

Rules of Procedure for the Sub-Sector Working Group for the Sector “Public Administration Reform (PAR)”

TITLE I GENERAL PROVISIONS

Article 1 *Subject matter*

- (1) These Rules of Procedure regulate the operation of the sub sector group as a part of the Sector Working Group (SWG) for the Sector “Democracy and Governance” of the Government of the Republic of Macedonia as constituted by on 65th Government session held on 31.03.2015 and amended on 78th Government session held on 08.06.2015.
- (2) The Sector Working Group is inter-ministerial co-operation forum with a mandate for implementing expert-level tasks related to the formulation and implementation of national sector policies, including those relevant for EU integration as well as the use of donor assistance in general and the European Union’s IPA programme in particular.
- (3) The Sub SWG will contribute to the work of higher level co-ordination bodies of the Government of the Republic of Macedonia by preparing proposals and implementing decisions of:
 - a) The Government
 - b) The Working Committee for European Integration and its Sub-Committee
 - c) The Association Committee between the Republic of Macedonia and the European Union – and its Sub-Committees
 - d) The National Investment Committee
 - e) The IPA Monitoring Committee

TITLE II COMPOSITION OF THE Sub SECTOR WORKING GROUP

Article 2 *Areas of responsibility and membership of Sub SWG*

- (1) The Sub Sector Working Group covered by the rules of procedure carries out its responsibilities with respect to a set of inter-related policy areas. The areas of responsibility of Sub SWG will be the same for the entire mandate of the Sub SWG. Listed in [Article 1](#) paragraph (2).

- (2) In this sub-sector, the Ministry of Information Society and Administration shall be appointed as Main Co-ordinator (sub-sector lead ministry).
- (3) In consultation with the donor community, a lead donor shall be designated.
- (4) The policy areas covered by each SWG, the identification of Main Co-ordinators, the list of national ministries and other agencies taking part in the SWG as well as the lead donors are contained in [Annex 1](#).
- (5) With respect to the policy areas under the SWG, as well as the representation of national ministries and agencies, [Annex 1](#) may be modified by a relevant decision of the Government.
- (6) The designation of lead donors in the sector may be modified in agreement with the donor community.
- (7) The Sub SWG will also regularly co-operate with the Sector Working Groups of the Government charged with the formulation and implementation of policies for EU integration, with special regard to the National Programme for the Adoption of the Acquis (NPAA Working Groups). The correspondence between Sector Working Groups and NPAA Working Groups is presented in [Annex 2](#).

Article 3 *Personnel*

- (1) The Sub-Sector Working Group is composed of a chairperson, a secretary from the lead ministry and members. The chairperson is appointed by the Minister heading the respective Lead Ministry of the Sub-SWG.
- (2) The members of the Sub-Sector Working Group are appointed on proposal from the ministries and non-ministerial institutions in [Annex 1](#). These members are to be drawn from the units within the relevant LMs which are responsible for sector policy formulation and the management of donor programmes.
- (3) In addition, the Sub-Sector Working Group consists of independent representatives of non-ministerial institutions (such as economic, social, academic and civil society organisations) relevant to its work. The list of organisations in each Sector shall be listed in [Annex 3](#)
- (4) When applicable, the chairperson shall have the authority to invite other relevant stakeholders if deemed necessary to facilitate the work of the Sub-

Sector Working Group.

- (5) As needed, in consultation with the members of the Working Group the chairperson will invite – on an ad hoc or permanent basis – experts with necessary technical expertise to perform technical tasks related to the Sub SWG work.
- (6) If the Chairperson of the Sub -Sector Working Group deems it necessary to amend the membership of the sub SWG, with the purpose to perform its tasks and responsibilities in more effective and efficient manner, he/she can recommend alterations of the sub SWG to the Minister stipulated as the Main Coordinator, following a consultation with the Sub-Sector Working Group.

<p style="text-align: center;">TITLE III AREAS OF OPERATION AND COMPENTENCES OF THE SUB SECTOR WORKING GROUP</p>

Article 4

Competences related to the formulation and implementation of national policies

- (1) The Sub SWG is the principal expert-level co-ordination body for the preparation of national policy documents as well as cross-sectoral and sectoral strategies and development programmes (together: planning documents). Other co-ordination bodies for such purposes shall be established only, in duly justified cases, when the sub SWG cannot fulfil the tasks related to such strategies and development programmes.
- (2) In this capacity, the sub SWG will:
 - a. Elaborate proposals for the content of sector and cross-sector policies, strategies, and development programmes relevant to the policy areas within its responsibility;
 - b. Ensure the preparation of the drafts of the relevant planning documents;
 - c. Contribute to the identification, formulation and prioritisation of development objectives, measures and projects implementing the national policies and strategies in the sector;
 - d. Support the work of the bodies in charge of the implementation of the said policies, strategies, and programmes in an advisory capacity;
 - e. Act, under participation of partner organisations – i.e. social partners, sub-national authorities and representative civil society organisations – as monitoring committees of the strategies plans and programmes concerning the sector.

