

NESSI Working Group Governance

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1. DEFINITIONS

The following acronyms are used extensively in this document:

- NWG stands for NESSI Working Group, the principal object of this document
- JWG stands for Joint Working Group, a special class of Working Group instantiated jointly by NESSI and another initiative
- SC stands for NESSI Steering Committee, which is defined in the NESSI Governance Document
- NC stands for NESSI Committee, which is defined below

2. INTRODUCTION

NESSI Working Groups can be divided in two classes: the NESSI Committees (NCs), which are direct extensions of the NESSI Steering Committee (SC) and have the sole purpose of supporting the Steering Committee in executing its mission, and the NESSI Working Groups (NWGs) which are created by the NESSI Steering Committee for a wide participation of the NESSI communities. Joint Working Groups (JWGs), which are working groups created jointly by NESSI and other initiatives, broadly follow the model applicable to NWGs, as described in chapter 7. This document addresses solely NWGs and JWGs, and is not applicable to NCs.

NWGs are the privileged mechanism to participate in NESSI and provide input in its core activities. Other projects and initiatives, including relevant Specific Supporting Actions (SSA) and Coordination Actions (CA), are invited to provide input and coordinate their activities with NESSI through the participation of their members in appropriate NWGs. When the objective of a NWG falls in an area nominally assigned to a NC, the NWG will generally coordinate its actions directly with the relevant NC¹, as specified by the SC.

NESSI defines basic rules of operation in the NESSI Agreement and the NESSI Governance documents. These documents are either formally or implicitly accepted by NESSI partners and NESSI members alike. In the event of any conflict between the provisions of this document and those of the Agreement or Governance documents, those of the Agreement or Governance documents shall prevail.

This document contains relevant excerpts from the NESSI Governance document. They are marked by [Gov-###], where ### is the section number where the text appears. The text is in this font on a grey background. Text in this document corresponds to the version 1.00 of the Governance document, dated 13-Mar-06.

3. CREATION AND MEMBERSHIP OF WORKING GROUPS

3.1. Topics

[Gov-3.2] NESSI uses a structure of Working Groups to perform specific tasks, notably:

- building a complete Research Agenda (breadth);
- adding detail to the Research Agenda in specific areas (depth);
- liaise with established research activities contributing to the NESSI vision;
- gather input from specific NESSI Communities or specific industry segments;
- defining and executing specific activities as defined by the Steering Committee; or
- providing focused contributions to standards bodies.

These Working Groups are created by the Steering Committee in coordination with the Board. These Working Groups expire upon the accomplishment of their mission.

NWGs can be created on subjects proposed by:

- members of the NESSI community, which will be collected through tools on the NESSI website (<http://www.nessi-europe.com/>)
- NESSI Board
- NESSI Partners
- other NWGs

The Steering Committee will only create NWGs on topics which are in direct support to the mission, objectives, vision, and principles of NESSI. These elements are described in documents approved by the NESSI Board and distributed through the NESSI website (<http://www.nessi-europe.com/>).

The list of active NWGs will be posted on the NESSI website, and be associated with the contact person(s) to get more information.

3.2. Creation

NWGs will be created by a formal decision taken by the SC. **No Working Group can start operating prior to this decision.** It is however allowed to hold phone or face-to-face meetings with the sole purpose of creating the manifesto described below.

The first step in the creation of a NWG is the redaction of a manifesto containing the following information:

- *a general description of the context;*

¹ This is in particular the case for the input to the Strategic Research Agenda (SRA Committee) and dissemination (Communication Committee)

- *a general description of the scope;*
- *the charter;*
- *a list of topics to be addressed;*
- *a list of deliverables;*
- *an estimated duration;*
- *working method and schedule (frequency of face-to-face or phone meetings,...);*
- *liaisons with other working groups and NESSI bodies;*
- *a list of prospective members;*
- the name and organization of the lead in charge of forming the working group;
- as applicable, the name of the NESSI Partner who sponsors² the creation of the working group;
- a statement of support by one or several organizations ready to organize the logistics of face-to-face meetings and phone conferences

NESSI may draft a template for the manifesto. All proposals will have to use this template once it is posted on the NESSI website (<http://www.nessi-europe.com/>). In the interim, approved NWGs shall publish a short text document addressing the points above. This document is in addition to the material prepared for presentation to the SC (typically under the form of slides). This document will be posted on the NESSI website.

