

“ECO Platform”

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Belgium

INTERNAL REGULATIONS

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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.

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 by the Board of Directors.

As from January 1st 2021, ECO EPD Programme Operators are to publish all their EPD that are covered by the scope of ECO Platform's Verification Guidelines, clearly visible as ECO EPD and in accordance with ECO Platform's guidelines and rules for the logo use.

EPD that were issued before 2021 are not covered by above mentioned obligation, but it is possible and even preferred to issue them as ECO EPD as well.

All ECO EPD are to be accessible via the ECO Portal latest by 1.1.2022, at least in pdf format.

All EPD issued from that day on are to be provided as digital datasets in ILCD+EPD format.

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.

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 to establish an EPD Programme according to ECO Platform Guidelines can contact one of the Established ECO EPD Programme Operators to serve as a “Mentor ECO Platform Programme Operator”, which provides support in the further development of the EPD programme in compliance with the underlying standards.

To get recognized as established ECO EPD Programme Operator the applicant has to prove compliance with the “ECO Platform quality and verification guidelines” by successfully passing an audit.

The EPD programme operator 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 all relevant documentation describing its organization (e.g. structure, management, yearly turnover)
- Provide the general programme instruction including verification guidelines
- Prove that the EPDs managed by the program describe performances for articles and not for substances or mixtures, as defined in the REACH regulation EC No 1907/2006.
- Prove that, based on all the EPDs produced, the program describes performances of products classified in more than one (1) product category and products produced of more than one (1) type of raw material
- Prove that new PCRs are produced in compliance with EN 15804
- Give example on new EPDs based on PCRs in compliance with EN 15804
- Mention the number of published EPDs (in compliance with EN 15804)
- Describe back-up of industry

The candidate for full membership will also have to show evidence that it complies with the criteria set forth in article 1.2 and pass the audit procedure of the ECO Platform as disclosed in section WGII of the ECO platform homepage. The successful pass through the audit procedure and statement of compliance with the criteria set forth in article 1.2 are precondition for being approved as a full member. This recognition is accompanied by the obligation to use the ECO EPD logo on each EPD published by the full member in accordance with the rules for the use of the ECO Platform logo.

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:

- EPD Programme operators
- Construction Product related Associations
- Green Building Associations / Building rating Schemes Operators
- LCA Practitioners and Tool Providers
- Other Stakeholders

Candidates apply for membership via the homepage of the website the association, where the actual conditions for membership are mentioned as well.

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

Applications for membership shall include at least the following information:

Organization (Full Name, legal form)

Type of organization

Membership Category

Billing address

VAT reversed / VAT ID no.

Contact Person:

Name / title

Email

Telephone

Mobile

A statement that terms and conditions of Association (Statutes, Internal Regulations, Audit Guidelines and Code of Conduct) are acknowledged.

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, subject to the formal approval of the membership by the General Assembly.

2. MEMBERSHIP FEES

2.1 Types of Membership Fees

The statutes state that Membership fees of full and supporting members shall be decided annually by the General Assembly with a two-thirds vote in accordance with article 8.5 regarding the quorum, based on the annual budget that has been approved for the following year.

There are two types of Membership Fees:

- Basic Membership Fees (for every member – due on Jan 1st each year)
- Dynamic Membership Fees (for EPD Programme Operators only – due on Jan 1st each year)

With the Basic Membership Fee, the general added value for all members should be considered, whereas the Dynamic Membership Fee considers additional benefits of Programme Operators indicated by the grade of their activity. The grade of activity is measured by the number of published ECO EPD.

Whereas the Basic Membership Fees are to remain constant over longer periods, the Dynamic Membership Fees (DMF) are to be adjusted more flexible. However, adjustments of the DMF are foreseen only in case of a significant change of the income from DMFs or in case of a significant change of the required budget.

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.

2.2 Basic Membership Fees

The Basic Membership Fees are currently as follows:

Basic Membership Fees Member Groups	Admission Fee (one time)	Membership Fee (yearly)
Established ECO EPD POs	3.000 €	3.000 €
Emerging EPD POs	3.000 €	3.000 €
Trade Associations	1.500 €	1.500 €
Green Building / Infrastructure Initiatives / Rating Schemes	1.000 €	1.000 €
LCA Practitioners / Tool Providers (>20 employees)	1.500 €	1.500 €
LCA Practitioners / Tool Providers (up to 20 employees)	1.000 €	1.000 €
Other Stakeholders	1.000 €	1.000 €

2.3 Dynamic Membership Fees (DMF)

Dynamic membership fees are to be paid by ECO EPD Programmes only. The dynamic membership fees are due on January 1st of each year. The amount of the fees is depending on the Category, to which the Programme Operator (PO) is allocated.

