

## Rules of Procedure

### EOSC Federation Working Group on Legal and Governance

(Established under the Memorandum of Understanding on Preparing Operational Integration within the Envisaged EOSC Federation)

#### 1. Purpose

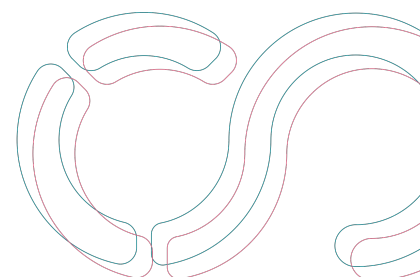
The Working Group is established under the governance framework of the Memorandum of Understanding on Preparing Operational Integration within the Envisaged EOSC Federation (the [“MoU”](#)).

Its purpose is to represent and safeguard the collective interests of the EOSC Nodes in legal and policy matters arising under the MoU. It provides expert legal advice and coordinated feedback to the Interim EOSC Node Coordinator Committee (INCC) on proposed legal and policy instruments relevant to the interim operation and future governance of the EOSC Federation. Its consolidated input may also inform discussions within the wider EOSC governance and policy ecosystem, ensuring that the perspectives of the EOSC Nodes are reflected in evolving frameworks and initiatives.

#### 2. Mandate

The Working Group:

- a. Reviews proposed legal or policy documents submitted to the INCC or circulated through the MoU governance framework;
- b. Assesses their consistency with the MoU, the principles of interoperability, openness, and institutional autonomy, and the practical needs of the EOSC Nodes;
- c. Identifies potential risks or implications for the EOSC Nodes’ legal or operational autonomy;
- d. Provides consolidated recommendations and, where appropriate, proposes or reviews new or revised legal instruments to support collaboration among EOSC Nodes under the MoU;
- e. Acts as a forum for coordinated legal discussion and knowledge exchange among the Nodes’ legal and governance representatives;
- f. May collaborate with European Commission-funded projects and related initiatives contributing to the development of the EOSC Federation’s legal, technical, or operational



framework, providing coordinated input and feedback on draft materials to ensure that Node perspectives and operational realities are duly reflected.

The Working Group does not draft or develop binding legal instruments or formal governance frameworks for the future EOSC Federation. Responsibility for the development and adoption of such instruments lies outside the Working Group and is addressed through the relevant project structures and EOSC governance and decision-making processes. The Working Group may, however, articulate and communicate the collective legal position of the EOSC Nodes to inform those processes and to support coherence between interim and future governance arrangements.

### 3. Scope

The Working Group combines a proactive and reactive role:

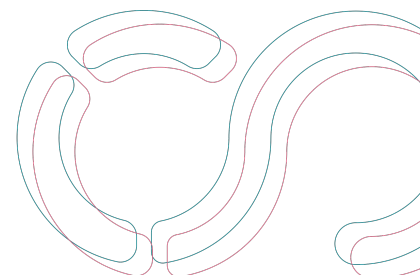
- a. Proactively supports the INCC in identifying areas where new policies, templates, or guidance may be needed, and may prepare draft recommendations when requested by, or in coordination with, the INCC;
- b. Reactively reviews and advises on draft documents emerging from Tripartite, European Commission-funded, Horizon Europe, or related EOSC initiatives;
- c. Focuses on legal coherence and implications of proposed EOSC Federation policies, agreements, or templates;
- d. Identifies legal and procedural safeguards to enable effective Node participation;
- e. Coordinates Node input on legal matters originating from external fora.

Matters primarily concerning technical interoperability or business models fall outside its scope and will be handled by other specialised working groups.

### 4. Composition

- a. **Members:** Legal officers or senior managers with legal and governance responsibility nominated by each EOSC Node that is a signatory to the MoU. The EOSC Association is a member of the working group and provides secretariat support.
- b. **Guests:** The Co-Chairs may invite guests for specific agenda items, in consultation with the INCC.

Participation follows the principles of openness, transparency, and consensus as described in the MoU.



## 5. Chair

- a. The Working Group shall be chaired by one or two Chair(s).
- b. The initial Chair(s) are designated by the Interim EOSC Node Coordinator Committee at the time of the establishment of the Working Group.
- c. The term of office of the Chair(s) shall be one year and may be renewed.
- d. After the expiry of the initial term, the Chair(s) shall be appointed by the Working Group, acting by consensus.
- e. Where the Working Group is unable to reach consensus on the appointment of Chair(s), the matter may be referred to the Interim EOSC Node Coordinator Committee for guidance or resolution.

## 6. Operating Procedures

- a. Meetings are convened by the Chair(s), with support from the Interim Secretariat.
- b. The Working Group operates by consensus and does not create enforceable rights or obligations.
- c. Draft recommendations and outputs are circulated for comment among members before submission to the INCC.
- d. The Interim Secretariat maintains meeting records and archives of endorsed documents.
- e. Where appropriate, joint discussions or information exchanges may be organised with relevant EC-funded or Tripartite initiatives to promote alignment and mutual understanding.

## 7. Duration

The Working Group will remain active during the MoU's interim phase, unless the INCC decides to modify, replace, or dissolve it. The establishment of future governance structures for the EOSC Federation may lead to a reassessment of the need for this Working Group.