While some of the items in italics above list may be omitted or simplified, the information provided in the manifesto must contain enough information for the SC to assess the opportunity and viability of the NWG. This information must be presented by the sponsor of the NWG during a SC face-to-face meeting or, if dictated by urgency, phone conference. The SC may establish a NWG Commission, which will do a preliminary assessment and recommendation on the creation of NWG.

The team evaluating the proposals will seek to answer key questions:

- is the NWG likely to be successful? (structure and organisation, community interest for the topic,...)
- is the NWG representative? (motivations, inclusion of relevant stakeholders, diversity of membership,...)
- is the NWG relevant to NESSI? (alignment with NESSI mission, objectives, vision, and principles,...)
- will the NWG positively impact NESSI? (ability for NESSI to leverage the results, timing of the contribution, overlap with other NWG,...)

3.3. Membership

[Gov-3.2.1(a)] Organizations which belong to one of the distinguished Stakeholder Communities are encouraged to express their interest in joining Working Groups, according to the procedure defined by the Steering Committee and communicated separately.

This can be done by submitting an application through the NESSI website (<http://www.nessi-europe.com/>).

The Governance document describes the eligibility criteria to join a Stakeholder Community (see below). To join a NWG, the organization must furthermore be eligible and willing to become a NESSI Member, which requires the signature of the NESSI Membership Letter of Intent, as specified in [Gov-4(b)]: NESSI Membership Letter of Intent, which includes a declaration of good disposition towards the NESSI Mission, Vision, Principles, and Governance and a statement of commitment to active participation in relevant activities.

[Gov-3.2.1(b)] ... the Board or Steering Committee will invite members of the NESSI Community or participants to the Forum to join NESSI Working Groups. The invited party will be required to become NESSI Member, as specified in section 4(b) unless other dispositions are specified for the Working Group.

² This sponsorship does not normally include any financing of the working group activities. See section 4.3 for further details on NWG financing.

[Gov-3.2.1(c)] Subject to 3.2.1(b) above, unless specific dispositions specify otherwise, the Board or Steering Committee will only select candidate organizations meeting the following criteria:

- belonging to specific distinguished user communities (as specified in the mission of the Working Group)
- having a legal presence in the European Union member states or candidate states for a purpose other than sale, distribution, or maintenance of products engineered and manufactured outside of the European Union;
- making a formal statement of support for the mission and vision of NESSI;
- making a statement of commitment to active participation in relevant activities; and
- in case of the ICT community: having significant ICT research activities located in Europe.

[Gov-3.2.1(d)] Industry associations are welcome to participate in the NESSI Forum but, with the exception of SME associations and associations or consortiums representing the Open Source community, will not be selected to join Working Groups.

[Gov-3.2.1(e)] Notwithstanding the above criteria, the candidates will be selected based on their motivation to the objectives of NESSI and their ability and commitment to contribute to the Working Group. Previous participation to NESSI activities and other EU research projects will be taken in consideration as key indicators of the above. The overall balance and efficiency of the Working Group will be considered as well.

The process to implement these rules is as follows:

- the SC will evaluate applications to become NESSI Members and participate to NWGs. It will select eligible organizations without consideration for the specific NWGs they intend to join
- the SC will invite the above selected parties to become Members and join the NWGs of their choice
- the invited organization will respond to the invitation to the NESSI Office and return a signed copy of the NESSI Membership Letter of Intent
- the new NESSI Member will enrol in NWGs by notifying the contact of each NWG they wish to join and the NESSI Office

Organizations are not allowed to participate in any NWG until they have completed all steps to become a NESSI Member. Notwithstanding the above, the SC may authorize the NWG to invite distinguished individuals with expertise relevant to the subject of the NWG. These invitees will be acting as consultants to NESSI and the NWG. These consultants are neither required to meet the above eligibility criteria nor to sign the Membership Letter of Intent. They are however bound to follow all operating rules, including IP rights and confidentiality requirements, spelled out in this document as well as the NESSI Governance and Agreement.

