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THE ETF RULES OF PROCEDURE

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Preamble

Whereas Regulation (EC) No 1339/2008, in particular Article 4(2) thereof, requires the ETF to make public its Rules of procedure,

Whereas Regulation (EC) No 1339/2008, in particular Article 9(g) thereof, requires the Governing Board to adopt the Rules of procedure on the basis of a draft submitted by the Director after the Commission has delivered its opinion,

Whereas Regulation (EC) No 1339/2008, in particular Recital 15 and Article 3(1) thereof, has endowed the ETF with its own legal personality, but requires the ETF to maintain a close corporate relationship with the Commission and respect the overall political and operational responsibilities of the Community and its institutions,

Whereas these Rules of procedure should support the ETF to pursue its objectives, scope and functions as defined in Regulation (EC) No 1339/2008,

Whereas these Rules should support the achievement of the strategic objectives as defined in the Mid Term Perspective and in the related annual Work Programmes,

Whereas these Rules are without prejudice to the detailed provisions contained in Regulation (EC) No 1339/2008,

Whereas in dealing with external contacts and when acting within the ETF, the ETF and its staff undertake to be committed to the following shared values:

- Diversity, whereby the ETF and its staff recognise, learn from and improve through differences, encouraging dialogue and treating others with consideration and respect.
- Integrity, whereby the ETF and its staff's behaviour and decisions reflect honesty, openness and fairness.
- Development, whereby the ETF and its staff build on teamwork, initiative and continuous improvement of skills and knowledge, encouraging innovation and embracing change.
- Loyalty, whereby the ETF staff acts in the interest of the ETF demonstrating loyalty towards the ETF and the European Union as the ETF is loyal towards the European Union and its legitimate interests.

These Rules of Procedure are adopted to define the organisational and operational procedures applicable to the ETF and their related provisions.

The Regulatory Framework

Article 1. Primary and Secondary Legislation

The ETF and its activities shall comply with Community law, in particular with the following acts of primary and secondary legislation:

- a) The Treaties¹;
- b) The Founding Regulation²;
- c) The Staff Regulations of Officials and the Conditions of Employment of Other Servants and its Implementing Rules³;
- d) The Financial Regulation and its Implementing Rules⁴ and the Framework Financial Regulation⁵;
- e) The Data Protection Regulation⁶;
- f) The Public Access to Documents Regulation⁷;
- g) The Regulation on the European Anti-Fraud Office Investigations⁸;
- h) Other acts of EU secondary legislation which are applicable to the ETF's activities.

¹ Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, Charter of the Fundamental Rights of the European Union (OJ C 83, 30.3.2010).

² Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 82).

³ Regulation No 31 (EEC), 11 (EAEC) laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ P 45, 14.6.1962, p. 1385, as last amended).

⁴ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1, as last amended) and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation to the general budget of the European Communities (OJ L 357, 31.12.2002, p. 1, as last amended).

⁵ Commission Regulation (EC, Euratom) No 652/2008 of 9 July 2008 amending Commission Regulation (EC, Euratom) No 2342/2002 on the framework financial Regulation for bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities.

⁶ Regulation (EC) No 45/2001 of the European Parliament and the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

⁷ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

⁸ Regulation (EC, Euratom) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 1).

Article 2. Internal Regulatory Instruments

- 2.1. The ETF may adopt its own internal regulatory instruments, which shall take the following form according to the hierarchy hereunder:
- a) Governing Board's Decisions;
 - b) Director's Decisions;
 - c) Managerial acts adopted by the Director;
 - d) Managerial acts adopted by the deputy Director for the coordination and implementation of the ETF operational work;
 - e) Managerial acts adopted by the senior managers in their field of responsibility.
- 2.2. All the ETF activities shall comply with and be bound by the internal regulatory instruments, except where registered as an exception in duly justified cases, and shall contribute to the achievement of the strategic objectives.
- 2.3. With the scope of providing clarity and a better understanding of the relevant EU law or internal regulatory instrument, the ETF may issue Guidelines. Such Guidelines provide instructions on the proper application of the ETF's regulatory framework.

Article 3. Principles

In the exercise of its activities, the ETF shall be committed to respect the following principles:

3.1. Lawfulness

The ETF acts in accordance with the law and its Rules of procedure⁹.

3.2. Non discrimination and equal treatment

The ETF respects the principle of non discrimination and in particular guarantees equal treatment irrespective of nationality, gender, racial or ethnic origin, religion or beliefs, disability, age or sexual orientation. Differences in the treatment of similar cases must be specifically warranted by the relevant features of the particular case in hand¹⁰.

