



European Chamber  
中国欧盟商会

## Guidelines for Working Groups, Fora and Desks

(Last updated 21<sup>st</sup> February 2014)

The European Union Chamber of Commerce in China (hereafter “European Chamber”) serves as the voice of European business in China, providing a channel of communication to Chinese and European policy-makers. The involvement of member companies in the European Chamber is primarily organised through participation in Working Groups, Sub-Working Groups, Fora and Desks (hereafter “Groups” when referred to collectively).

### I Definition of Groups

The European Chamber facilitates various Groups, which bring together member companies operating in specific industry sectors or affected by horizontal issues.

A Working Group (WG) is composed of at least two corporate members with a mutual interest in a minimum of three lobbying issues and the capacity to represent their industry and issues. A WG produces an annual Position Paper with recommendations and engages in lobbying activities.<sup>1</sup> Involvement may be limited to member companies that have a direct interest in the industry that the Group serves. For more details on the membership guidelines for WGs, refer to the *Membership Policy of the European Chamber*.

A Sub-Working Group (Sub-WG) exists under a WG and facilitates dialogue and activities on a certain topic that may not be of interest to all WG members. The Sub-WG participates in lobbying activities and produces an annual Position Paper with recommendations. It is composed of at least two corporate members. Involvement may be limited to member companies that have a direct interest in the industry that the Sub-WG covers.

A Forum provides a platform for networking and knowledge-sharing through meetings, events and other forms of communication. It is composed of at least two corporate members and is typically open to all members. However, involvement may be limited to member companies that have a direct interest in the industry the Forum covers. The Forum will have a shorter Position Paper than the WGs, in which they provide a brief overview of their activities in 200-300 words.

A Desk is formed, when an external organisation or association or a group of member companies desire additional representation by the European Chamber. The scope and activities of the Desk depend on the needs of the parties involved.

### II Requirements of Groups

2.1. Groups and the members shall conform to the common interest (see Articles of Association, Article 3) of the members of the European Chamber.

2.2. Groups shall meet no less than two times per year. Joint meetings with other Groups in the same Chapter or with other Chapters are encouraged, if considered of interest to members.

2.3. If a Group meets less than twice a year, the Secretary General (hereafter “SG”) shall inform the Executive Committee of the European Chamber (hereafter “ExCo”) who will intervene in the matter. If there are no lobbying issues or topics of common interest for an extended period of time, ExCo may decide to dismantle a

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<sup>1</sup> “Lobbying” refers to attempting to influence Chinese policy makers either through direct communication or indirectly via other channels (e.g. EU institutions, the media, etc.).



Group or reclassify a WG as a Forum.

### III Changes to Groups

3.1. To create a new Group or change its status (e.g. from Forum to WG), a formal application shall be made to ExCo, providing the following information:

- Description of request
- Background and objectives
- Additional supporting information:
  - Planned scope and interest
  - Current issues
  - Strategy
  - Commitment of interested parties
  - Capacity to meet respective requirements
  - Endorsement from relevant parties (e.g. from the Chair of other affected Groups)

The application shall be filed by the European Chamber secretariat coordinating the Group, e.g. by the Senior Business, Business Manager or Working Group Coordinator (hereafter “BM”), in coordination with the Line Manager to the General Manager (hereafter “GM”) in the respective Chapter and the SG. The SG shall then present the proposal to ExCo for approval.

### IV Membership of Groups

Group membership levels can be divided into two broad categories:

#### 4.1. Participant

Eligibility: all paying members in accordance to their membership category privileges, subject to Group’s membership policies. Such policies are decided by the Group with the purpose of fostering Group activity and member service.

Benefits: inclusion in the Group distribution list, attendance at Group meetings and possibility to vote and run for an elected position within the Group, according to membership category.

Several Groups have selective participation policies. If the Group decides to become “closed”, i.e. open only to industry representatives or otherwise specified professionals, the Group Chair and Vice Chairs shall come up with a proposal, which then requires ExCo’s approval. After approval, the Chair, Vice Chairs and BM shall have the right to decide the involvement of potential members.

#### 4.2. Observer

Eligibility: non-members who are potential members and meet Group membership requirements may be invited to join one Group meeting prior to joining the European Chamber. Eligible honorary members include staff of the EU Delegation and EU Member State Embassies and Consulates in China.

Benefits: non-members may be invited on an ad hoc basis to join Group meetings, while honorary members may be invited on an ad hoc basis to join Group meetings and/or to be included in the Group distribution list upon confirmation by the Chair, Vice Chairs and BM.



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## V Election of Group Chairs and Vice Chairs

### 5.1. Timing

The Chair and Vice Chair of a Group are elected by members of the Group in the first quarter of each calendar year.

### 5.2. Terms and Conditions

5.2.1. Every Group shall have one Chair and two Vice Chairs. In exceptional cases, e.g. Groups with a large number of active member companies and a broad product range, a Co-Chair or three Vice Chairs may be elected. The need for a Co-Chair or three Vice-Chairs shall be based on argumentation provided by the BM, subject to mutual approval of the Chapter GM and Head of Government Affairs prior to election.