An organization may decide to resign from a specific NWG at any moment, without penalty of any kind. They can do so by notifying the NWG lead and the NESSI Office in writing. If, as a consequence of their action, they do no longer belong to any group for which the status of NESSI Member is required, their status of NESSI Member will lapse as per [Gov-4(b)]. In all cases, the leadership of the NWG must keep the NESSI Office informed of any changes in the NWG membership.

3.4. Termination

[Gov-3.2] ...The lifetime of each working group is determined on a case-by-case basis, depending on, for example, the breadth of scope and the contribution made to the Strategic

Research Agenda. An initial review period is defined when each group is established. The Steering Committee decides on continuation at the end of this period and sets a date for subsequent review.

If case a NWG does not progress as agreed or does not operate according to the rules and principles specified in 4 below, the Steering Committee may request a meeting with the chairperson of the NWG, as specified in 4.6 below. The Steering Committee may subsequently decide to exclude a member from the NWG, to terminate the NWG, or to exclude the member from NESSI (as specified in section 6.6 below).

In exceptional circumstances, the Steering Committee may vote to terminate a NWG at any moment, without regard for the review period and without any prior consultation. The NWG officers will be notified of this decision by the NESSI Office.

4. OPERATING RULES OF NESSI WORKING GROUPS

4.1. Principles

[Gov-2] The initiative on Networked European Software & Services (NESSI) is based on the following principles:

- the platform is industry-driven; and
- participation in the platform is open. All major stakeholders in European service-oriented software have the opportunity to find out about and contribute to the activities of the platform.

The governance structure guarantees these principles. It ensures that direction is set by industry and that participation is open to all interested parties. NESSI also recognises the importance of Open Source Software in contributing to the development of the European software and services sector. It provides a management structure that can coordinate research priorities to make effective use of available funding, to deliver significant economic benefits for Europe.

Participation to NWGs is dependant on meeting a number of criteria, as highlighted in section 3.3; most notably making a formal statement of support for the mission and vision of NESSI.

NWGs are required to follow these core principles. The role of academics and institutions of research is however recognized as essential for the success of the initiative and, ultimately, to its positive impact on the European economy. It is essential that the processes support the effective participation of all interested parties. NWGs must leverage the diversity of opinions and points of view to identify the recommendations that best support the objectives of NESSI. NWGs are expected to take decisions on a consensus basis, but must report other valid views if they gather significant support beyond the view of the majority.

4.2. Operating Structure

NWGs are free to select the operating structure that best fits their needs. They shall, however, designate a chairperson who will be empowered by the membership of the working group to implement all rules described in this document. This person shall also be given the authority to represent and commit the working group to the SC. A vice-chairperson shall also be designated. The vice-chairperson shall have the duties and authority of the chairperson in case the chairperson is not available.

Each NWG must also designate one or several contact persons, whose name and email address will be published on the NESSI website. This person is in charge of liaising with the NESSI community. It must in particular respond in a timely manner to all parties requesting to join the NWG.

It is recommended NWGs adopt the following model for its officers:

Elect every two years:

- a chairperson

- a vice-chairperson
- a secretary
- a liaison officer, in charge of communication with the NESSI Community

If warranted by circumstances, such as significant planned change, the mandate can be limited to a shorter period of time. The election will be done by acclamation or, at the request of two members, by secret ballot. Simple majority rules apply.

NWG officers must communicate and keep updated their telephone, mobile phone, and email contact information to the head of the NESSI Office. The head of the NESSI Office will maintain and distribute a confidential list of contacts to NESSI Steering Committee members on a regular basis.

4.3. Funding

NESSI allocates no funding for the operation or participation to NWGs. NESSI members will have to self-fund their participation or seek alternative means of support, and the NWG operating expenses will be paid for by the members of the NWG.

