

“ECO Platform”

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Belgium

INTERNAL REGULATIONS Version November 2023

Besides its statutes, “ECO Platform”, hereafter referred to as “The Association”, will be governed by the following Internal Regulations.

Pursuant to article 11.1 of the statutes, each Member is bound by these Internal Regulations.

Reference is made in the following to further legal documents of ECO Platform - the ECO Platform Standards - that can be downloaded on ECO Platform's homepage (<https://www.eco-platform.org/our-relevant-documents.html>) in the latest versions. An overview about all current and former ECO Platform documents can be found in the “ECO Platform Standards – General Remarks”.

1. MEMBERSHIP

1.1 Full Members (Established ECO EPD Programme Operators)

As stated in the statutes, a full membership in the Association is reserved to any EPD Programme Operator, which has committed itself to support the objectives of the Association, which is legally constituted pursuant to the laws and customs of its country of origin, and which has been recognized as "established ECO EPD Programme Operator" (ECO EPD PO) by the Board of Directors.

A direct application as Full Member is not foreseen. EPD Programmes apply for membership as Supporting Member, e.g. in the membership category “Emerging EPD Programme Operator”. Once they are member of the ECO Platform as Emerging EPD Programme, an application for an initial audit is possible. Organizations that are interested in establishing an EPD Programme according to ECO Platform Guidelines must contact the ECO Platform Quality Manager and Chief Auditor who provides support for the further development of the EPD Programme in compliance with the underlying standards.

To get recognized as established ECO EPD Programme Operator the applicant must prove compliance with the “ECO Platform Standards” by successfully passing an audit.

The EPD Programme operator needs to credibly prove its independence in EPD verification and may not exclude any construction product category from its Programme.

In addition to these requirements, any organization, which applies for being admitted as a full member, will have to:

- Provide relevant documentation describing its organization (e.g. structure, management, yearly turnover)

- Declare the number of published EPDs
- Describe back-up of industry

The candidate for full membership will also have to pass the audit procedure of the ECO Platform. The successful pass through the audit procedure is precondition for being approved as a full member. This recognition is accompanied by the obligation to use the ECO EPD logo on each EPD covered by the scope of the ECO Platform Standards and published by the full member.

Obligations of ECO EPD POs

All ECO Platform terms and conditions (Statutes, Internal Regulations and Code of Conduct) have to be accepted. In addition, ECO EPD POs are committed to meeting the requirements defined in the ECO Platform Standards.

As from January 1st, 2022, ECO EPD Programme Operators are to publish their EPD that are covered by the scope of the ECO Platform Standards, clearly visible as an ECO EPD and in accordance with the ECO Platform Standards under consideration of the rules for the logo use. For EPDs published prior to January 1st, 2022, it is recommended that the PO publish these EPDs with the ECO EPD logo, too.

All ECO EPDs need to be made accessible via the ECO Portal as soon as possible after publication by the ECO EPD PO. If the PO is not able to provide the EPDs in ECO Portal, the PO must inform the BoD about such non-compliance and provide a corrective action plan with information on how to become compliant within reasonable time.

In exceptional cases it may be impossible or difficult for ECO EPD Programme Operators to issue an ECO EPD. In this case the PO may apply for an exception with justification. The application is to be submitted to the BoD. The BoD decides about the application as soon as possible, but latest after 3 months. Exceptions should in any case be temporarily only. The proposal for exception needs to describe the cause for exception and a proposed "validity time" for the exception. A re-assessment of any decision is required and to be defined by the BoD, within the following 12 months.

ECO EPD POs are to inform ECO Platform about intended new developments, for which no common ECO Platform position has been developed and which are not yet covered by the ECO Platform Standards with a request for approval / development of common solution before implementation into their EPDs. ECO Platform aims for the "highest possible alignment". Pilot / development projects are not to be communicated in connection with ECO EPD before approval.

ECO Platform has to decide within 3 months after submission of a request, if the request is:

- denied,
- approved in ECO Platform aligned way or
- approved in PO individual way.

The development of technical solutions / common positions is to be delegated to the TEWOG. The final decision is to be taken by the BoD. The BoD may delegate the decision to all ECO EPD POs.