3.3. Proportionality

The ETF ensures that the internal regulatory instruments adopted are proportional to the aim pursued¹¹.

3.4. Consistency

The ETF is consistent in the application of its internal regulatory instruments. Any exceptions are duly justified¹².

3.5. Transparency

The ETF acts in an open, reliable and clear manner and documents its decision making process and the resulting decisions¹³.

⁹ Paragraph 1 to Director's decision ref. ETF/01/DEC/001 dated 07.06.2001 on the Code of Good Administrative Behaviour for staff of the European Training Agency in their relations with the public (CGAB).

¹⁰ Paragraph 1 to Director's decision ref. ETF/01/DEC/001 dated 07.06.2001 on the CGAB.

¹¹ Paragraph 1 to Director's decision ref. ETF/01/DEC/001 dated 07.06.2001 on the CGAB.

¹² Paragraph 1 to Director's decision ref. ETF/01/DEC/001 dated 07.06.2001 on the CGAB.

¹³ Article 4 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

3.6. Public interest

The ETF acts in the public interest and independently of any external influence¹⁴.

3.7. Sound financial management

The ETF uses budget appropriations in accordance with the principles of economy, efficiency and effectiveness¹⁵.

3.8. Quality and risk management

The ETF at every level carries out a continuous, proactive and systematic process of identifying, assessing, and managing risks in line with the accepted risk levels in order to provide reasonable assurance as regards the achievement of the objectives¹⁶.

3.9. Performance based management

The ETF establishes performance standards on the basis of defined objectives; measures and reports on actual performance; analyses and evaluates actual performance; and takes corrective or preventive actions, as necessary.

Article 4. Internal Control Standards

The ETF puts in place an effective and proportional quality and risk control framework based on quality tools and procedures¹⁷.

Article 5. Code of Good Administrative Behaviour

5.1. In the dealings that the ETF has with the public, the ETF and its staff also undertake to observe the standards of good administrative behaviour as set out in the Code of Good Administrative Behaviour¹⁸ and be guided by this in their daily work.

¹⁴ Article 11 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

¹⁵ Article 27 to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation to the general budget of the European Communities.

¹⁶ Article 38 to Governing Board's decision ref. GB/09/DEC/003 dated 10.01.2009 on the Financial Regulation of the European Training Foundation.

¹⁷ Governing Board's decision ref. GB/09/DEC/004 dated 03.03.2009.

¹⁸ Director's decision ref. ETF/01/DEC/001 dated 07.06.2001 on the CGAB.

The Governance

Article 6. Actors

The actors involved in the governance of the ETF as referred to in Regulation (EC) No 1339/2008 include:

- The European Parliament,
- The Council of the European Union,
- The Commission¹⁹,
- The European Economic and Social Committee,
- The Governing Board.

¹⁹ The European Commission.

Article 7. The European Parliament

- 7.1. The European Parliament is presented with the annual activity report adopted by the Governing Board²⁰.
- 7.2. It acts, together with the Council, as budgetary authority by authorising the appropriations for the subsidy to the ETF and by adopting the establishment plan for the ETF²¹.
- 7.3. It is responsible, on recommendation from the Council, for giving the discharge to the Director in respect of the implementation of the ETF's budget²².
- 7.4. It may, at any time, ask to hear the Director on any subject relating to the ETF's activities²³.
- 7.5. The European Parliament appoints three non voting independent experts to the ETF's Governing Board²⁴.

Article 8. The Council of the European Union

- 8.1. The Council is presented with the annual activity report adopted by the Governing Board²⁵.
- 8.2. It acts, together with the European Parliament, as budgetary authority by authorising the appropriations for the subsidy to the ETF and by adopting the establishment plan for the ETF²⁶.
- 8.3. It provides a recommendation to the European Parliament for the discharge to the Director in respect of the implementation of the ETF's budget²⁷.
- 8.4. It may, at any time, ask to hear the Director on any subject relating to the ETF's activities²⁸.

Article 9. The European Commission

- 9.1. The ETF maintains a close corporate relationship with the Commission²⁹, which oversees the functions of the ETF³⁰ by providing the necessary support to the implementation of Regulation (EC) No 1339/2008 and to the exercise of the ETF's activities.
- 9.2. Where foreseen in Regulation (EC) No 1339/2008, it provides prior opinions and agreements.
- 9.3. The Commission chairs the Governing Board and is represented by three members³¹.