4.4. Meetings

While some work may be performed offline or through focused meetings done in an ad-hoc manner, NWGs are expected to meet regularly, the norm being a minimum of twice in a calendar year.

Meetings are to be organized and hosted by one of the members of the NWG or by another appropriate party. Participation to NWG meetings shall be done without payment of any enrolment or participation fee, unless specifically authorized by the SC in advance. Participants are normally required to cover their personal expenses.

If possible, meetings are to be organized at a location and timing convenient for the members of the NWG. Except in exceptional circumstances, the meetings shall be scheduled with a minimum of 4 weeks notice.

As a best practice, the participants are advised to designate two persons to minute the meeting. Meeting minutes shall be published in draft form within a week after the meeting, and finalized within one week (two weeks after the meeting). The minutes should be sent to the NESSI Office. The minutes shall include a half-page executive summary, as well as a list of deliverables and action items, with status and due dates. Use of the NWG Meeting Minutes template is required if such a template is published on the NESSI website. In case the results of the meeting are not significant, the NWG must report the meeting happened but is not required to submit detailed minutes.

These rules are also applicable to phone conferences when used in lieu of face-to-face meetings.

4.5. Decision Making

NWGs are expected to take decisions on a consensus basis, but must report all valid views for which both these conditions are met:

- the view gathers significant support; and
- the supporters of the view decide it should be voiced in addition to the consensus (or majority) view.

In case voting is required, a 2/3rd majority rule of those present is recommended, except for routine decisions (like the date or location for the next meeting).

It should be highlighted that a NWG does not have the authority to establish a NESSI position or approve documents in the name of NESSI, as discussed below. The NWG does however submit recommendations and input to the SC or appropriate NCs, such as the SRA Committee. Prior to submitting such input, the NWG must ensure it has reached consensus or approved the proposal by vote. The input must also include alternate views with significant support.

4.6. Interface with the Steering Committee and Office

All NWGs report to the SC, regardless of their relationship with other NWGs or NCs. The SC may however assign the primary interface with a NWG to one of the NCs.

NWGs must submit a report on their activities on a quarterly basis to the NESSI Office, to be forwarded to the SC. This may exceptionally be increased to once every six months for NWGs with little activity. This report must include a half-page (or less) executive summary and an up-to-date list of all deliverables and actions items with status. This quarterly report can be substituted by meeting minutes (built as described above) if a separate report would not contain substantially different information. For scheduling purposes, the maximum allowable amount of time between two successive reports (or minutes) is four months. Use of the NWG Report template is required if such a template is published on the NESSI website.

The Steering Committee will review each NWG on a regular basis, which will vary depending on timing and the nature of the working group, but will normally be either on a quarterly, bi-annual, or annual basis. This review will either be done in front of the full SC or in front of a NC designated by the SC. The chairperson, or an appointed delegate fully empowered to represent the NWG, must attend this meeting in person.

The SC may, at any moment, request a meeting with the chairperson of the NWG, and adjust the mission or deliverables of the NWG or decide to terminate the NWG.

A NWG may, at any moment, request a meeting with the chairperson or a vice-chairperson of either the SC or assigned NC. Due to availability constraints, this meeting may be limited to a phone conference between officials of the SC and the chairperson of the NWG. The NWG may then meet or have a phone conference with the SC if jointly agreed with the official of the SC.

4.7. Working Documents

NWG Members may develop or contribute documents as input to the preparation of the NWG deliverables. These documents may be published through the NWG section of the NESSI website (<http://www.nessi-europe.com>). Such a publication is subject to the approval of the SC or assigned NC, which may be delegated to the NESSI Office.

Speaking with one voice is important for NESSI. As a consequence, authorization to publish will be withheld if the document describes or implies a view or position as being the view or position of NESSI if such a position has not been appropriately approved. Likewise, documents which are in opposition to or incompatible with the NESSI principles or positions approved by NESSI shall not be published. In general, NESSI draft documents will not be published prior to their approval. Documents may be removed after publication if they are found not to meet these requirements.