Resolution and Escalation of Sanctions for Non-Compliance of ECO EPD POs

Compliance with the common ECO Platform Standards is essential for reliability and credibility of the ECO EPD and ECO Platform. Depending on the types and gravities of non-compliances, various grades of sanctions are possible:

1. **Communication**
e.g. publishing non-compliance issues/status per PO on homepage
2. **Membership Fee Increase for non-compliance**
Increase MF for longer-lasting periods of non-compliance
3. **Mandatory Audit for closing issue**
PO needs to pay for audit to close relevant issues
4. **Suspension**
Members remain in their PO category but lose their status / rights to issue ECO EPD
5. **Exclusion**
Exclude PO as PO or even member in case of impossible resolution as ultimate step

Any non-compliances observed are to be submitted to the ECO Platform Quality Manager (QM). Temporarily, this task is taken over by the ECO Platform Head Office, until a QM has been employed. Any decision about potential resolutions and/or sanctions is to be taken by the BoD. In case of a proposed exclusion, the decision remains with the General Assembly.

1.2 Supporting Members

Supporting Members are considered to contribute usefully and effectively to the primary objective of the Association as set forth in the present statutes and can be:

- Manufacturers
- LCA Consultants, Verifiers, Software & Tool Providers, Other Stakeholders
- Emerging EPD Programme Operators
- Industry Associations
- Non-Profit Organizations (NPO), Public Institutions, Educational Sector
- Single Persons

Candidates apply for membership via the homepage of the website of the association. Single persons can apply for free membership in return of effective regular services for Working / Task Groups.

Supporting Members may present themselves as “members of the ECO Platform” in communication.

With the application the terms and conditions of ECO Platform AISBL have to be accepted (Statutes, Internal Regulations, ECO Platform Standards and Code of Conduct).

After the online application form is submitted, the ECO Platform checks the correctness and completeness of the information, contacts the candidate for clarifications, if required, and sends an invoice for membership and admission fee to the applicant.

The membership becomes active after payment of the invoice.

2. MEMBERSHIP FEES

2.1 Membership Fees

Membership Fees shall be balanced considering added value and financial potential of member organizations with a reasonable administrative effort for both, the member organization as well as ECO Platform. For consideration of the financial potential most members get allocated to one of four categories within their membership group (refer to table 1 below for details).

Members allocate themselves to the correct category with application of membership with declaring the relevant criteria to ECO Platform. A relevant change of criteria (staff headcount or turnover / balance sheet total) for allocation to a membership category has to be reported to ECO Platform no later than 3 months of its occurrence. For allocation criteria members are to use the SME definition of the EU Commission (refer to table 2). In accordance with EU rules, the higher category of the criteria met (staff headcount or turnover / balance sheet total) is to be chosen.

In exceptional cases, the membership fee for supporting members can be remitted, if the member provides a compensational service equaling or exceeding the value of the membership fees. This could be a mutual membership agreement or needed services. An application for free membership is to be sent to the Head Office of ECO Platform and needs to contain a detailed proposal for services. The BoD meeting decides about the application.

Membership Fees are due on January 1st every year.

Yearly Membership Fees ECO Platform AISBL *				
Full Members **	Cat A	Cat B	Cat C	Cat D
Established ECO EPD Programme Operators	15.500 €	9.500 €	6.500 €	4.750 €
Supporting Member Groups I ***	Large	Medium	Small	Micro
Manufacturers	5.000 €	3.000 €	1.500 €	1.250 €
LCA Consultants, Verifiers, Software & Tool Providers, Other Stakeholders	3.000 €	2.000 €	1.250 €	1.000 €
Supporting Member Groups II	All			
Emerging EPD Programme Operators	3.000 €			
Industry Associations	3.000 €			
Non-Profit Organizations (NPO), Public Institutions, Educational Sector	1.500 €			
Single Persons ****	500 €			
* The above mentioned fees are due in January each year (starting in January 2024) On top of the membership fees a one-time admission fee of 1,000€ has to be paid by new members (500€ for single persons) ** Total membership fees for ECO EPD POs (basic fee of 3,000€ plus dynamic fee depending on PO category) *** For allocation criteria refer to definitions of SME of EU https://single-market-economy.ec.europa.eu/smes/sme-definition_en **** Single persons can apply for free membership in return of effective regular services for Working / Task Groups				

Table 1 "Overview Membership Fees ECO Platform AISBL"

SME definition

Small and medium-sized enterprises (SMEs) represent 99% of all businesses in the EU. The definition of an SME is important for access to finance and EU support programmes targeted specifically at these enterprises.

