



**OPERATING MANUAL AND  
WORKING PROCEDURES FOR THE  
SUB-SECTOR STANDING GROUPS**

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**June, 2012**

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# **WORKING PROCEDURES OF THE SUBSECTOR STANDING GROUPS**

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## **ACCRONYMS AND ABBREVIATIONS**

<b>EU</b>	European Union
<b>F&amp;V</b>	Fruit and Vegetables
<b>MAFWE</b>	Ministry of Agriculture, Forestry and Water Economy
<b>SSG</b>	Subsector Standing Groups

## **SUMMARY**

The Subsector Standing Groups (SSG) for Fruit and Vegetables (F&V) as official structures for cooperation were recently established but still not operational. The lack of working procedures as written rights and responsibilities for the members of the subsector groups represented an obstacle for their launch and regular function. The newly drafted working procedures give a proper follow up of its activities when addressing certain problems in terms of assigning right persons to take on the future responsibilities. The Subsector Standing Groups are initiated according to the law on Agriculture and Rural Development, therefore the working procedures comply with this law and with the EU laws and regulations covering this issue.

The utilization of these procedures by both parties (public and private) will contribute to enhanced confidence between partners in the fruit and vegetable value chain and serve as a solid foundation for establishing private public dialogue in fruit and vegetable subsectors.



Based on Article 22, 23 and 24 of the Law on Agriculture and Rural Development ("Official Gazette of the Republic of Macedonia" no.49/10 and 53/11), the Sub-sectoral Standing Group on agricultural markets regulation \_\_\_\_\_ adopted:

## **RULES**

### **OF PROCEDURE OF THE SUB-SECTORAL STANDING GROUP ON REGULATION OF AGRICULTURAL MARKETS FOR \_\_\_\_\_**

## **I GENERAL PROVISIONS**

### **Article 1**

#### **Subject to the Rules of Procedure**

These rules shall govern the operation of the Sub-sectoral Standing Group on agricultural markets regulation for \_\_\_\_\_ (hereinafter referred to as SSG \_\_\_\_).

### **Article 2**

#### **Competencies and tasks of SSG**

In order to regulate agricultural markets, SSG undertakes the following tasks:

- gives opinions and views on issues arising from agricultural markets regulation for \_\_\_\_\_;
- acts as a consultative mechanism creating policies, plans and programs for development of agricultural markets for \_\_\_\_\_;

- supports the process of continuous communication between participants in agricultural markets for \_\_\_\_\_ in terms of supply, demand and prices of agricultural products;
- promotes coordination on matters arising from agricultural markets regulation for \_\_\_\_\_;
- determines the quantities of supply and demand and the range of purchase prices on \_\_\_\_\_ for the current production year or production season, taking into consideration the recommendations of educational and scientific institutions and submits them to the Council for Agriculture and Rural Development by April of the current calendar year;
- proposes solutions to overcome specific market conditions in supply, demand or price, and
- develops an operational technical support program, before 30 September of the current year for implementation in the following year.

SSG also:

- adopts an annual work program for SSG which is prepared by 30 November of the current year for implementation in the following year, and follows its implementation,
- contributes to the preparation or amendment of legal and sub-legal acts of interest to the sub-sector,
- proposes measures and criteria on financial support programs for agriculture and rural development financed by national and EU funds,
- gives suggestions to improve the achievement of goals for various measures in the financial support programs,
- monitors the implementation of the operational technical support program on the relevant sub-sector, and

- gives opinion on issues important to the sub-sector, when requested by the Ministry.

### **Article 3**

#### **Sub-sectoral Annual Report**

Not later than October 31, SSG shall prepare sub-sectoral annual report on conditions in the respective sub-sector for the current production year or production season, including information on:

- general conditions and trends of production and other elements of supply and demand for products or product groups,
- anticipated growth and trends of the sub-sector with a general proposal guidelines on the need for corrective policy interventions in the next period, and
- SSG work review, implementation of SSG annual work program and technical support measures.

The report shall be submitted for review to the Minister and the Council for Agriculture and Rural Development.

## **II SSG MEMBERS AND THEIR RESPONSIBILITIES**

### **Article 4**

#### **SSG Membership**

SSG is composed of members with voting rights who are representatives of the economic partners registered in the Ministry of Agriculture, Forestry and Water Economy, (hereinafter referred to as: MAFWE) in the field of: agricultural production, processing of agricultural products and trading with agricultural products, and members with an advisory role and no voting rights.

SSG has a Secretary appointed by the Minister of Agriculture, Forestry and Water Economy (hereinafter referred to as: Minister).

The Sub-sectoral Standing Group is managed by the President.

SSG meetings may be attended by representatives of other state agencies or local and foreign experts, at the invitation of the President, upon the initiative of members and in consultation with the Secretary.

The Decision of the Minister appointing SSG members and a Secretary shall be annexed to the Rules of Procedure.