Approval shall only be given for Groups that deal with notably different products and issues and if the Co-Chair and/or Vice Chair for such Group specialise in an area notably different from the other Chair and/or Vice-Chairs.

5.2.2 Corporate Members are eligible for Chair and Vice Chair positions. Associate Members and representatives from industry associations are only eligible to hold one of the Group's Vice Chair Positions. In exceptional circumstances, Associate Members can hold a Chair position, only if approved by ExCo. This approval must take place during the call for candidates' period (i.e. before the elections).

5.2.3 Member companies shall not be eligible for more than one Chair or Vice Chair Group position in one Group in one Chapter. There shall be no restrictions on the number of representatives of a member company to be Chairs or Vice Chairs of different Groups in one Chapter.

5.2.4 Chair and Vice Chairs are required to carry out the responsibilities as specified in section VI below and the *Code of Code of Conduct for Board Members and Chairs*. A member shall not be eligible for a Chair or Vice Chair position of a Group if he/she is not physically based in China. Chairs and Vice Chairs are recommended to act as Chair or Vice Chair in the Group's chapter where he/she is physically based.

5.2.5 The maximum duration of Chairmanship or Vice Chairmanship of a Group is three consecutive terms. A "term" is defined as the time period from one Chair election to the next Chair election. In exceptional cases an extension of the Chairmanship may be granted, subject to the approval of ExCo. The approval will be based on evidence provided by the BM clearly outlining all efforts made to find another Chair candidate and any other circumstances which motivate the extension. The extension will be granted on a term-by-term basis.

### 5.3. Call for Candidates and Notifications

5.3.1 A call for candidates email shall be sent out to the Group, preferably one month, but minimum two weeks, ahead of the election. The email shall include the relevant Code of Conduct, Roles and Responsibilities documents and eligibility requirements for Chair and Vice Chairs. All candidates must provide his/her CV and a motivation letter, stating why he/she wishes to be elected Chair or Vice Chair, and provide a set of goals he/she has for the Group. Chair and Vice Chair candidates for Fora only need to provide a CV.

5.3.2. Candidate profiles, i.e. a CV as well as a motivation letter, shall be submitted to the Group BM at least seven days prior to the scheduled election. The candidates' nomination materials shall be circulated to Group members within seven days of the election or as soon as possible.

5.3.3. If an Associate Member wants to be Chair, and there is not time to raise this for approval at a forthcoming ExCo meeting, the relevant BM, line manager and GM shall be notified. If there is a risk that the candidate might not being elected due to a delay in the ExCo approval process, the GM shall run the approval by ExCo via email.



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## **5.4. Election Day**

5.4.1. The election of Chair shall take place first, followed by the election of Vice Chairs. Candidates shall make a brief speech on the election day as to why they should be elected, even if there is no opposition to their candidacy.

5.4.2. If there is more than one candidate for a given position, elections shall be conducted by secret ballot. If there are two or more positions, members shall tick multiple boxes on the same ballot. The number of votes for each candidate shall not be revealed publicly or privately to any member, unless requested at the meeting.

Notwithstanding Article 5.3.1 hereto, if a candidate for Chair is not elected, he/she may run for Vice Chair.

Elections should be part of a Group meeting, not the sole activity of the meeting.

5.4.3 A minimum of two corporate members must vote for the elections to be valid. Each company is only allowed one vote, including the vote of the Chair candidate. Associate members can vote at elections. Chair and Vice Chair candidates and members shall be physically present for the Chair and Vice Chair elections. In exceptional cases when a candidate is not able to physically attend the election a proxy from the candidate's company may be appointed to attend the election, subject to approval of the Chapter GM and Head of Government Affairs. The approval will be based on argumentation provided by the BM clearly outlining the rationale for a proxy. The proxy shall perform all duties otherwise required by the candidate.

In the event of a tie, the candidates shall reach an agreement on who should fill the position, for which they applied. If no agreement can be reached, the candidates shall be given the opportunity to hold their speeches again, upon which the election is repeated. In the event of another tie, candidates can agree to flip a coin. If one or more of the candidates oppose, the election shall be postponed to the next Group meeting.

## **5.5. Post-Election**

5.5.1. Election results of a Group shall be announced to the SG, GMs of all local Chapters and all members of the relevant Group within seven days of the election, and shall be published in the next issue of EURObiz.

5.5.2. If Chairs or Vice Chairs leave their current company, they shall join a member company in the same industry of their Group in order to continue their role as Chair or Vice Chair. A Chair or Vice Chair who moves on to another member or a non-member company in an unrelated industry shall not be eligible to continue in their role.