Article 5
Competences related to the use of foreign assistance to the Republic of Macedonia

- (1) In order to ensure a full integration and synergy between national policies of the Government and the use of foreign assistance by donors and creditors to the Republic of Macedonia, the sub Sector Working Group will perform inter-ministerial co-ordination tasks for programming, monitoring and evaluation foreign assistance, similarly to its duties listed in Article 4 with respect to national strategies.
- (2) Without prejudice to the particular rules applicable to different donor programmes and instruments, the tasks of sub SWG with respect to foreign assistance will include:
 - a) The preparation of multi-annual as well as annual strategic planning documents relevant for programming – including, but not limited to, Sector Planning Documents, Operational Programmes or Action Documents in the context of programming IPA II;
 - b) Providing transparency and wide participation of relevant partners and stakeholders through all stages of the programming process;
 - c) Examining possibilities for national co-financing of proposed donor programmes and projects;
 - d) Support the bodies in charge of the implementation of donor programmes and projects in an advisory capacity;
 - e) Supporting – at the request of the SEA or the IPA Monitoring Committee and, as necessary, with participation of partner organisations – the monitoring of donor programmes and projects, reviewing evaluation reports and proposing measures for removing problems and implementation of evaluators' recommendations;
 - f) Identifying possible deficiencies, problems and risks in programming of donor programmes and projects, proposing measures to be taken for their solving to responsible institutions;
 - g) Improving of cooperation and exchange of work experiences, preparing recommendations and opinions with regards to programming of IPA II and other development assistance;
 - h) Coordination and alignment of donor support and strategies in the context of programming;

Article 6

Specific competences related to the work of the National Investment Committee

- (1) With specific regard to the work of the National Investment Committee, the sub SWG will:
 - a) Review, update, and adopt the strategic relevance criteria for selection and prioritisation of infrastructure projects; this activity must be performed taking into account the National Sector Strategies, Master Plan(s), Action Plan(s), etcetera;
 - b) Review, update, and adopt the Project Identification Form for submission of infrastructure projects;
 - c) Invite relevant LMs listed under Article 3 (1) to submit infrastructure projects in the format of the Project Identification Form;
 - d) Verify project eligibility taking into account national strategies, action plans, master plans, other strategic documents – as applicable;
 - e) Score, rank, and prioritise eligible infrastructure projects in accordance with the adopted strategic relevance criteria for selection and prioritisation;
 - f) Define a preliminary Single Sector Project Pipeline based on the strategic relevance assessment and the related prioritisation process;
 - g) Submit preliminary SSPP to the NIC technical secretariat (henceforth NIC TS – NIPAC office);
- (2) With respect to strategic relevance criteria for the prioritisation of development programmes and projects – including infrastructure under the competence of the National Investment Committee as referred to in paragraph (1) subparagraph a) – in the event that relevant strategic documents are updated and objectives therein change, Members of the sub Sector Working Group will inform the chairperson about the said changes.
- (3) If deemed necessary by the chairperson following the update of strategic documents, a session of the Sub Sector Working Group should review the strategic relevance criteria to ensure alignment with the new objectives.

Article 7

Tasks related to European Integration

- (1) Where needed, at the request of SEA or the relevant NPAA Working Group, Sector Working Groups and sub sector WG for PAR will support the preparation and monitoring of the National Programme of the Adoption of the

Acquis, or other tasks related to Macedonia's integration into the EU.

- (2) In particular, SWGs and sub sector WG for PAR will ensure at all times that their proposals regarding the formulation of sector policies and development programmes, as well as the use of donor assistance are in line with the relevant integration policies of the Government of Macedonia.

<p>TITLE IV RIGHTS AND RESPONSIBILITIES OF THE CHAIRPERSON AND MEMBERS OF THE SECTOR WORKING GROUP</p>

Article 8

The Chairpersons of the Sub Sector Working Group

- (1) The Chairperson of the Sub Sector Working Group (hereinafter Chairperson) is responsible for the work of the Sub -Sector Working Group. The Chairperson:

- a) represents and manages the work of the Sub Working Group;
- b) calls and chairs the meetings of the Sub Working Group the ministry;
- c) steers the operations of the Sub SWG and its members in accordance with the areas of operations and competences stipulated under Article 5 and 6;
- d) has the competence to individually communicate with the institutions/non-ministerial institutions participating in the Sub Sector Working Group;
- e) ensures coordination between institutions and non-ministerial institutions participating in the SUB Sector Working Group;
- f) cooperates and guides the prioritisation process with stakeholders;
- g) is accountable to the Government, NIPAC and National Investment Committee).