Article 10. The European Economic and Social Committee

- 10.1. The European Economic and Social Committee is presented with the annual activity report adopted by the Governing Board³².

²⁰ Article 13 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²¹ Article 16 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²² Article 17 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²³ Article 18 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁴ Article 7 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁵ Article 13 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁶ Article 16 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁷ Article 17 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁸ Article 18 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

²⁹ Recital 15 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³⁰ Recital 18 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³¹ Article 7 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

Article 11. The Governing Board

11.1. The Governing Board has the following functions and powers³³:

- (a) To appoint and, where necessary, dismiss the Director;
- (b) To exercise the disciplinary authority over the Director;
- (c) To adopt the ETF's annual work programme on the basis of a draft submitted by the Director after the Commission has delivered its opinion;
- (d) To draw up an annual estimate of expenditure and revenue for the ETF and forward it to the Commission;
- (e) To adopt the ETF's draft establishment plan and the definitive budget following completion of the annual budget procedure;
- (f) To adopt the ETF's annual activity report and send it to the Community institutions and the Member States;
- (g) To adopt the ETF's rules of procedure on the basis of a draft submitted by the Director after the Commission has delivered its opinion;
- (h) To adopt the financial rules applicable to the ETF on the basis of a draft submitted by the Director after the Commission has delivered its opinion;
- (i) To adopt the procedures for applying Regulation (EC) No 1049/2001.

11.2. The composition and functioning of the Governing Board are defined in Regulation (EC) No 1339/2008³⁴ and its Rules of procedure³⁵.

³² Article 13 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³³ Article 9 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³⁴ Articles 7 and 8 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³⁵ Governing Board's decision ref. GB/09/DEC/017 dated 15.06.2009 on the Rules of Procedure of the Governing Board.

The External Bodies Exercising Regulatory Control

Article 12. Actors

12.1. The bodies involved in controlling the regularity of the ETF's activities include:

- The European Ombudsman,
- The Court of Justice of the European Union,
- The European Anti-Fraud Office,
- The European Data Protection Supervisor,
- The European Court of Auditors,
- The Internal Audit Service of the European Commission.

12.2. The ETF shall cooperate with the bodies involved in controlling the regularity of the ETF's activities.

Article 13. The European Ombudsman

The ETF is subject to the administrative review of the European Ombudsman, who may perform investigations on complaints about maladministration³⁶.

Article 14. The Court of Justice of the European Union

The Court of Justice of the European Union acts as the judicial authority of the ETF³⁷.

Article 15. The European Anti-Fraud Office

The ETF is subject to the internal investigations of the European Anti-Fraud Office to fight fraud, corruption and any other unlawful activities³⁸.

Article 16. The European Data Protection Supervisor

The ETF is subject to the prior checking by the European Data Protection Supervisor of data processing operations presenting specific risks to the rights of the data subjects³⁹.

Article 17. The European Court of Auditors

The European Court of Auditors is the ETF's external audit body and examines the ETF's accounts of all revenue and expenditure⁴⁰. It assists the European Parliament and the Council in exercising their powers of control on the implementation of the budget⁴¹.

³⁶ Article 3 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³⁷ Article 19 to Treaty of the European Union (OJ C 83, 30.3.2010, p. 15)

³⁸ Recital 22 and Article 19 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

³⁹ Recital 24 and Article 5 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008 and Articles 27 to 31 of Regulation (EC) No 45/2001 of the European Parliament and the Council of 18 December 2000.

⁴⁰ Articles 285, 286 and 287 to Treaty on the Functioning of the European Union (OJ C 115, 9.5.2008, p. 169).

⁴¹ Article 17 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

Article 18. The Internal Audit Service of the European Commission

- 18.1. The Internal Audit Service of the European Commission acts as the ETF's internal audit body. It exercises audits to assess the effectiveness of the internal management and control systems and provides recommendations for improvements.
- 18.2. The ETF may also perform its own audits within the scope defined above.

