



STATUTES

European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL)

1. Name, Seat, Mission and Objectives

Article 1

1. An international non-profit Association is established, named the European Union Network for the Implementation and Enforcement of Environmental Law, abbreviated to the IMPEL Network.
2. The Association is the continuation of the informal network, which was commonly known as the IMPEL Network, which was set up in 1992, and to which the 6th EU Environment Action Programme and the Recommendation 2001/331 of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States make reference.

Article 2

1. The legal seat of the Association is 1200 Brussels, Belgium, Gulledele 100.
2. The association can have administrative offices in other Member States of the European Union.
3. The Association shall be governed by Title III of the Belgian Law of June 27th, 1921 concerning non-profit associations, international non-profit associations and foundations.

Article 3

1. The mission of the Association is to contribute to protecting the environment by promoting the effective implementation and enforcement of EC environmental law.
2. The objective of the Association is to create the necessary impetus in the European Community, including the acceding and candidate countries and EEA countries, to make progress on ensuring a more effective application of EC environmental law.
3. The Association seeks more particularly to:
 - a. promote the exchange of information and experience between national, regional or local authorities competent for the implementation and enforcement of EC environmental law in the broadest sense, e.g. ministries, regulators, agencies and inspectorates, *hereinafter called Environmental Authorities*;
 - b. promote the development of national networks of Environmental Authorities with special concern for the cooperation between these authorities at all government levels;
 - c. promote mutual understanding of the common characteristics and differences of national regulatory systems;
 - d. carry out joint enforcement projects;

- e. support, encourage and facilitate capacity building and training of inspectors and enforcers;
 - f. identify and develop good and, whenever possible, best practices, produce guidance, tools and common standards and actively contribute to further improvements as regards inspection, permitting, monitoring, reporting and enforcement of EC environmental law;
 - g. develop a greater consistency of approach, as appropriate, in the interpretation, implementation and enforcement of EC environmental law in the countries applying this law;
 - h. provide feedback on better regulation issues with regard to practicability and enforceability and provide advice on the practicability and enforceability of new and existing EC environmental law to the European Commission and other EU Institutions, gathering information on experience of implementing and enforcing this law, from the practitioners' point of view;
 - i. explore the use of innovative regulatory and non-regulatory instruments as alternatives for or complementary to existing regulation.
4. In pursuing its objectives the Association can liaise with (European) Institutions and organizations, engaged in or dedicated to the implementation and enforcement of (EC) environmental law.

2. Members and Observers

Article 4

1. A Member of the Association can be an Environmental Authority or association of Environmental Authorities, which:
 - a. is based in:
 - i. a Member State of the European Union;
 - ii. an acceding or candidate country of the European Union, or
 - iii. an EEA country, and
 - b. is, according to the national law of the country concerned, a legal entity or part of a legal entity. In this latter case, the application for membership is on behalf of the legal entity.
2. In derogation of article 4, paragraph 1b, a Member can also be a legal entity to which an Environmental Authority belongs, which after admission as member, is represented by that authority.
3. The founder Members of the Association are the following:
 - 1) Ministry of Housing, Spatial Planning and the Environment
Rijnstraat 8, 2515 XP Den Haag, The Netherlands
 - 2) Environmental Agency of England and Wales
Rio Waterside Drive, Aztec West, Almondsbury, Bristol, BS32 4UD, United Kingdom
 - 3) Czech Environmental Inspectorate (CEI)
Na Brehu 267, 1900 Praha 9, Czech Republic
 - 4) L'Institut bruxellois pour la gestion de l'environnement (I.B.G.E)
1200 Bruxelles, Gulleselle 100, Belgium
 - 5) Environmental and Spatial Planning General Inspectorate
Rua do Século no 63, 1249-033 Lisbon, Portugal
 - 6) Slovak Inspectorate of the Environment
Karloveska 2, 842 22, Bratislava, Slovak Republic
 - 7) National Inspectorate for Environment, Nature and Water
Mészáros u 58/A, Budapest, H-1013, Hungary
 - 8) Ministère de l'Écologie, de l'Énergie, du Développement Durable et de l'Aménagement du Territoire
20 Avenue de Ségur, 75007 Paris, France
4. The request to become member of the Association is done by sending a letter to the Chair of the Board of the Association who shall inform all Members and Observers.

Article 5

The General Assembly may admit observers to the Association.

Article 6

A Member or Observer may withdraw from the Association by sending a recorded delivery letter to the Chair of the Board of the Association who shall inform all Members and Observers of this decision. A Member or Observer who withdraws from the Association has no right to its assets.

3. National IMPEL Coordinator and National IMPEL Representative

Article 7

1. The Members in one country designate a national coordinator, hereinafter called National IMPEL Coordinator. They may at their discretion, also designate a high level national representative, hereinafter called National IMPEL Representative.
2. The Members in one country are represented in the General Assembly by their National IMPEL Coordinator or their National IMPEL Representative. In cases where one or both are unable to attend a meeting of the General Assembly, they can designate a substitute.
3. The National IMPEL Coordinator co-ordinates the participation of the Members in the country concerned in the activities of the Association and is their focal point for all matters concerning the Association.