- (2) In cases where the chairperson is prevented from executing his/her function, the same appoints substitute chair of the Sub Sector Working Group. The substitute chair assumes the chairperson's responsibilities as stated in article 9 of these Rules of Procedure.

Article 9

Members of the Sub Sector Working Group

- (1) The members of the Sub SWG:

- a) participate in the work on issues which are on the agenda of the Sub SWG's meeting;

- b) present initiatives, provide suggestions, opinions and proposals on issues within the scope of operations and competences of the Sub SWG;
- c) familiarise the Sub SWG with the priorities and positions of the institutions they represent;
- d) ensure impartial assessment and scoring of infrastructure projects - in particular, not perform favouritism towards projects emanating from the member's own ministry;
- e) conduct the duties within the competence of the Sub SWG in a scrupulous, legal, and transparent manner, and implement the Rules of Procedure of the Sector Working Group.

(2) Members are obliged to attend the Sub SWG meetings.

(3) Members may be absent from a meeting due to valid reasons, in which case they are obliged to notify the Chairperson or the secretary of the Sub SWG

(4) Members who are prevented from attending the meetings of the Sub SWG for a longer period of time due to valid reasons are obliged to notify his/her superior, and request to nominate a replacement in the period of absence.

Article 10 *Working sub – groups*

(1) The Sub SWG may create working sub-groups on temporary or permanent basis to examine particular issues.

(2) The working sub-groups shall report back to the Sub SWG.

<h3 style="margin: 0;">TITLE V</h3> <h3 style="margin: 0;">MANNER OF OPERATION</h3>

Article 11 *Sub SWG meetings*

(1) The Sub SWG operates on meetings to which all members of the group and/or only certain members responsible for a specific area are invited to take part.

(2) The Sub SWG meets at least once per quarter.

- (3) The Sub SWG meetings are called by the chairperson, who also moderates them.
- (4) The Sub SWG meetings can also be called on proposal of a member of the Sector Working Group. The proposal is sent to the co-chairpersons who decide upon the necessity to call a meeting.
- (5) The invitation to take part in a meeting of the Sub SWG should include an agenda, indicated location and time for the meeting, accompanying materials if any, and these items are disseminated in an electronic format.

Article 12

Proceedings of the Sub SWG meetings

- (1) The Sub SWG convenes upon invitation by one of the chair persons. The invitation accompanied with a draft agenda is sent in writing by the secretary to all members, 10 days before the meeting.
- (2) Sub SWG meetings are opened by the chairperson, followed by agenda setting and adoption of the minutes from the previous meeting.
- (3) The Sub SWG adopts conclusions after completion of the debate on each point of the agenda by simple majority of members present.

Article 13

Minutes

- (1) The Sub SWG secretary prepares the minutes of the Sub SWG meetings.
- (2) The minutes of the meetings shall contain: time and location of the meeting, members present on the meeting, agenda, discussions, conclusions and other relevant information related to the meeting.
- (3) The prepared minutes are distributed by the secretary to all members of the Sub SWG within five working days, who have the right to provide their remarks.
- (4) The minutes are adopted on the following meeting. The adopted minutes are signed by the chairperson and the secretary.

- (5) The adopted minutes are distributed to all Sub SWG members.

Article 14
Written procedure

- (1) The Chairperson may obtain the Sub SWG's opinion by written procedure on urgent issues and when an additional meeting is not needed.
- (2) When implementing the written procedure for decision taking, the chairperson: must send all necessary documents on the issue in question to the Sub SWG members together with the draft of the decision. Every member should return his/her response (or written statement) back within 10 working days from the date of issuing the documentation. In the event that there are no negative statements, or there is no response, the proposal is to be considered as agreed.
- (3) The co-chairperson shall inform the members of the Sub SWG of the outcome of a written procedure without delay, after the expiry of the time-limit.

Article 15
Dissemination and exchange of materials, information and data

- (1) The dissemination and exchange of materials, information and data among the Sub SWG members is conducted via electronic and/or regular mail.
- (2) Electronic manner of communication is considered official.
- (3) The Sub SWG members are obliged to provide the materials requested by the Working Group president within the deadline set by him/her but not later than 5 days before the meeting.
- (4) A Sub SWG member who is prevented to meet the deadline from paragraph 3 of this article, shall immediately inform the chairperson of the reasons.

