

INDUSTRY GROUP (IG) – HOUSE RULES / BY-LAWS

A - MEMBERS, REPRESENTATION

Art. A1: Any company¹ which is a problem owner in the sense of soil and groundwater pollution can become a member of the IG provided that the company meets the criteria to become a member of NICOLE and is a member of NICOLE.

Art. A2: A Governmental related company² who is a problem owner in the sense of soil and groundwater pollution can become a member of the IG provided that the company meets the criteria to become a member of NICOLE and is a member of NICOLE.

Art. A3: In a regular³ IG meeting a company can only be represented by maximum 2 representatives. Only 1 representative has a voting right. More representatives can be allowed with the upfront approval of the Chairman of the IG.

B - MEETINGS

Art B1: The IG shall on a yearly basis have a minimum of 2 group meetings. These meetings can be either in person, hybrid or by online conference.

Art B2: An IG meeting can be held when there are at minimum 10 members represented. If the minimum attendance cannot be reached, the continuation of it will be decided by the (vice) chairman. If it is decided to postpone the meeting, a new date will be set as soon as possible.

C - IG STEERING GROUP MEMBERS

Art C1: The members to the SG are chosen by the IG after nomination. When there is a vacancy in the SG for an IG member, the Chairman of the IG, or Vice Chairman in case of absence of the Chairman, will invite all members of the IG to nominate themselves as a member for the SG. In the following IG meeting a new member (or members) of the SG will be elected (see section D for election).

Art C2: The Chairman⁴ and Vice Chairman of the IG are chosen by the IG members. In case there is a vacancy for Chairman or Vice Chairman of the IG, the IG will elect a new Chairman or Vice Chairman from the elected members to the SG, see Article C1. In case there is only 1 member candidate, that person will fill the vacant position.

¹ A Company is a single enterprise or group of enterprises incorporated in the same legal/financial consolidated entity.

² Examples are Port Authorities and Railroad Companies

³ Regular meetings are meetings which are scheduled by year.

⁴ Chairman and Vice Chairman are meant as a function and can be both male and female.

- Art C3:** The Chairman and Vice Chairman have a maximum of 2 terms. A term is 3 years. After the first term the (vice) chair can be re-elected by the IG for one more term. A Vice Chairman can become Chairman, however it is not a requirement.
- Art C4:** The maximum term for an IG member in the SG is maximum 2 terms of 3 years. After that period an IG member needs to be replaced by a new IG member not being a member in the last 3 years. In case there are no new candidates, an existing IG member of the SG can be re-elected.
- Art C5:** In case there are no new candidates for chairman, vice-chairman or SG member, the IG can decide to deviate from art C3 and C4.
- Art C6:** IG members in the SG need to have a minimum attendance of 60% with regard to SG meetings. When the attendance is not met after 1 year, the person will receive a warning from the SG Chairman. If after the warning the next 2 meetings are not attended, the person will be relieved from his role in the SG and a new IG member for the SG needs to be elected see section D.

D – ELECTIONS / VOTING

Election is executed when there is more than 1 person candidate for a certain position in SG or IG. Voting is done on approval of statements, positions, communications or any other thing which the (Vice) Chairman deems necessary.

- Art D1:** All elections of persons are done as described in Art D2. The Chairman⁵ will appoint 2 IG members who will perform the election as the election commission (EC). All present IG members will make their choice of person(s) either on a designated paper, which will be collected by the EC, or by hand. The EC will count the votes and communicate to the IG.
- Art D2:** Voting can be done by hand in an IG meeting, in secret via paper in an IG meeting or by E-Mail. The (Vice) Chairman will propose the way of voting. If there is 1 member present preferring secret voting than the voting will be done in secret. In case voting needs to be done outside an IG meeting, voting will be done by email. The outcome of the vote will be the option with majority of votes unless otherwise stated in these house rules.

E – COMMUNICATIONS

Since the IG represents a collection of companies for any publication, announcement to the public on behalf of the IG or NICOLE, a majority of the IG needs to be in favour.

⁵ Or Vice Chairman in case of absence of the Chairman or when the Chairman is subject to the election.



There is a distinction between time-critical communications (less than 14 days for the SG to respond), 'context' critical communications (e.g. Position Statements, communication to the regulatory community or EU) and non critical communications (e.g. announcements etc.).

Art E1: In case of a context critical NICOLE or IG communication, 2/3rd of all voting IG members need to be in support in order for the IG to support any NICOLE communication or to release an IG communication. Any comments need to be sent within 14 days. Those that haven't responded by this time are considered to be in favor. Voting is done according to article D2.

Art E2: Non-critical or time-critical NICOLE or IG communication, is at the discretion of the SG.

Art E3: Any NICOLE or IG communication needs to be accompanied with a disclaimer that the statement of NICOLE or the IG does not necessarily reflect the opinion of all members.

F- IG SECRETARY

Art F1: The IG will have 1 person as the IG Secretary. The IG Secretary is elected conform section D of these House rules. The IG Secretary will have no set term. By the end of each calendar year the IG Chairman needs to re-confirm if the same person will continue the role of Secretary for the next year. The Secretary needs to accept the role for another year.

G – CHANGES / EXCEPTIONS ON HOUSE RULES

Art G1: Any changes to, or deviation of the House Rules needs the approval of 2/3rd of all voting IG members. At minimum 50% of all the members need to have voted, otherwise a 2nd, binding, voting round needs to be held. Voting will be done according article D2.