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

The five PO Categories are shown in the following table:

	Categories	DMF	Specialties	Votes in GA
A	Very Large	12.500,00 €	automatic seat in Board	1
B	Large	6.500,00 €		1
C	Medium	3.500,00 €		1
D	Small	1.750,00 €		1
E	not active as PO	- €	no right to issue ECO EPD	0

To achieve a fair categorization of all ECO EPD POs, it was decided to take the number of published ECO EPD as indicator. However, established ECO EPD POs are free to decide for any higher PO-category, even if they have published less ECO EPD than specified for their category, but not for a lower category.

The following table is to be considered for allocation of the POs to the appropriate category:

Number of published EPDs	0	<20	<50	<150	150+
PO-Category	E	D	C	B	A

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 within 21 days, the PO may be allocated to a higher category. It is upon the BoD to propose an appropriate treatment to the General Assembly 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 at least 2 months prior to a General Assembly and needs to contain a proposal for an alternative allocation with comprehensive and justified reasons.

The following General Assembly must decide about the application.

In July-August 2021, all Established ECO EPD POs will have to declare the number of published ECO EPD for allocation to the appropriate PO-category for the first time.

2.4 Payment arrangements of Membership Fees

The contact and billing details are to be edited online by each member. The personal data can be administrated in the member-area of the ECO Platform homepage. Login-data gets sent to every new member with activation in the system (after payment of the first invoice).

The responsibility and obligation to keep the data updated is with the member.

The invoices get created automatically by our online system to minimize administrative effort. 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.

The invoices are to be paid within 24 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 20€ and after further 14 days of 40€.

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 BoD and approved by the General Assembly with "2/3 majority.

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 BoD in advance, to find relevant tasks and an appropriate amount of compensation. Together with the BoD the applicant will submit a proposal to the General Assembly for approval with "2/3 majority.

3. WORKING GROUPS, TASK GROUPS AND SPECIAL PROJECTS

3.1 Technical Working Group (TEWOG)

The General Assembly decides to set up the Technical Working Group (TEWOG) for the technical and methodological work on

- CEN/Standardization
- requirements on content, considering requirements of European regions
- format and technical background of ECO EPDs
- QM technical content

All members have the right to allocate a representative to the TEWOG and / or to be included in the (confidential) communication of the TEWOG. A convenor is nominated to coordinate the TEWOG and report to the Board. A co-convenor can be nominated by the convenor to support the administration and coordination of the group.

The TEWOG works on tasks in line with the objectives of the Association. All tasks need approval by the BoD. The TEWOG may submit proposals for tasks to the BoD.

Reports about the status and proposals for decision are to be submitted 14 days before the next BoD Meeting to the Managing Director and the Director, who is responsible for Technical Issues.

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

The General Assembly appoints a Quality Manager and Chief Auditor (QM), responsible for audit coordination and compliance with the Audit Guidelines. The QM coordinates the audits and auditors according to the Internal Regulations and Audit Rules of the Verification Guidelines.

Full Members are Established ECO EPD Programme Operators (est. ECO EPD PO). To achieve the status of an est. ECO EPD PO an initial audit needs to be successfully passed by an applicant. To maintain the status of an est. ECO EPD PO recurring audits, need to be passed all three years. Otherwise, the PO will lose its right as est. ECO EPD PO to issue ECO EPD.

The QM is responsible for the regular monitoring and performance of the audits in accordance with the guidelines and internal regulations. 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 14 days before the next BoD Meeting to the Managing Director and the QM.

The audits will be performed by auditors, which are recognized by the ECO Platform (QM). The QM coordinates the pool of auditors accordingly. Applications to be recognized as ECO Platform Auditor are to be submitted to the QM. The QM checks that the auditors know the Audit Guidelines and are connected to one of the Established ECO EPD Programme Operators, who are to confirm that the auditors have sufficient competence to perform the audits in the required quality.