The Management

Article 19. The Director

- 19.1. The executive management of the ETF is under the responsibility of the Director.
- 19.2. The Director has the following functions and powers⁴²:
- (a) To prepare, on the basis of general guidelines established by the Commission, the draft annual work programme, the draft estimate of expenditure and revenue of the ETF, its draft rules of procedure and those of the Governing Board, its draft financial rules, and the work of the Governing Board and of any ad hoc working parties convened by the Governing Board;
 - (b) To participate, without the right to vote, in meetings of the Governing Board;
 - (c) To implement the decisions of the Governing Board;
 - (d) To implement the ETF's annual work programme and respond to requests for assistance from the Commission;
 - (e) To perform the duties of authorising officer;
 - (f) To implement the ETF's budget;
 - (g) To put in place an effective monitoring system to enable regular evaluations referred to be carried out and, on this basis, prepare a draft annual activity report;
 - (h) To present the annual activity report to the European Parliament;
 - (i) To manage all staff-related matters, and in particular exercise the powers of Appointing Authority;
 - (j) To define the ETF's organisational structure and submit it to the Governing Board for approval;
 - (k) To represent the ETF before the European Parliament and the Council.
 - (l) The Director is the legal representative of the ETF⁴³.
 - (m) The Director is accountable for his/ her actions to the Governing Board⁴⁴.

⁴² Article 10 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

⁴³ Article 10 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

⁴⁴ Article 10 to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

Article 20. The Deputy Director

- 20.1. The Director assigns to the deputy Director the coordination and implementation of the ETF operational work.
- 20.2. The exercise of these responsibilities shall be without prejudice to the rules concerning the delegation on financial matters or on the powers conferred to the appointing authority and the authority empowered to conclude contracts of employment.
- 20.3. The deputy Director shall deputise for the Director⁴⁵.
- 20.4. The deputy Director shall report to the Director and operate under the authority of the Director.

Article 21. The Senior Managers

- 21.1. The Director shall assign to the senior managers fields of activity with regard to which they shall be specifically responsible for the preparation and coordination of the work to implement and achieve the strategic objectives.
- 21.2. Pursuant to these responsibilities, senior managers shall act as Heads of Department.
- 21.3. The exercise of these responsibilities shall be without prejudice to the rules concerning the delegation on financial matters or on the powers conferred to the appointing authority and the authority empowered to conclude contracts of employment.
- 21.4. The senior managers shall report to the Director and operate under the authority of the Director.

Article 22. The Middle Managers

- 22.1. The Director shall assign to the middle managers specific responsibilities within a field of activity.
- 22.2. Pursuant to these responsibilities, middle managers may act as Heads of Units.
- 22.3. The exercise of these responsibilities shall be without prejudice to the rules concerning the delegation on financial matters or on the powers conferred to the appointing authority and the authority empowered to conclude contracts of employment.
- 22.4. The middle managers shall report to the senior managers and operate under the authority of the senior managers.

⁴⁵ Cf Article 25

Article 23. Delegations

- 23.1. The Director, in order to ensure an effective implementation of the ETF activities, delegates the exercise of his/ her functions and powers to the deputy Director and to one or more senior or middle managers subject to the restrictions and conditions he/she shall impose and only where provided for in Director's decisions.
- 23.2. Delegations shall imply a shift of authority to the delegated member under and within the limits of the delegation.
- 23.3. Delegations shall cover the following: financial matters; powers conferred to the appointing authority and the authority empowered to conclude contracts of employment; powers conferred to the deputising managers.

Article 24. Deputising

- 24.1. Where the Director is prevented from exercising his/ her functions, in order to ensure the continuity of the service, the Deputy Director shall deputise⁴⁶.
- 24.2. Where both the Director and the Deputy Director⁴⁷ are prevented from exercising their functions, a senior manager shall deputise. The cascading deputising mechanism is documented in a dedicated procedure adopted by means of a Director's Decision.

⁴⁶ Where the post is filled.

⁴⁷ cf above

The Organisational Structure

Article 25. Definition

- 25.1. The Director shall define the ETF organisational structure and submit to the Governing Board for approval⁴⁸.
- 25.2. Any partial adjustments to the composition of the administrative structures defined within the overall organisational structure shall be adopted by the Director through a Director's decision.
- 25.3. The approved organisational structure, including partial adjustments, shall be considered to form integral part of these Rules of procedure.

Article 26. Composition and Administrative Structures

- 26.1. The ETF's organisation shall comprise of the following administrative structures:
 - The Directorate⁴⁹;
 - Departments operating within a specific field of responsibility and in charge with the effective and efficient achievements of its objectives.
 - Other structures functionally attached to the Directorate and reporting to the Director.
- 26.2. Each Department shall be managed by its respective senior manager, acting as Head of Department.
- 26.3. The Head of Department shall be responsible for determining their methods of operation and organisation of the Department, which should reflect the principles laid down in these Rules.
- 26.4. Departments may be structured into Units managed by a Head of Unit, who reports directly to the Head of Department. Each Unit shall operate within a specific field of responsibility and have its own objectives, cascaded from the corporate strategic objectives.
- 26.5. In order to ensure the efficiency and effectiveness of the ETF's activities, all administrative structures shall work in close cooperation and in a coordinated manner consulting, where necessary, others for their field of responsibility.

