Assembly decides upon the exclusion. During the exclusion process, the member to be excluded no longer has the right to vote. The excluded member remains liable for obligations arising out of activities during its membership.

ARTICLE 8 – DURATION AND DISSOLUTION

8.1 Duration of the EGTC

The EGTC is set up for unlimited duration. It ends with its dissolution.

8.2 Dissolution of the EGTC

According to Article 14 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, on an application by any competent authority with a legitimate interest, the competent court or the Regierungspräsidium Freiburg as competent authority of the Member State where the EGTC has its registered office, winds up the EGTC if it finds that the EGTC no longer complies with the requirements laid down in the Regulation or that the EGTC is acting outside the confines of the tasks laid down in the Regulation.

Notwithstanding the provisions on dissolution contained in Article 14 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, dissolution may also be the result of a decision by the Assembly of the EGTC. The EGTC shall be dissolved by the Assembly if a unanimous decision to this effect is made by all the Assembly members. The dissolution of the EGTC as result of a decision by the Assembly takes effect three months after the decision has been taken by the Assembly. Before the EGTC can be dissolved, all outstanding contributions and financial commitments to external parties need to be fulfilled.

The Director is responsible for coordinating the dissolution process, and will notify the Committee of the Regions at least fifteen days before the date determined for dissolution.

The remaining budget will be redistributed to all members of the EGTC in equal parts, on condition that all external creditors have been paid.

If the EGTC has received EU funds, the dissolution must be communicated to the programme authorities, for the sake of controls and audit.

ARTICLE 9 – WORKING LANGUAGE

The working language of the EGTC is English.

ARTICLE 10 – APPLICABLE LAW

The EGTC as a not-for-profit legal entity operates under public law.

The members will comply with Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013 as well as with the provisions of Germany and the German Federal Land Baden-Württemberg where the EGTC has its registered office.

ARTICLE 11 – AGREEMENTS FOR MUTUAL RECOGNITION

In the interests of mutual recognition of the legal systems of the EGTC members from the other participating Member States, including for financial control issues, it is agreed that all documentation needed for financial control should be made available in the language of the controlling institution and in the form required.

ARTICLE 12 – PERSONNEL MANAGEMENT AND RECRUITMENT

The EGTC may employ personnel directly or make use of seconded personnel.

Personnel administration, recruitment procedures and working contracts are the responsibility of the Director. Due to the seat of the EGTC's registered office, German law and the law of the German Federal Land Baden-Württemberg is applicable for those procedures. The Managing Committee decides about the recruitment of personnel upon proposal submitted by the Director. Seconded personnel stays employed at the seconding organisation. Upon request of the seconding organisation, personnel costs may be reimbursed by the EGTC's budget.

ARTICLE 13 – FINANCES

13.1 Annual contributions of the EGTC members

The annual membership fee is equal for all members. The Assembly decides on the annual amount of the membership fee.

The membership fee is to be paid in advance in the first three months of each calendar year. A member who fails to pay for more than a year may be excluded from the EGTC, after a decision to this effect by the Assembly.

13.2 Application for EU-funding

In order to be able to implement its objectives and specifically to support and strengthen the activities, the EGTC is entitled to submit applications for European funding.

13.3 Accountancy and budgetary rules

The budget year equals the calendar year.

The applicable accountancy and budgetary rules are those of Germany and of the German Federal Land Baden-Württemberg, where the EGTC has its registered office.

13.4 Management of public funds, control

Control of the EGTC's management of public funds shall be organised by the competent authority due to the seat of the registered office.

13.5 External auditor

Due to the seat of the EGTC's registered office, according to the provisions of the German Federal Land Baden-Württemberg, the Gemeindeprüfungsanstalt (GPA) Baden-Württemberg is appointed as independent external auditor of the EGTC's accounts.

ARTICLE 14 – LIABILITY

The EGTC shall be liable for all its debts. To the extent that the assets of the EGTC are insufficient to meet its liabilities, its members shall be liable in equal parts for its debts irrespective of the nature of those debts.

ARTICLE 15 – JURISDICTION

Except where otherwise provided for in Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, Union legislation on jurisdiction shall apply to disputes involving the EGTC.

In any case which is not provided for in such Union legislation, the competent courts for the resolution of disputes shall be the courts of Germany respectively of the German Federal Land Baden-Württemberg, where the EGTC has its registered office.

ARTICLE 16 – PROCEDURE CONCERNING THE AMENDMENT OF THE CONVENTION AND THE STATUTES

According to Article 4 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, the EGTC informs the Member States about the amendments to the Statutes and to the Convention. Amendments to the Convention, except solely in the event of accession of a new member under point (a) of Article 4, paragraph 6 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, need the approval of the Member States.

ARTICLE 17 – FINAL PROVISIONS

According to Article 5 of Regulation (EC) No 1082/2006 as amended by Regulation (EU) No 1302/2013, the Convention, the Statutes and any subsequent amendments shall be published according to the applicable law where the EGTC has its registered office.

The EGTC shall acquire legal personality on the day of the publication of the Convention and the Statutes. The members shall inform their Member States and the Committee of the Regions of the publication of the Convention and the Statutes.

Agreed on 24 April 2015 in Mannheim

Amended version April 2024