### **Article 5**

#### **Responsibilities of Members**

Members are obliged to participate and responsibly represent the interests of the sub-sector, area and institution by which they are nominated.

SSG members are obliged to:

- implement the SSG Rules,

- attend SSG meetings and participate in work and decision making (if they have the right to vote) on matters specified in the Meeting Agenda,
- provide initiatives, proposals, opinions and determine directions and positions on issues under SSG,
- introduce other SSG members to the position of authorities they are representing,
- provide information and opinions that contribute to the work of SSG, and
- participate and provide conditions for realization of conclusions.

The member may not attend the meeting for justifiable reasons, in that case is obliged to notify the President or Secretary previously.

The member, who has not justifiable reasons for not attending the meetings more than three times in succession shall be replaced by a new member from the institution being represented.

## **Article 6**

### **Replacement of Members**

In case of replacement of members, termination of membership or changing the workplace in the institution which appointed the member, the member concerned is obliged to inform the President and Secretary.

After receiving the information about the member replacement, the Secretary shall request the body or organization which has already dismissed the member to propose a new member.

Dismissing a member and appointing a new member shall be made by the Minister upon prior notice by the Secretary, with Annex to the Decision.

## Article 7

### **Conflict of Interests**

Members represent the interests of the sub-sector, before their personal interests and the interests of the institution from which they come.

If a member has personal interest on the topic being discussed, he/she shall inform the President and other members about that, and will not participate in voting on that topic. Such case shall be recorded in the minutes of the meeting.

Members and outsiders are obliged to keep information and data obtained during the SSG work, pursuant to the Law on Classified Information.

A member may request the information that has been submitted to SSG in written and oral form to be treated as confidential. In that case, it will not be exposed in details in the minutes of the meeting, and members and guests must respect the confidentiality of information and to refrain from giving public information that is considered confidential.

If a member violates principles of impartiality, the President through the Secretary shall submit a written warning notice to him/her. If the same member continues with such behavior and does not respect the written warning notice, the Secretary shall submit a written request to the institution represented by the member to nominate a new replacement member within 10 working days.

If SSG meeting is held before the nomination of a replacement than the member for which replacement is requested can attend the meeting as a member with no right to vote.

## **Article 8**

### **President of SSG**

The President of SSG, who has the right to vote, is elected among the members with voting rights, with one-year mandate and with no right to subsequent election.

The President of Sub-sectoral Standing Group cannot be an elected person originating from the area of Article 4, paragraph 1 from which the previous President originated.

The selection of the President is based on proposals submitted by members nominated in the area for which President is elected, with a simple majority vote of all members entitled to vote. If there are many proposals, the president will be the one who won the most votes.

After the expiry of the mandate, the President shall continue his/her membership in SSG.

If the President irresponsibly and unethically performs his/her work or has violated the SSG Rules that entails sanctions related to membership, his/her credibility in front of the members will be subject to voting and decision-making pursuant to Article 13 of these Rules of Procedure.

## **Article 9**

### **Responsibilities of the President**

The President of SSG performs the following duties:

- implements the SSG Rules of Procedure,
- plans and manages the SSG work,
- presides over SSG meetings, gives and takes away the right to speak,
- proposes the SSG work timetable,

- calls and postpones SSG meetings,
- formulates proposals given at the meeting, as well as conclusions on certain agenda items,
- monitors the implementation of the conclusions reached by SSG and ensures their implementation,
- signs the papers adopted by SSG,
- presents the views and positions of SSG to the Council for Agriculture and Rural Development and presents the positions of SSG to outsiders

The President gives authorization in connection with exercising of its rights and duties.

In the absence of the President, the Secretary shall act in his/her place.

## **Article 10**

### **Responsibilities of the Secretary**

The Secretary of SSG provides support to the functioning of the group and actively participates in the implementation of SSG responsibilities and objectives.

The Secretary has the following specific duties:

- to organize and prepare meetings, draft agenda or schedule meetings on his/her own initiative or upon request of the President,
- to assist the President of SSG in meeting his/her obligations and to perform certain tasks within the scope of the President that he/she will delegate in connection with the SSG work,
- to provide relevant information under the competence of state authorities, necessary for the SSG operation,

- to ensure implementation of the conclusions, coordinate the implementation of SSG decisions and the necessary exchange of information between stakeholders,
- to forward SSG initiatives to the appropriate decision-making structures in MAFWE,
- to manage records, correspondence and documentation of all statements and decisions, adopted at SSG meetings,
- to provide technical and logistical requirements for efficient SSG operation, participation of members in discussions and decision-making, and
- to provide public information related to the work of SSG.

### **III SSG WORK AND DECISION MAKING**

#### **Article 11**

##### **Scheduling a SSG Meeting**

SSG holds regular meetings, at least three times a year, to consider the following mandatory issues within its competence:

- reviewing the situation in agricultural markets in terms of supply, demand and prices for agricultural products, before and after the production season,
- developing and adopting an operational technical support program,
- adopting the SSG annual work program,
- preparing draft measures and criteria on financial support programs for agriculture and rural development,
- adopting the Annual Sub-sector Report, and
- other issues of interest to the sub-sector.