4. General Assembly

Article 8

1. The General Assembly is the supreme body and the highest authority of the Association.
2. The General Assembly has power to do anything instrumental to achieving the objectives of the Association. It exercises all powers which are not conferred or delegated by the present statute to another body.
3. The General Assembly in particular:
 - a. decides on applications for membership of or observer status within the Association;
 - b. decides on the exclusion of Members and Observers;
 - c. receives and acknowledges designations for National IMPEL Coordinators and National IMPEL Representatives;
 - d. determines the policy of the Association;
 - e. adopts the internal rules;
 - f. adopts the Annual Budget, the Annual Working Programme and the Multi Annual Work Programme;
 - g. adopts proposals for projects and final project reports.
4. The General Assembly takes decisions on the subjects referred to subsection 3, under a, b, d, e and f by a two-thirds majority of the National IMPEL Coordinators or the National IMPEL Representatives present.

Article 9

1. The General Assembly shall meet by right at least once a year. This meeting is hosted by one or more Members in the country holding the Presidency of the European Union, if these Members have expressed the wish to do so. A meeting of the General Assembly is co-chaired by the National IMPEL Coordinator or the National IMPEL Representative of the country where the meeting is hosted and the Chair of the Board.
2. An Extraordinary General Assembly can be held whenever the Executive Board shall decide or when requested by at least two third of the National IMPEL Coordinators or the National IMPEL Representatives of the countries for which a National IMPEL Coordinator is designated. In that case the Board shall send out convening notices within one month of receiving the request.

3. The members, the National IMPEL Coordinators and the National IMPEL Representatives Assembly shall be convened by the Board at least one month before the appointed date.
4. The convocation shall be sent by any way of communication, including e-mail and contain the agenda of the meeting.
5. All documents that will be the basis for decisions of the General Assembly shall be available to the Members in due time.
6. The quorum of the General Assembly requires the presence of the National IMPEL Coordinators or the National IMPEL Representatives of half of all the countries for which a National IMPEL Coordinator is designated.
7. The General Assembly strives to take decisions on the basis of consensus.
8. Otherwise, decisions are taken by a simple majority vote, except in particular cases provided for in the present statute.
9. The Members in one country have one vote, exercised by their National IMPEL Coordinator or their National IMPEL Representative.
10. Observers attend the General Assembly with a consultative voice.
11. Representatives of Members can attend and speak at the meetings of the General Assembly in consultation with their IMPEL National Coordinator or their National IMPEL Representative.

5. Projects

Article 10

1. The Association undertakes its activities primarily within a project structure.
2. Projects are run by one or more project managers.
3. Participation in projects is open to experts, employed by Environmental Authorities. Other experts may participate upon invitation of the project manager and in accordance with the internal rules.

6. Clusters

Article 11

1. The Association may structure its activities within Clusters, being a forum for discussing and coordinating interlinked activities and projects and exploring and analysing relevant developments and trends within their field of interest.
2. Clusters are established and discontinued by the General Assembly. The Clusters under the former IMPEL Network, as referred to in Article 1, namely the Cluster “Improving permitting, inspection and enforcement”, the Cluster “Transfrontier Shipments of Waste (TFS)” and the Cluster “Better regulation (practicability and enforceability)”, will function as Clusters of the Association.
3. A Cluster in particular:
 - a. explores, develops and discusses proposals for new projects;
 - b. contributes to the preparation of the Annual Budget, the Annual Working Programme and the Multi Annual Work Programme;
 - c. reviews ongoing projects and monitors the implementation of the Annual Working Programme and the Multi Annual Programme;
 - d. provides advice on draft reports and the follow-up of completed projects.
4. Participation in the Clusters is open to experts, employed by Environmental Authorities.
5. A Cluster is chaired by a National IMPEL Coordinator, a National IMPEL Representative or a representative of a Member, nominated by the IMPEL National Coordinator or the National IMPEL Representative of the country concerned.
6. The chair of a Cluster is appointed by the General Assembly for a renewable period of 2 years upon the proposal of the Cluster concerned.
7. Each Cluster may establish a management framework under the direction of the Cluster chair. This framework must be suitable to the needs of the specific cluster and is subject to the approval of the General Assembly.

7. Board and Secretariat

Article 12

1. The Board is the executive body of the Association. The Board is responsible for the everyday management of the Association and the implementation of the decisions of the General Assembly.
2. The Board may take any measure required for the functioning of the Association in the interval between meetings of the General Assembly.
3. The Board in particular:
 - a. prepares the internal regulations;
 - b. prepares proposals with regard to the establishment or discontinuation of Clusters;
 - c. prepares the Annual Budget;
 - d. prepares the Annual Working Programme and the Multi Annual Work Programme;
 - e. submits proposals to the General Assembly concerning the policy of the Association;
 - f. submits to the General assembly an annual report of the activities of the Association.
4. The Board manages and allocates the funds of the Association in accordance with the budget approved by the General Assembly. The Board carries out necessary adjustments of the budget of the current financial year.
5. The Board represents the Association in external contacts.
6. The Board supervises the Secretariat of the Association.
7. The Board prepares the meetings of the General Assembly. In preparing a meeting of the General Assembly the Board engages the hosting Members and consults the National IMPEL Coordinators.