NESSI will acknowledge contributors to NESSI documents on a best effort basis, if these contributors can be clearly identified, and if the authors have not requested to remain anonymous.

The NWG is obligated to archive the correspondence, minutes, and working documents, and to make such archive available to the SC or assigned NC upon request. This archive shall be turned over to the NESSI Office upon dissolution of the NWG. The NWG is responsible to implement the archiving process.

4.8. Periodic Review

The Board and the Steering Committee will review this document on a regular basic and amend it as necessary. This document may be merged with the NESSI Governance document in the future.

5. INTELLECTUAL PROPERTY RIGHTS

This section is adapted from RFC 2028³

5.1. *General Policy*

In all matters of intellectual property rights and procedures, the intention is to benefit the NESSI community and the public at large, while respecting the legitimate rights of others.

No research project will be carried out by NESSI. It is not envisaged that any intellectual property will be created within NESSI, other than joint works of authorship such as reports, papers, research agendas and articles created within the scope of NESSI.

5.2. *Confidentiality Obligations*

No contribution that is subject to any requirement of confidentiality or any restriction on its dissemination may be considered in any part of the NESSI activities, and there must be no assumption of any confidentiality obligation with respect to any such contribution.

Notwithstanding the above, NESSI members or invited participants to any discussion related to the creation of a NESSI document or establishment of a NESSI position shall not disclose any of the draft material or related discussion. Draft NESSI document shall never be communicated to parties which have not been authorized by the SC or assigned NC.

5.3. *Rights and Permissions*

For avoidance of doubt, any written or oral communication to NESSI Members or invited participants done in the context of the NWG constitutes the submission of a contribution.

By submission of a contribution, each person actually submitting the contribution is deemed to agree to the following terms and conditions on his or her own behalf, on behalf of the organization (if any) he represents and on behalf of the owners of any propriety rights in the contribution. Where a submission identifies contributors in addition to the contributor(s) who provide the actual submission, the actual submitters guarantee that each named contributor who is not a submitter was made aware of and agreed to accept the same terms and conditions on his own behalf, on behalf of any organization he may represent and any known owner of any proprietary rights in the contribution.

Some works are not subject to copyright. However, to the extent that the submission is or may be subject to copyright, the contributor, the organization he represents (if any) and the owners of any proprietary rights in the contribution, grant an unlimited perpetual, non-exclusive, royalty-free, world-wide right and license to NESSI, represented collectively by the NESSI Partners, under any copyrights in the contribution. This license includes the right to copy, publish and distribute the contribution in any way, and to prepare derivative works that are based on or incorporate all or part of the contribution, the license to such derivative works to be of the same scope as the license of the original contribution.

The contributor acknowledges that NESSI has no duty to publish or otherwise use or disseminate any contribution.

The contributor grants permission to reference the name(s) and address(es) of the contributor(s) and of the organization(s) he represents (if any).

The contributor guarantees that the contribution properly acknowledges major contributors.

The contributor, the organization (if any) he represents and the owners of any proprietary rights in the contribution, agree that no information in the contribution is confidential and that NESSI, as represented by NESSI Partners, may freely disclose any information in the contribution.

³ Bradner, S., "The Internet Standards Process – Revision 3," RFC 2026, October 1996.

The contributor guarantees that he has disclosed the existence of any proprietary or intellectual property rights in the contribution that are reasonably and personally known to the contributor. The contributor does not claim that he personally knows of all potentially pertinent proprietary and intellectual property rights owned or claimed by the organization he represents (if any) or third parties.

The contributor represents that there are no limits to the contributor's ability to make the grants acknowledgments and agreements above that are reasonably and personally known to the contributor.

6. RULES GOVERNING NESSI MEMBERSHIP

The NESSI Governance document contains a series of rules governing the status of NESSI Member, as well as rights and obligations thereof.

The following is an excerpt from the NESSI Governance document and does not represent the totality of rules applicable to NESSI Members. No representation is being made as to the accuracy, relevance, or completeness of these excerpts.