⁴⁸ Article 10(4) lett. (j) to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008.

⁴⁹ Including the Deputy Director where the post is filled.

The Internal Bodies

The Management Team

Article 27. Management Team Composition, Responsibilities and Functioning

- 27.1. The Management Team is composed of the deputy Director and senior managers.
- 27.2. The Management Team exercises advisory functions upon request of the Director or at its own initiative by providing opinions and advice. It may act collectively.
- 27.3. Issues on which the Management Team exercises advisory functions at the decision making level are those in support to the achievement of the ETF's objective, scope and functions, as well as those related to decisions or managerial acts on strategic, corporate and cross departmental issues and activities.
- 27.4. The Management Team may meet at their own initiative to prepare advice, for knowledge sharing or whenever considered necessary.
- 27.5. Minutes shall be taken of all Management Team meetings and, unless confidential, made public to all staff.

Article 28. Meetings of the Director with the Management Team

- 28.1. The Director shall convene monthly meetings with the Management Team, including the middle managers for two meetings a year. Additional meetings may be held whenever necessary.
- 28.2. The scope of the meetings shall be to discuss issues requiring decisions on operational and thematic activities as well as on strategic, corporate and cross departmental issues.
- 28.3. The Director shall propose the agenda of the meetings. The Management Team or one of its members may propose the inclusion of an item on the agenda.
- 28.4. The Director may decide, at his/ her own initiative or on proposal of the Management Team, to invite any other person, ETF staff or external party, to these meetings.
- 28.5. Minutes shall be taken of all meetings with the Director and, unless confidential, made public to all staff.
- 28.6. The Director when taking decisions or adopting managerial acts shall consider the discussions undertaken during these meetings and opinions and advice provided by the Management Team. Reasons for deviating from these discussions and opinions and advice shall be recorded.

Other bodies

Article 29. The Staff Committee

- 29.1. The Staff Committee shall be involved in the decision making procedure related to the implementation of the Staff Regulations in accordance with the terms and conditions therein stated. The functioning of the Staff Committee is defined by its own Rules of procedure⁵⁰.

⁵⁰ ETF 7th Staff Committee Rules of Procedure dated 19.11.2009.

Article 30. Thematic and Technical Bodies

- 30.1. The ETF may, when necessary, set up other internal advisory bodies of thematic/technical nature.

The Decision Making Procedure

Article 31. Applicability

- 31.1. The ETF's decision making procedure shall apply to all those issues at corporate level requiring decisions or managerial acts from the Director.
- 31.2. The decision making procedure for managerial acts adopted by both the deputy Director and senior managers shall follow the same principles laid down in these Rules.

Article 32. Phases

- 32.1. The decision making procedure shall be based on four phases:
 - Initiative,
 - Proposal,
 - Implementation and monitoring,
 - Evaluation
- 32.2. Details on the above mentioned phases will be documented in a dedicated procedure to be adopted by means of a Director's Decision.
- 32.3. Applicability of each phase and its subsequent steps shall be proportional to the decision to be taken.

Communication

Article 33. Communication

- 33.1. The ETF shall act with a high level of transparency. The aim is to give objective, reliable and easily understandable information on its activities, also when dealing with the media.
- 33.2. Dealings with the media are coordinated by the ETF Communication Department.
- 33.3. The ETF fosters internal communication and knowledge sharing with the scope of valorising the potential and the achievements of its staff for the benefit of the organisation's performance.

Final Provisions

Article 34. Repeal

The Director's decision ref. ETF/09/DEC/010 dated 3 June 2009 on ETF Rules of Procedure is repealed.


Article 35. Review

- 35.1. These Rules shall be reviewed when considered necessary and appropriate.
- 35.2. Notwithstanding this provision, the ETF shall conduct a review on the implementation of these Rules every four years. Following this review, the ETF shall present, as necessary, a proposal for the revision of these Rules.

Article 36. Entry Into Force

- 36.1. These Rules shall enter into force on the date of signature.
- 36.2. A transitory period of six months from the date of signature applies in order to set up the necessary measures to support the enforcement of these Rules.

Done in Turin 22/11/2011


Jan Truszczyński
Chair of the Governing Board