The SSG meeting shall be scheduled by the President, at location specified by him.

The date of the next meeting shall be proposed by SSG and if possible set at the previous meeting. The decision on the meeting date shall be agreed between the President and the Secretary, at least 10 working days before the meeting.

Besides the meetings referred to in paragraph 1 of this Article, the President may schedule an additional meeting: on his/her own initiative, on initiative of 1/3 of the members or on initiative of the Minister, no later than one week after submitting the request to hold a meeting.

The Draft Meeting Agenda shall be proposed by the President in consultation with the Secretary, and the other initiators of paragraph 4 of this Article.

Invitation, draft agenda and other supporting materials required for the meeting shall be circulated to the SSG members in electronic or written form at least 5 working days prior to the meeting, and materials of confidential nature shall be handled personally to members at the meeting.

If any member wishes to make amendments to the agenda, he/she should submit an electronic or written form at least three working days prior to the meeting.

## **Article 12**

### **Holding a Meeting**

The SSG meetings are lead by the President, but in case of his/her inability, the Secretary or another person appointed by the President shall act in his/her place.

SSG quorum for a meeting shall be 3/4 of the members with voting rights (or their deputies) being present, including the President.

The Committee meetings shall be closed to the public.

Only the President, Secretary or other person appointed by the President with a prior consent from SSG, shall have the right to give statements after the meetings.

## **Article 13**

### **SSG Decision Making**

SSG expresses its opinions and views in the form of conclusion via consensus decision-making.

If unable to reach consensus, the decision shall be adopted by voting once a decision-making quorum has been provided with a presence of 2/3 of members with voting rights or their deputies, including the President.

In case of need for harmonization of certain issues, a working group can be formed to inform SSG about the outcome of discussions and consensus reached for the second time.

When members cannot reach a consensus for the second time, a voting procedure will follow. The decision is reached if 3/4 of members (or their deputies) present vote in favor of the case to be decided. Any member, who expresses disagreement on the matter, may require his opinion to be recorded in the minutes of that meeting.

All decisions and other documents adopted by SSG shall be prepared by the Secretary and signed by the President as part of the meeting minutes.

## **Article 14**

### **Decision by written procedure**

In exceptional and emergency situations of inability to hold a meeting by attending personally, the President may initiate a decision-making proceeding via written procedure.

Based on previous SSG discussions, the President shall submit a draft decision with explanation to the members who need to declare in writing within 5 working days of receiving the documents.

Any refusal to consent must be explained and discussed at the next meeting of SSG.

When the written procedure is over, the President shall inform the members about the results.

## **Article 15**

### **Working groups**

The President may establish working groups to address specific issues, or to function as advisory body of SSG.

The working group will be appointed by SSG and composed of members and experts if necessary.

The results and recommendations of the working group will be explained in detail with suggestions and comments in a Minutes form that shall be submitted to the Secretary.

## **Article 16**

### **Minutes of the meeting**

Minutes are kept for all SSG meetings which include the meeting agenda, list of attendees, summary of discussions on topics, proposals and decisions to be made.

The minutes are kept and prepared by the Secretary, or a person appointed by the President, in his/her absence.

Draft minutes shall be submitted to all members who were present at the meeting for comments and objections, not later than 5 working days after the meeting. If there are any objections, the members should submit them to the Secretary within 3 working days after receiving the Minutes.

The final version of the minutes from the previous meeting will be discussed and adopted at the beginning of the next meeting and will be signed by the President, or the Secretary in his/her absence.

A copy of the minutes shall be kept in the SSG archives at MAFWE.

## **Article 17**

### **Processing the SSG conclusions and initiatives**

The conclusions and decisions made by SSG shall be submitted to the Minister and other responsible persons in the respective field at MAFWE in order to open discussions about them, by the Secretary of SSG in a form of written information.

Additionally, if necessary to open broader discussion on the issue initiated by SSG or the decision being made, the Head of the Department or Administration where the

Secretary of SSG is employed shall present this in front of the professional MAFWE Collegium.

## **Article 18**

### **Approval and Amendments to the Rules**

SSG shall approve the SSG Rules of Procedure at a meeting.

The Rules can be amended if necessary upon a written request of any of the voting members, and based on a discussion and consent of 3/4 vote of the voting members, and a positive opinion provided by the legal department in MAFWE.

These Rules shall come into force on the date of their adoption at the SSG meeting.

No. \_\_\_-\_\_\_/\_\_\_

**SIGNATURE**

President of SSG for \_\_\_\_\_

\_\_\_\_\_ 2012

Skopje

**Appendix:** Decision on the nomination of SSG members and a decision on the nomination of SSG Secretary for \_\_\_\_\_