6.1. *Participation to NESSI Communities*

[Gov-3.1(c)] To take part in one of the NESSI Communities, an organization must meet the following criteria:

- being a legally established corporation, individual firm, partnership, university or research institution (further referred to as organization);
- having a legal presence in the European Union member states or candidate states for a purpose other than sale, distribution, or maintenance of products engineered and manufactured outside of the European Union;
- making a statement of support for the mission and vision of NESSI; and
- belong to one of the following four categories: SME, User, ICT industry, or Academic & Research

The following additional criteria apply:

- for SME: to be recognised as an SME or SME association. In case of dispute, the definition given by the European Commission (currently Recommendation 2003/361/EC) will be used.
- for User: organization using ICT technologies to conduct business, with the exception of those belonging to the ICT Industry.
- for ICT Industry: organization whose principal activity is in the engineering, manufacturing, sales, or distribution of ICT products or services.
- for Academic & Research: organization whose principal activity is to conduct research or is any type of higher education institution, according to national legislation or practice, which offers qualifications or diplomas at that level, whatever such establishments may be called in the Member States.

Governmental agencies can belong to either the User Community or the Academic & Research Community as appropriate in regard to their purpose.

6.2. *NESSI Membership*

[Gov-4(b)] Membership. An institution is a "NESSI Member" if all the following conditions are fulfilled:

- it fulfils the criteria to belong to a NESSI Community
- it joins a Working Group where the status of NESSI Member is required or is otherwise required to become a NESSI Member in order to participate to specific NESSI activities, as determined by the Steering Committee

- it signs the NESSI Membership Letter of Intent, which includes a declaration of good disposition towards the NESSI Mission, Vision, Principles, and Governance and a statement of commitment to active participation in relevant activities
- it has not been excluded as a partner or member of NESSI

For the avoidance of doubt, an organization which fulfils the conditions for NESSI Partner is automatically also deemed as a NESSI Member.

An organization ceases to be a NESSI Member when it no longer meets any of the above conditions. Similarly, should an organization breach any of the terms of the NESSI Membership Terms and Conditions, it will immediately cease to be a member of the Working Group or other activity for which membership is required.

6.3. Approval of Communications

[Gov-4(m)] Approval of communications. If a member of a Committee, Board or Group intends to do a paper, speech, or press article on her/his own behalf as NESSI member, no approval is needed for the contents. If the contents are aimed at either reflecting the view of, or communicating on behalf of NESSI, (s)he is obliged to notify her/his corresponding Committee, Board or Group at least seven days in advance. Concerning contents, no approval is needed if the contents are taken from the repository of approved contents.

If the contents are not included yet in the repository of approved contents, (s)he should submit the contents of the paper, speech or press article for approval at least seven days in advance. If no comments or objections are raised within seven days, the contents are considered to be final, and then included in the repository of approved contents.

If an excerpt of the contents is the subject of discussion, and no agreement is reached during the seven days review period, the contents will omit the controversial excerpt or be subject to approval by the relevant committee or board. The petitioning member will prepare the final content as agreed upon and submit it to the partners at the end of the review period. A library of pre-approved contents will be agreed by the Steering Committee so that its use does not require going through the communication approval procedure. Two individuals shall not be subject to the communication approval process: the NESSI Chairperson and the Chairperson of the Steering Committee.

6.4. Use of NESSI Brand

[Gov-4(o)] Use of NESSI brand. The NESSI brand (including the acronym NESSI and the NESSI logo) shall be associated with all publications approved for release by the Steering Committee. ... The NESSI brand may be used on the public NESSI web site managed on behalf of the Steering Committee. The NESSI brand may be used on banners, displays, and printed material associated with events organized or sponsored by NESSI. As a matter of principle, the NESSI brand shall never be used as a point of focus in the promotion of any organization or party. ... All other usage of NESSI brand is subject to approval of the Steering Committee under the conditions expressed in the Agreement.

For avoidance of doubt, NESSI Members must obtain the authorization of the SC prior to any use of the NESSI brand, for example for commercial or representation purposes.