Audits will always be performed by two auditors from the pool of auditors. Auditors will document their checks in checklists, keep all requirements and their deadlines as defined in the audit procedures.

New auditors will for their first audit always be paired with an experienced auditor.

A compensation will be paid to the auditors for their services.

For initial audits 1.500€ will be paid to each of the two auditors.

For recurring audits 700€ will be paid to each of the two auditors.

Audit costs for recurring audits will be borne by the ECO Platform.

Costs for initial audits are fixed to 4.000€ and are to be borne by the applicant.

In case of justified rejections, the costs will not be reimbursed to the applicant. (refer to Audit Guidelines for details on requirements)

3.3 Task Groups (TG)

The BoD may create Task Groups next to the WG for elaboration of special issues. Task Groups will be organized as follows:

- The tasks, target dates and responsibilities will be defined by the Board of Directors in accordance with the objectives of the association with a link to the related Mission Statement, Strategy or Work Programme.
- The 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 of the TG to the BoD and MD 2 weeks prior to any Board Meeting, dealing with the concern of the TG.

The Board of Directors can delegate decision power to the Task Groups or the Working Group in specifically defined technical matters. Regarding these matters, unanimous decisions of Task / Working Groups 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.

Working Groups and Task Forces will otherwise have no right whatsoever to legally engage the Association.

3.4 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 should 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 General Assembly (GA) appoints the Directors of the BoD.

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.

ECO EPD POs of category A are represented in the Board and can nominate their representative two months prior to the General Assembly. The Board will be filled with their candidates first, before asking for further candidates. However, at least one seat should remain open for smaller ECO EPD POs, if there are any candidates from the PO Categories B, C, D or E.

4.2 Nomination of Directors for the BoD

Nominations of candidates for the BoD can be submitted to the Managing Director / BoD until two months prior to the appointment of a new BoD in a General Assembly.

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.

The Full Members nominate at least 4 representatives among Full Members.

The Supporting Members can nominate further 3 candidates from any membership category.

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

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

All candidates will be listed in separate lists for Full Member nominations and Supporting Members nominations.

Representatives from Category A POs are considered for the Board directly. All other candidates get listed.

Each Full Member will then have as many votes as open seats in the Board for representatives of EPD Programme Operators to vote the nominated Full Members candidates (without the category A candidates).

Each Supporting Member will have three votes in the nominations list of the Supporting Members candidates.

The four candidates with most votes of the Full Member nominations list and the three candidates with the most votes of the Supporting Member nominations list will be the proposed 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. 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.

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 (reporting line to Managing Director)
- **Quality management**, audits & verification guidelines (reporting line to Quality Manager and Chief Auditor)
- **Finance (Treasurer)**, finance, accounting, tax, banking, governance, legal & compliance (reporting line to Managing Director and legal support)
- **Technical issues & methods** (reporting line to TEWOG and Technical Task Groups) + (strategic) standardization (reporting line to members in standardization initiatives and CEN Liaison Partner)
- **Policy and Public Affairs**, European legislation & initiatives, communication with authorities (reporting line to MD and members with links to policy)
- **Communication & marketing** (newsletter, homepage, social media, events) (reporting line to Managing Director, homepage admin and communication partners)
- **Digitalization**, IT and interface to Applications of ECO data (reporting line to IT admin and InData)

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.

The tasks of the speaker are: communication manager, review and maintain consistency in ECO Platform communication, give official statements to the public on behalf of the ECO Platform.

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 Board Update Calls and written Minutes of Meeting.

A Board Update Call (BUC) is offered after every BoD Meeting to all members as web-conference. The updates can be delegated to single directors and/or the Managing Director. At least one director should be present next to the Managing Director. The BUCs are meant for reporting, not for discussion. All members can comment to the BUC by the following means within three weeks after the BUC:

- justified objections with proposal (for alternative / improvement)
- applications
- requests for clarification

The BoD will consider the reactions in the following Board Meeting and respond to every comment.

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.

He or she will:

- organize and direct the general secretariat of the Association and represent the Association alone in matters of routine administration within the limits set by the Board of Directors
- prepare all Association meetings (General Assembly, Board of Directors, Working Groups) and other events, and send out proper invitations
- ensure that proper records are kept of all meetings
- take care of the accounting (him/herself or with the assistance of an accountant) and the “corporate housekeeping” (him/herself or with the assistance of a lawyer)
- keep the website updated

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.