<p style="text-align: center;">TITLE VI STAKEHOLDER ENGAGEMENT</p>
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Article 16
Cooperation with stakeholders

- (1) The Sub SWG decides on cooperation with stakeholders.
- (2) Stakeholders, in accordance with these Rules of Procedure, are associations and foundations, NGOs, and other non-ministerial agencies which perform public authority, as well as other legal and physical entities which may be affected by the work of the Sub SWG, such as the formulation and implementation of sector policies and strategies, or the prioritisation and implementation of infrastructure projects.
- (3) Stakeholder cooperation is accomplished through information-sharing, consultation, participation and partnership.
- (4) The provisions for stakeholder cooperation in these Rules of Procedure do not limit the application of existing standards and methods for stakeholder engagement.

Article 17
Information sharing and stakeholder consultation

- (1) The Chairperson of the Working Group can include stakeholder representatives, as external members of the Sub SWG.
- (2) When necessary, the chairperson of the Sub SWG, can invite stakeholder representatives from paragraph 1 of this article to attend the Sub SWG meetings.
- (3) Stakeholder representatives from paragraph 1 of this article shall ensure greater representation of the different stakeholder groups' interests, in addition to those of citizens.
- (4) The stakeholders' representatives from paragraph 1 of this article cannot publish or use the working documents derived from the Sub SWG – and which are still not made public by the Sub SWG – for purposes and aims other than ones associated with the Sub SWG.

Article 18
Exchange of information on stakeholder engagement

- (1) The co-chairperson shall notify the National Investment Committee and the NIC TS on a regular basis of conducted measures and activities for stakeholder

engagement, as well as the results from their engagement. This can also include the distribution of minutes to NIC.

(2) The secretary of the Sub SWG shall keep records of the conducted measures and activities for stakeholder engagement, as well as of the results from their engagement, and puts the records at co-chairpersons', NIPAC's and National Investment Committee's disposal.

<p style="text-align: center;">TITLE VII FINAL PROVISION</p>
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Article 19
Entry into force

- (1) These Rules of Procedure shall enter into force on the day of their adoption.
- (2) The Rules of Procedure can be amended by the Sub SWG after written proposals by any of the members followed by discussions and consensus by the Sub SWG.

Annex 1
Membership of the Sub -Sector Working Group

- Lead Ministry: Ministry of Information Society and Administration
- Lead Donor:

Coordinator	Basic working group	Other members (if necessary)	Donors and IFI
<ul style="list-style-type: none"> • NIPAC and DPMGRM competent for European Affairs • DPMGRM competent for the implementation of the Ohrid Framework Agreement (OFA) • Minister of Information Society and Administration • Minister of Finance 	<ul style="list-style-type: none"> • Minister of Information Society and Administration • Minister of Finance • General Secretariat • Office of the PMGRM • MF/CFCD and NAO • NIPAC and DPMGRM competent for European Affairs • DPMGRM competent for the implementation of the OFA 	<ul style="list-style-type: none"> • Minister of Health • Minister of Internal Affairs • Minister of Justice • Minister of Labour and Social Policy • CSO representatives • Managerial staff of other bodies and agencies with competences in the sector . depending on the areas/priorities covered with the relevant programming documents 	<ul style="list-style-type: none"> • EU • Switzerland • Sweden • Germany • France • World Bank • European Bank for Reconstruction and Development • Credit Bank for Reconstruction - KfW • European Investment Bank • Development Bank of the Council of Europe

<p>Annex 2</p> <p>Correspondence between Sub SWG and NPAA Working Groups</p>
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1.1 DEMOCRACY AND RULE OF LAW

4.01 PUBLIC ADMINISTRATION REFORM

Annex 3

Non-governmental organisations and partners invited to the sub SWG meetings

Donors	IFIs	Embassies	CSOs
USAID (P)	UNDP (P)	EU Delegation (P)	Open Society Foundation (P)
UNICEF	GIZ (P)	British Embassy (P)	Institute for Human Rights (P)
	OSCE (P)	Embassy of Germany (P)	Progress Institute for Social Democracy (P)
	WB (P)	Embassy of Switzerland (P)	Institute for Democracy "Societas Civilis" Skopje (P)
	IMF (P)	Embassy of Netherlands (P)	Macedonian Center for International Cooperation (P)
	German Development Bank kWf	Embassy of Italy (P)	European Policy Institute (P)
	International Finance Corporation	Embassy of France (P)	Association for Development initiatives Zenit Skopje (P)
		Embassy of Greece	Metamorphosis foundation (P)
		Embassy of Hungary	National Democratic Institute (P)
		Embassy of Japan	IFES (P)
		Embassy of Norway	International Republican Institute
		Embassy of Slovak Republic	Macedonian Association of Young Lawyers
		Embassy of Slovenia	
		Embassy of Spain	
		Embassy of Sweden	
		Embassy of Czech Republic	
		Embassy of Republic of Bulgaria	
		Embassy of Turkey	

(P) = Present at the SWG meeting