

PRELIMINARY CONCLUSIONS

**41ST MANAGEMENT BOARD MEETING
17-18 MARCH 2016, HELSINKI**

1. Quarterly Report on ECHA's Activities

The Management Board received the quarterly report on ECHA's progress in reaching the 2016 Work Programme targets and congratulated the agency for the good performance, noting in particular ECHA's achievements in disseminating information on chemicals. The Board was informed that further to the Commission's announcement, ECHA will host the EU Nanomaterials Observatory.

2. General Report 2015

The Board adopted the Agency's General Report 2015 and gave its appreciation for the results accomplished in the previous year.

The Management Board Working Group on Planning and Reporting had reviewed the previous draft in February and recommended the adoption, noting that the Secretariat had taken into account the comments provided. Some further editorial changes were agreed in the Management Board meeting.

The final general report will be submitted to the Member States, the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors. It will also be published.

3. Assessment of the Consolidated Annual Activity Report 2015

The Management Board took note of the Executive Director's Consolidated Annual Activity Report drawn up in his capacity as ECHA's authorising officer under the Financial Regulation and adopted its assessment of this report.

The Working Group on Planning and Reporting reviewed the report in February and prepared a draft assessment for the Management Board. The draft assessment included seven recommendations for 2016. The Management Board agreed to this draft with some further suggestions for change by several members.

The report and the assessment will be sent to the Court of Auditors, the European Parliament, and the Commission by 1 July 2016.

4. Second 5-year Draft Report on the Operation of REACH and CLP

The Management Board considered ECHA's Draft 5-year Report on the Operation of REACH and CLP and identified it as an important contribution to the REACH review and the further development of the EU chemicals legislation.

The Board provided orientation for further drafting and finalising the report, in particular on the need to respect the balance between outlining achievements including recognising contributions by other stakeholders and identifying areas of improvement, as well identifying regulatory gaps. The draft report is open for further orientation remarks in writing from Board members by Friday 25 March.

The final report will be submitted to the European Commission and published by 1 June 2016.

5. Role of the ECHA Committees in the Application for Authorisation Process

The Management Board held an in-depth exchange of views on the role of ECHA's Committees in the Application for Authorisation process under REACH. The discussion among other aspects dealt with concerns expressed in a European Parliament Resolution of 25 November 2015 which objected to the authorisation of a specific use of the chemical compound DEHP.

For the discussion, the Secretariat had prepared an analysis of the Parliament Resolution and identified a procedure for considering improvements to the process. The SEAC and RAC committees had also discussed the Secretariat's analysis and were supportive of its content.

The Management Board members stressed that ECHA needs to be continuously open to critically review its processes and learn from experiences and external feedback. At the same time, it was highlighted that ECHA needs to be mindful of the situation of the Committee members and protect the independence of the scientific-technical opinion making. A number of reflections were noted as elements for further work for the established Task Force on Authorisation Applications, which was also presented to the last Caracal meeting. ECHA will consider how stakeholders can be involved in the work of the Task Force.

It was agreed that within one month, the Management Board will receive an overview of the envisaged steps for looking into the process, and will be consulted on a draft reply to a letter received on behalf of four MEPs on 16 March 2016. The Management Board will hear a report later in 2016 on the further steps taken and on the progress achieved.

6. Report from the Working Group on Board of Appeal

The Board members took note of a report from the Working Group on Board of Appeal from its meeting of 16 March 2016. [in camera]

7. Implementing Rules to the EU Staff Regulations

The Management Board members adopted the seventh cluster of Implementing Rules for further effect to the Staff Regulations and Conditions of Employment of Other Servants, which contained the Implementing rules concerning Reclassification of Temporary and Contract Agents and working time. The rules were agreed before with the Agency's Staff Committee.

8. ECHA's future Building Project

The Management Board took note of the preparatory activities undertaken in relation to ECHA's future Building Project, as well as the indicative stages of the project. The Board endorsed the key planning parameters of the future building and nominated three members to act as advisors. The advisory group will be composed of Nina Cromnier (SE), Sharon McGuinness (IE) and Hans Meijer (NL). The decision on ECHA's future office building will be made in 2017.

9. Update on IUCLID as a service

The Management Board took note of an update on IUCLID as a service, outlining the steps taken by the Secretariat further to an initial Board discussion in the Management Board in December 2015. It was proposed that the full draft of the service model will be submitted for decision to the June 2016 Management Board meeting.

10. Other topics

- The Board heard a Report from the Chair of the Advisory Committee on Conflict of Interests 2015. It was noted that a call for selection of an external expert of the Committee will be published in due course.
- The Board received notification on the budget transfers carried out in December 2015 under the responsibility of the Executive Director.
- The Board was informed of the planning for the Mid-term Review of its Decision on the Transfer of a Proportion of Fees to Member States. The Mid-term Review will take place between April and June 2016.
- The Board received an update of the Management Board Rolling Plan, including meeting dates for 2017:

23-24 March	28-29 September
21-22 June	14-15 December

- The Board took note of the composition of the Management Board subgroups (Working Groups). It was noted that Parvoleta Luleva (BG) will take over the chairmanship of the Working Group on the Transfer of Fees.
- The Board received information from the European Commission on the second evaluation of ECHA. It was noted that Deloitte is conducting the study and they will contact some Board members with a view to setting up an interview. The European Commission also informed the Board on the Procedure for selecting an Executive Director. It was proposed that the Management Board will receive the draft vacancy notice for endorsement for the June 2016 Board meeting.