What is an SME?

Small and medium-sized enterprises (SMEs) are defined in the [EU recommendation 2003/361](#) (EN | ***).

The main factors determining whether an enterprise is an SME are

1. **staff headcount**
2. either **turnover** or **balance sheet total**

Company category	Staff headcount	Turnover	or	Balance sheet total
Medium-sized	< 250	≤ € 50 m		≤ € 43 m
Small	< 50	≤ € 10 m		≤ € 10 m
Micro	< 10	≤ € 2 m		≤ € 2 m

These ceilings apply to the figures for individual firms only. A firm that is part of a larger group may need to include staff headcount/turnover/balance sheet data from that group too.

Table 2 "SME Definition from EU Commission" (https://single-market-economy.ec.europa.eu/smes/sme-definition_en)

2.2 Membership Fees for Full Members (Established ECO EPD Programme Operators)

The membership fees for Full Members consist of

- the basic membership fee for EPD Programmes (3,000€) plus
- a dynamic membership fee (amount depending on the PO Category).

The PO Categories are shown in the following table:

	Categories	DMF
A	Very Large	12.500,00 €
B	Large	6.500,00 €
C	Medium	3.500,00 €
D	Small	1.750,00 €

Table 3 "PO Categories and Dynamic Fees per Category"

The Programme Operator's Category will be published transparently in the communication of ECO Platform and on the website.

To achieve a fair categorization of all ECO EPD POs, it was decided to use the number of published ECO EPD as indicator. The following table is to be considered for allocation of the POs to the appropriate category:

EPD Count	0	<20	<150	<1000	1000+
PO-Category	E	D	C	B	A

Table 4 "Allocation criteria for PO Categories (indicator: EPD Count)"

The number of all valid published ECO EPD must be declared yearly by each Established ECO EPD Programme Operator for the due date July 1st, before September 1st. If an ECO EPD Programme

Operator fails to declare their number of published EPDs to the deadline, even after being reminded at least twice, the PO may be allocated to a category by the BoD. It is upon the Managing Director to propose an appropriate treatment to the BoD for decision.

For the time-being each published ECO EPD is counted, independent from the kind of EPD. ECO Platform is to decide in future, how the kind of EPD (e.g. industry-wide, product-specific, project-specific, verified tool-EPD...) is considered in the total count of published ECO EPD. It is intended to find a low-effort solution for the count of ECO EPD.

To cover other criteria, such as a special financial situation or other critical conditions, which make the categorization by number of published EPD unfair in the sense of the idea as described above, an application for exception can be submitted to the BoD by ECO EPD POs at any time.

An application for exception is to be sent to the MD and needs to contain a proposal for an alternative allocation with comprehensive and justified reasons. The following BoD meeting must decide about the application.

The General Assembly will decide about changes to the DMFs as a part of the budget plan, based on a proposal by the BoD. When changing the DMF for the categories, the ratio in between the categories should remain constant, while the total fees per category get adjusted.

2.3 Payment arrangements of Membership Fees

Members are to administrate their organizational and personal data (including billing details) in the member-area of the ECO Platform homepage. The responsibility and obligation to keep the data updated is with the member. The contact and billing details are to be edited online by each member. The invoices get created automatically by an online system to minimize administrative efforts. Any effort that occurs due to manual revisions of invoices that result from the member's default of keeping the personal data updated gets reimbursed to the member. For issuing credit notes, changes, and re-issuing of invoices due to missing or false data ECO Platform is entitled to charge an administration fee of 100€.

The invoices are to be paid within 21 days after invoice date. If the due date is not kept a reminder invoice will be sent to the member. If the invoice remains unpaid for further 14 days after the reminder date, the ECO Platform will raise dunning fees of 200€.

If invoices remain unpaid still, the ECO Platform may decide to exclude the organization from the membership. Independent of such possible exclusion outstanding invoices and costs for administrative efforts in connection with the non-payment will be enforced judicially.