6.5. NESSI Publications

[Gov-4(p)] NESSI Publications. NESSI will issue documents describing a common position or policy. These documents will be prepared by the Steering Committee or by a Working Group reporting to the Steering Committee. Unless decided otherwise by the group drafting the document in agreement with the Steering Committee:

- draft versions shall be held confidential by all members and disclosed only to others with the purpose of preparing the document;

- drafts shall not be posted on web sites accessible by unauthorized persons – an authentication and authorization mechanism is required
- drafts shall not be sent through group or self-registration email distribution lists.

These drafts should be marked as NESSI CONFIDENTIAL. Depending on its scope and impact, a document may be approved by either the Steering Committee or the Board, after review by the Steering Committee. Once approved, the NESSI Partners shall have a license to use the document as defined in the NESSI Agreement. The NESSI Agreement specifies language that must be inserted in each NESSI document being published. Unless specifically decided otherwise by the authority approving the document, NESSI Publications will be published under the Creative Commons “Attribution-NonCommercial-NoDerivs 2.5” license, which is provided in appendix.

For the convenience of the reader, the following text includes both the Creative Commons license notice and the required disclaimer, as specified in the NESSI Agreement:

This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs2.5 License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-nd/2.5/> or send a letter to Creative Commons, 543 Howard Street, 5th Floor, San Francisco, California, 94105, USA.

The information in this document is provided “as is”, and no guarantee or warranty is given that the information is fit for any particular purpose. The user thereof uses the information at its sole risk and liability.

6.6. Exclusion from NESSI

[Gov-4(r)] Exclusion from NESSI. Member organizations which (i) do not send representatives to three successive Board, Steering Committee, or Working Group meetings (as applicable), providing these meetings have been called with a notice of at least one month and are held within the European Union, or (ii) (including affiliates) violate the rules defined in this Governance document or the NESSI Agreement, or (iii) (including affiliates) take positions in conflict with the positions formally endorsed by NESSI may be excluded from the initiative and barred from being part to any NESSI committee or working group or use the NESSI brand in any form. The decision to exclude a member shall be taken by the Board upon proposition from the Steering Committee.

7. Joint Working Groups (JWG)

These working groups are created only when NESSI and one or more non-related initiative(s) decide to create a Working Group on a topic of joint interest or to coordinate their activities. These working groups are subject to the joint oversight from NESSI and the other initiative(s).

The following provisions are applicable to JWGs, except if specifically agreed to by the NESSI Steering Committee for a specific JWG:

3.1 Topics – Topics for JWGs are identified by NESSI or the other initiative(s) using their standard process and proposed to the Steering Committee (or equivalent structure) of the other initiative.

3.2 Creation – JWGs are created concomitantly by all participating initiatives. For NESSI, the requirements and process applicable to NWGs are fully applicable to JWGs.

3.3 Membership – Members of JWGs are selected according to the requirements and procedures applicable to one initiative or the other. NESSI requires that all members of the JWG make a formal statement of support for the mission and vision of NESSI.

3.4 Termination – JWGs are subject to the same rules and procedures as the NWGs. Termination by NESSI means withdrawal of the NESSI agreement to the JWG, in which case the JWG either ceases to exist or becomes a working group of the other initiative(s).

4.2 Operating Structure – These rules are applicable in full

4.3 Funding – These rules are applicable in full

4.4 Meetings – These rules are applicable in full, with the exception of using the NESSI templates if the other initiative has an alternate standard format.

4.5 Decision Making – These rules are applicable in full

4.6 Interface with the Steering Committee and Office – These rules are applicable in full. Termination by NESSI means withdrawal of the NESSI agreement to the JWG, in which case the JWG either ceases to exist or becomes a working group of the other initiative

4.7 Working Documents – These rules are applicable in full. JWG's are however authorized to publish through the mechanisms of the other initiative(s) on the condition that the review by NESSI prior to and after publication apply as described.

5 INTELLECTUAL PROPERTY RIGHTS – These rules apply in full

6 RULES GOVERNING NESSI MEMBERSHIP – These rules apply in full to NESSI members which participate in the JWG, regardless of their membership in the other initiative.