Article 13

1. The Board comprises:
 - a. the Chair;
 - b. the Vice-Chair;
 - c. the National IMPEL Coordinators or the National IMPEL Representatives of the last, present and next country holding the presidency of the European Union;
 - d. the chairs of the Clusters.
2. The Chair and the Vice-Chair of the Board are appointed by the General Assembly for a renewable period of 2 years. The Chair and the Vice-Chair must not have the same nationality.
3. Members of the Board can be dismissed by the General Assembly by a two-thirds majority of the National IMPEL Coordinators or the National IMPEL Representatives present.

Article 14

1. The Board meets whenever convened by its Chair.
2. The quorum of the Board is half of its members.
3. The Board strives to take decisions on the basis of consensus.
4. Otherwise, decisions are taken by a majority of the present members of the Board. In the case of an equality of votes the Chair's vote shall prevail.
5. In emergencies or when the minor importance of the point under consideration does not justify calling a meeting of the Board, the Chair or the Vice-Chair is authorized to ask for the written agreement of the members of the Board.

Article 15

1. The Secretariat provides support to the Board, the Clusters, the Project managers, the National IMPEL Coordinators and the National IMPEL Representatives. In particular it:
 - a. drafts the agenda and minutes of meetings of the General Assembly, the Board and the Clusters;
 - b. drafts the annual report of the activities of the association;

- c. assists in preparing the Internal Rules, the Annual Budget, the Annual Working Programme and the Multi Annual Programme and in submitting and settling the accounts according to Article 20.2;
 - d. supports project managers in financial, organisational and, when appropriate, technical matters.
2. The Secretariat keeps a register of the Members and the designated National IMPEL Coordinators and the National IMPEL Representatives.
 3. The Secretariat takes care of the internal and external communication. In particular it:
 - a. sends the minutes of the meetings of the General Assembly to the National IMPEL Coordinators, the National IMPEL Representatives and the Observers of the Association;
 - b. sends the minutes of the meetings of the Board and of the Clusters to the National IMPEL Coordinators and the National IMPEL Representatives;
 - c. circulates relevant internal and external information among the National IMPEL Coordinators and the National IMPEL Representatives;
 - d. ensures that IMPEL products are properly disseminated;
 - e. drafts press releases;
 - f. maintains the IMPEL website.

Article 16

Every document binding the Association shall, unless there be express authority of the Board for someone else to sign, be signed by the Chair or the Vice-Chair, who will not have to justify to outsiders the powers they have been granted to this end.

Article 17

The Board, represented by the Chair or the Vice-Chair, shall have the sole right to institute, defend and have conduct of all judicial actions concerning the Association.

8. Working languages

Article 18

1. The working language of the Association is English. At the meetings of the General Assembly any other official EU language can be used as working language in addition to English, if Members have requested so beforehand and pay the associated costs of translation by themselves.
2. All documents shall be produced in English. Where considered appropriate, they may also be produced in other languages as well.

9. Finances and accounts

Article 19

1. The assets of the Association shall comprise:
 - a. subscriptions from Members;
 - b. such gifts and grants as may be made by Members, Observers, authorities or public or private institutions, including European institutions as are accepted by the Board;
 - c. receipts resulting from the activities of the Association.
2. The General Assembly shall determine the amounts of the Membership subscriptions by a two-thirds majority of the National IMPEL Coordinators or the National IMPEL Representatives present.

Article 20

1. The financial year of the Association runs from 1st January to 31st December.
2. The Board shall provisionally settle the accounts for each past financial year. The Board shall submit the provisional accounts for the past two financial years for approval by the General Assembly.

10. Amendments to the articles - dissolution of the Association

Article 21

1. Amendments to the Articles and the dissolution of the Association require a two-thirds majority of the National IMPEL Coordinators or the National IMPEL Representatives present.
2. In case of dissolution, the General Assembly shall decide on the transfer of the Association's assets to a similar institution or, failing that, for them to be divided amongst the members who have a similar disinterested purpose.

11. Interpretation

Article 22

These articles of association shall exist in both the English and French languages. In the event of any differences in interpretation, the English text shall prevail.

Done in Florence, on 9 May 2008

Annex 1

List of the Clusters, as referred to in Article 11.2:

Cluster 1: Improving permitting, inspection and enforcement

Cluster TFS: Transfrontier Shipment of Waste

Cluster 3: Better Regulation (practicability and enforceability)

Annex 2

List of the persons acting as the first Board, as referred to in Article 13:

Chair:

Vice-Chair

Members:

IMPEL National Coordinator Portugal:

IMPEL National Coordinator Slovenia:

IMPEL National Coordinator France:

Cluster 1

Cluster TFS

Cluster 3