If members, in exceptional cases, have temporary financial difficulties, they may apply for prolonging the payment of their fees or proposing to change their membership status from "active" to "passive", which puts them into an observer-role, for a time up to one year. Passive members have no voting rights but are invited to participate in the communication.

Applications for prolonging payments and changing the membership status to passive are to be submitted to the MD and approved by the BoD.

As an alternative and to avoid a passive status of a member in financial difficulties, the outstanding fees may be converted into an appropriate number of workdays for ECO Platform.

Applications for conversion of fees must be discussed with the MD in advance, to find relevant tasks and an appropriate amount of compensation. Together with the MD the applicant will submit a proposal to the BoD for approval or refusal.

3. WORKING GROUPS, TASK GROUPS, ADVISORY GROUPS, QM AND SPECIAL PROJECTS

3.1 Working Groups and Task Groups

The following types of groups can be formed to organize work on the objectives of ECO Platform:

- **Working Group (WG)**
permanent group for development of proposals on specific issues, open for participation to members exclusively, mandated by the BoD, led by a convenor
- **Task Group (TG)**
temporary group for a specific task, limited number of participants, involvement of external experts possible, mandated by Working Group or BoD
members of a task group must be committed to contribute substantially with voluntary work in defined areas of competence
- **Advisory Group (AG)**
permanent group for giving advice to the BoD on specific issues, open for participation of external experts, mandated by the BoD

All ECO Platform members have the right to allocate a representative to a WG.

The WG works on mandated tasks in line with the objectives of the Association. Each WG may submit proposals for tasks to the BoD.

The BoD appoints and recalls the convenors and co-convenors of the WGs.

Convenors are responsible for

- execution of the WG mandate as approved by the BoD
- coordination of the WG activities
- alignment of WG activities with and between other WGs / TGs to avoid redundancies
- reporting of WG activities to the BoD

The following Working Groups are established (for detailed information on the WGs see the specifications of the WGs published on the ECO Platform website):

- **Technical Working Group (TEWOG)**
- **WG Strategic Standardization (STAWOG)**
- **WG Downstream Tools (TOOLWOG)**

Working and Task Groups will be organized as follows:

- Each WG or the BoD may mandate Task Groups for elaboration of special issues. The Task Groups are to be communicated publicly on ECO Platform's homepage.
- The tasks, target dates and responsibilities will be defined by the mandating body in accordance with the objectives of the association with a link to the related Mission Statement, Strategy or Work Programme.
- The Working and Task Groups will be free to organize their work as they wish (dates, venues, number of meetings etc.) but always under consideration of the task description, the defined target dates, in the most efficient way and in the sole interest of the Association.

Reporting:

- The WGs and TGs are to report in written and verbal form to their mandating body and the MD on a regular basis. The reports of the WGs, including reports on the status of their TGs, are to be submitted minimum 7 days prior to the next Board Meeting.
- Convenors report their WG+TG status to the BoD and present it in the WG Panel regularly.

The Board of Directors can delegate decision power to a WG or TG in specifically defined matters. Regarding these matters, unanimous decisions of WGs or TGs will be considered as binding decisions of the Association. If no unanimous decision is reached, the Board of Directors will have to decide on the matter at hand. WGs or TGs will otherwise have no right whatsoever to legally engage the Association.

WG Panel

For horizontal coordination of the works and interfaces in between the different Working Groups the WG Panel, consisting of the convenors of all Working Groups, the Head Office and, if required, under involvement of the TG leaders or other relevant persons, meets all three months.

3.2 Compliance with Quality Rules and Audit Coordination Quality Manager and Chief Auditor (QM)

ECO Platform intends to employ a Quality Manager (QM) responsible for the implementation of and compliance with the ECO Platform Quality Management (QM) Guidelines. Moreover, the QM coordinates the audits and auditors according to the Internal Regulations and Audit Guidelines and reports to the BoD. Temporarily, this task is taken over by the ECO Platform Head Office until the QM has been employed.

Full Members are Established ECO EPD Programme Operators (ECO EPD PO). To achieve the status of an ECO EPD PO an initial audit needs to be successfully passed by an applicant. When a PO fails to successfully pass the audit it risks losing its recognition as ECO EPD PO. Following the successful audit, all ECO EPD PO are subject to the ECO Platform QM Guidelines ensuring an ongoing compliance with all ECO Platform requirements.

