



TCP Webinar

Legal modernisation: Updating the TCP framework

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Consultative process throughout 2019 involving CERT, WPs, TCPs

- *Proposed framework updates have been guided by the CERT*
 - *CERT Task Force on TCP Enhancement has followed closely*
 - *Discussions at February and June CERT*

- *Have sought to engage TCPs and WPs at each step of the process*
 - *Survey of all TCPs included a module on TCP modernisation*
 - *Presentation and breakout discussions at TCP Universal Meeting*
 - *TCP Focus Group conference calls from July to September*
 - *Discussions at Working Party meetings and among Working Party cabinets*
 - *One-on-one discussions with TCP representatives*

TCP mechanism remains strong, flexible, and effective

... but there are significant opportunities for improvement

- **Framework will not introduce fundamental changes to TCP structure**
 - A guiding principle has been to preserve what works
 - While updating the texts to reflect current practice

- **Focus on providing new engagement tools for TCPs**
 - Will maintain TCPs' autonomy in developing engagement strategy
 - Will be up to each TCP ExCo to decide how (and whether) to use

Three prong approach to legal modernisation

- **Update the TCP Framework**

- TCP Framework applies to *all TCPs*
- Must be adopted by Governing Board, upon recommendation of the CERT

- **Amend the 38 Implementing Agreements**

- All TCPs would need to amend to incorporate new Framework concepts
- Would begin as soon as GB approves new Framework

- Replace and update **informal guidance documents**

- Some things already ongoing, others will proceed on rolling basis

Updating the TCP Framework – Five significant changes

- **Process** for amending the Framework, last updated in 2003
 - CERT to consider updates to the Framework at **November 19-20** meeting
 - Governing Board to adopt amendments at a subsequent meeting
- 1. Include reference to **Technology Collaboration Programme**
 - Current version refers only to “Implementing Agreements”
 - Important rhetorical point to build coherence among the TCPs
- 2. Include IEA **Accession** and **Association** countries within scope
 - Currently dichotomy between OECD and non-OECD
 - Should be in terms of the “IEA Family”

Updating the TCP Framework

3. Strengthen mandate for the **IEA Secretariat to work with TCPs**
 - New optional “Coordinator” role allowing IEA to lead a TCP Task

4. New **Limited Sponsors**
 - Participants in a single Task/Annex with simplified process and requirements
 - Time-limited with no right to participate in or vote at ExCo level
 - *Contracting Parties and Sponsors to remain as before*

5. Partnerships and collaborations
 - **Collaborations** outside the TCP with other initiatives
 - Including other TCPs and multilateral initiatives like MI Challenges

Amending the Implementing Agreements

- To provide flexibility, roll out Framework updates over several years
 - *I.e. recommendation could be for TCPs to adopt prior to next Request for Extension*
- Legal Office would work with each TCP to incorporate Framework changes
- Process: ExCo can amend Implementing Agreement with a unanimous decision
 - Contracting Parties and Sponsors **do not need to re-sign** the agreement
- Opportunity to **simplify certain procedures** at the same time
 - Improve and simplify some confusing terminology
 - Formalise “observer” and “inactive” status
 - Simplify membership process (combine final two steps, digital signatures)
 - Easier procedure for certain TCP representative actions

Updated guidance and other informal improvements

- Updated guidance documents do not require legal changes
 - Standardised TCP-TCP collaboration guidelines and templates
 - Guidance for request for extension and will explore clarifications
 - Updated TCP Handbook in a simple-to-use, online format
- Improved sharing of best practice
 - Continue TCP Webinars focusing on sharing TCP best practice
- New [TCP brand guide](#) prepared by IEA Communications office
- These activities are ongoing and not tied to the Framework timeline

Next Steps

- Legal Office will work with CERT Task Force and delegates on draft proposal
- Consideration at CERT **Nov. 19-20**
- Legal Office to work with a few TCP volunteers on IA **Nov.-Dec.**
- Consideration at Governing Board **Early 2020**
- TCPs can formally begin process to update IA any time after

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