If a Chair leaves the position during the term, a Vice-Chair shall become acting Chair, subject to eligibility and prior agreement. In such cases, no new Chair election shall be conducted. If a Vice Chair is not eligible and does not agree to take up the Chair position, elections for Chair shall be conducted within three months. If a Vice Chair leaves the position during the term, new elections shall be conducted, only if deemed necessary by the Chair and BM.

## **VI Responsibilities of Chairs and Vice Chairs**

### **6.1. Overview**

The Chair and Vice Chairs shall play a key role in driving the Group. With support from the Chamber secretariat, e.g. the BM, they promote the Group's activities and communicate targeted messages on behalf of industry to senior policy makers in China and Europe. They also serve as spokespersons to raise the Group's visibility in the media when appropriate.

### **6.2. Tasks**

- Develop and promote Group activities
  - Guide the activities, strategy and priorities of the Group



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- Propose and identify topics, issues and speakers for Group meetings
  - Chair Group meetings, ensuring that Chatham House Rules are respected and discussions and agreements that may infringe on the PRC Anti-Monopoly Law or PRC Anti-Unfair Competition Law shall not take place during Group meetings
  - Approve minutes of meetings
  - Help identify and approach potential members of the Group
  - Act as a point of reference for Group members
- Develop and draft the Position Paper
- Identify key concerns of the sector with Group members
  - Lead in drafting the Position Paper and other Group related documents
- Develop and communicate Group messages to key interlocutors
- Develop and support the implementation of a lobby action plan for the Position Paper and for other key issues as needed
  - Present the Position Paper at the press launch and, if possible, the annual European Tour
  - Present the key concerns of business to the Chinese government and relevant Chinese stakeholder organisations, visiting European officials, and European diplomatic and business communities
  - Represent the Group at relevant events
- Develop and communicate Group messages to the media
- Act as spokesperson on behalf of the Group on agreed upon Position Paper issues and/or other lobbying issues in coordination with the Press Officer of the secretariat.
  - Be prepared to give interviews to selected media agencies
- Assist in the recruitment of new members to the Group
- Identify potential new member companies
  - Approach potential new member companies
  - Join meetings with potential new members when possible

### **6.3. Dismissal**

Should a Chair or Vice Chair not perform his/her duties, ExCo reserves the right to dismiss him/her with a majority vote. In case of dismissal of a Chair, if a Vice Chair is eligible and agrees to be acting Chair, no new Chair elections shall be conducted. If no Vice Chair is eligible and agrees to take on the Chair position, elections for Chair shall be conducted within three months. If a Vice Chair is dismissed, new elections shall be conducted, only if deemed necessary by the Chair and BM.

## **VII Responsibilities of BMs**

7.1. The BM of a Group shall be appointed by the SG and Head of Government Affairs in Beijing and the SG and local GM in other Chapters.

7.2. BMs are responsible for the overall administration of Groups and, together with the Chair and Vice Chairs, the BM is responsible for:

- Developing and promoting Group activities
- Drafting the Position Paper
- Drafting the lobbying action plan for the Group
- Communicating Group messages to key interlocutors



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7.3. The BMs shall ensure professional standards and continuity in the Group's activities and lobbying process as well as maintain a consistent level of service and provide administrative support to the Group.

7.4. The BM shall attend all meetings of the Group, which may be done by teleconference or video conference.

7.5. BMs shall ensure that the Group's lobbying activities and messages are coordinated with the Government Relations Manager/Coordinator and the Senior Business Manager (hereafter "SBM") in the respective Chapter or the local GM or Head of Government Affairs, if no local SBM.

7.6. Group BMs of similar Groups located in different Chapters shall be in regular communication to ensure unified overall functioning and execution of Group objectives and coherent messages to Chinese and EU authorities. If there is disagreement between two Groups with regards to lobbying the local SBM, and if no local SBM, the local GM and Head of Government Affairs shall intervene. If no agreement can be reached, the SG shall make the final decision.

## **VIII Functioning of Lobbying**

8.1. Lobby actions shall be driven by the needs and requirements of members who articulate their lobbying priorities through Groups and provide support in terms of connections, background information and feedback on progress to BMs.

8.2. Groups, through the Group's BM, shall maintain communication with the EU Delegation, cooperate with European and Chinese industry associations and/or other related institutions and coordinate member responses and reactions to relevant Chinese legislative developments.

8.3. Group lobbying activities and messages shall be coordinated jointly with the Government Relations Manager/Coordinator and the GM in the respective Chapter or the Head of Government Affairs, if there is no local GM.

8.4. Any communication conducted by the Group with the press, on behalf of the Group or the European Chamber, shall be carried out by the Chair or Vice Chair in collaboration with the Press Officer in Beijing.

## **IX Cooperation with Relevant Organisations**

9.1 Due to lack of legal identity, Groups are not authorised to sign cooperation agreements with other organisations. If such agreement is needed, involving Chamber resources, the agreement shall be reviewed by the SG and Head of Government Affairs in Beijing and the SG and local GM in the other chapters and approved by ExCo.