The QM works on tasks in line with the objectives of the Association. All tasks need approval by the BoD. The QM may submit proposals for tasks to the BoD. Reports about the status and proposals for decision are to be submitted 1 week prior to the next BoD Meeting to the BoD or the Managing Director.

The audits will be performed by a dedicated team of auditors focusing on different parts of the audit (e.g. Verification Guidelines & Calculation Rules, Quality Management, Data Quality etc.).

Auditors will document their checks in checklists, keep all requirements and their deadlines as defined in the audit procedures.

The costs for the ECO Platform audit amount to 4,000€ and have to be paid by the applicant to ECO Platform in advance. In case of justified rejections, the costs will not be reimbursed to the applicant (refer to Audit Guidelines for details on requirements).

3.3 Special Projects (SP)

To remain agile, ECO Platform has the possibility of defining special budgets for voluntary development of “new solutions”, by initiating Special Projects. Special Projects must be related to the general objectives / missions of ECO Platform and supported by a group of at least four full members. In the case that parts of the full members are not willing to contribute to certain special projects, the “willing” members may decide to drive projects forward on a voluntary basis amongst them, while financing the project either with an ECO Platform budget or with an own contribution, which is to be decided by the General Assembly with simple majority.

For special projects two alternatives are possible:

- Internal special projects would remain in ownership of ECO Platform
- External projects would not be treated as ECO Platform solutions

However, none of the ECO members should ever act in conflict with the objectives of ECO Platform.

4. BOARD OF DIRECTORS

4.1 Appointment of BoD

The GA appoints the Directors to the BoD with 2/3 majority.

The BoD will be formed of 7-9 directors, of which a majority shall represent Full Members, while 3 directors can be nominated by Supporting Members and belong to any membership category.

4.2 Nomination of Directors for the BoD

All members can nominate candidates with name, contact details, description of qualifications and a short curriculum vitae. Candidates must belong to a member of the ECO Platform, have a deep understanding of the regulations as well as processes of the Association and be committed to proactive participation that ensures all responsibilities as a Director of the Board are met.

Nominations of candidates for the BoD can be submitted with introduction slide and required documents (passport, proof of residence etc.) to the Head Office or Managing Director until two months prior to the appointment of a new BoD in a General Assembly.

The Full Members nominate at least four and up to six representatives among Full Members.

Candidates from Category A POs are considered first for the nomination list to the Board.

However, at least two seats should remain open for smaller ECO EPD POs, if there are any candidates from other PO Categories.

The Supporting Members can nominate further 3 candidates from any membership category, two of which are the chair and co-chair from the Advisory Group Industry. The two Industry representatives are set, while the other supporting members can nominate another candidate.

In case more candidates are nominated than seats in the Board, the candidates will be sorted by voting during the GA as follows.

Both groups, Full Members and Supporting Members perform a voting amongst their candidates. Each member will have as many votes as open seats in the Board for representatives of their membership group.

The 4-6 candidates with most votes of the Full Members and the 3 candidates with the most votes of the Supporting Members will be put to the proposed nominations list of directors to be appointed to the BoD by the GA.

The Board of Directors has a President, a Vice-president and a Treasurer. The President must be representative of a Full Member.

The president represents the ECO Platform and has duties according to the statutes.

The vice-president takes the role of the president in absence of the president.

The treasurer reviews the accounting on a regular basis and approves payments to the Managing Director in accordance with approved budget and valid agreements. The treasurer reviews the annual accounts and tax reports and prepares the annual financial report with the Managing Director.

If for any reason a member of the Board of Directors shall cease to hold office as such at any time between meetings of the General Assembly, the Board of Directors is entitled to nominate a person of its choice to replace that individual for the rest of his or her term of office. It is agreed that this person will be someone belonging to or representing the same organization as the board member who ceases to hold office.

A member of the Board of Directors shall automatically cease to hold office if he or she ceases to be part of the organization to which he or she belonged at the moment of his or her appointment. In exceptional cases and to prevent the Association from damages the BoD can decide to keep a Director in the Board, regardless of a resignation from the former organization.

The General Assembly may appoint an Honorary President. An honorary president has no duties and liabilities, has the right to participate in Board Meetings as well as General Assemblies and may give advice to the BoD and the MD. The Honorary President should be an experienced person enjoying excellent reputation.

4.3 Allocation of duties (preserves)

The following preserves should be allocated to Directors in the BoD.

- **Speaker** (President)
strategy, membership, global networking, contact to partners and related initiatives
- **Quality Management**
audits
- **Compliance**
non-compliance issues, arbitration & conciliation
- **Finance** (Treasurer)
finance, accounting, tax, banking
- **Governance**
legal issues and structure of ECO Platform

- **Technical issues & methods**
TEWOG
- **Strategic Standardization**
STAWOG
- **Policy and Public Affairs**
legislation & public initiatives, AG Policy
- **Digitalization**
TOOLWOG, ECO Portal, digital data, downstream tools

Allocations are to be decided by the BoD in the first Board Meeting after appointment by GA and shall be published on the homepage. Changes in responsibilities should be avoided. However, the BoD is free to switch allocation of duties in a Board Meeting. Changes are to be announced at least 1 month prior to changes, to allow any groups or persons to report to the BoD for the respective preserve to adapt to new communication line.

The Directors have the obligation to be actively involved in the Associations' management and to fulfill the duties that are allocated to them. This especially includes to give guidance to the Association and the Managing Director in their fields of responsibility and to feel responsible to identify call for action and define necessary tasks.

Any external issues, especially in the sector of policy and public affairs, need a clear objective / task description, approved by the Board and communicated to the Members. The director allocated to that preserve is to create proposals to the BoD on the basis of ECO Platforms' objectives / strategy and under consideration of the external and internal circumstances / developments (e.g. policy and market).

4.4 Board Meetings

The BoD aims for meeting at least three times a year in person (physical meeting):

- In May back-to-back with the General Assembly in Brussels
- In combination to a rotational EPD promoting event, organized by one of the Established EPD Programme Operators at their home base
- In rotation at one of the directors' home bases

Meeting dates should be fixed about one year in advance but can be agreed by BoD on short notice, if necessary. Further meetings can be either held as web-conferences or as further physical meetings on demand. Urgent decisions can be taken by correspondence with email.

A director may be represented at a Board meeting by another director or by an individual of the organization to which he or she belongs, but not more than two times a year. Should a director be represented by an individual from his or her organization, it is hereby specified and agreed that this individual must have sufficient background and experience to take over the allocated responsibilities at the meeting.

4.5 Reporting of the BoD to the members and participation of members

The BoD reports decisions and all other relevant issues to the Members within 2 weeks after meetings by Update Calls/Videos and/or written Minutes of Meeting.

4.6 Reporting of Working / Task Groups to the BoD

All Working or Task Groups as well as the Managing Director or any other party, which was made responsible for a task by the BoD, are to report two weeks prior to the Board Meeting.

Reports are to be provided in an agreed format (e.g. Powerpoint Presentation, Formal Word Report or Overview Table) "ready-to-be-sent".

Reporting is collected by the Managing Director to prepare the Board Papers as attachments to the invitation for the BoD Meeting, which are to be sent one week prior to the meeting.

The Board will prepare annual reports to the General Assembly, containing at least the Work Programme for the year, the financial reports, status reports on relevant tasks.

For any task the BoD delegates the following items must be phrased and approved:

- Task description with link to Strategy / Work Programme (as detailed as necessary)
- Responsible Person
- Start and Target Date

5. THE MANAGING DIRECTOR

The Managing Director is responsible for the effective day-to-day management of the Association pursuant with article 10 of the statutes. An agreement specifying the details between the Managing Director and the Association is to be concluded accordingly.

The Managing Director will be entitled to engage the Association up to an amount of 5.000 EUR per transaction. Excluded of this limit are any specific transactions related to costs that are approved by the General Assembly and/or the Board of Directors. This limit can be changed at any time by the Board of Directors.

6. AUDIT OF ACCOUNTS

The yearly accounts shall be audited by a representative of one of the members with financial expertise or by the Treasurer's organization. The auditor for the following financial report is to be appointed by the General Assembly. The auditor will receive access to all reports and documents required for fulfilling this task. The audit shall be performed prior to the General Assembly. The auditor shall report to the General Assembly about any findings.