

PRELIMINARY CONCLUSIONS

**46TH MANAGEMENT BOARD MEETING
21-22 JUNE 2017, HELSINKI**

1. Budget and programming activities of 2017-2019

Amendments to the Programming Document 2017-2019 and transfers within the budget 2017

The Management Board adopted an amendment to the Programming Document 2017-2019 to include in ECHA's Work Programme 2017 the Commission's request for the Risk Assessment Committee (RAC) to assess the scientific relevance of Occupational Exposure Limits (OELs) for certain carcinogenic chemical substances.

Board members expressed their concern about the impact of this additional task on ECHA's workload and stressed the need for adequate resources to carry them out. Members also asked for proper consideration of resource implications in case further future tasks with reference to OELs are entrusted to ECHA. A Commission representative informed that the discussions are still ongoing on the resources to be allocated to ECHA following the shift of some of the tasks to RAC

The Management Board also took note of budget transfers carried out under the responsibility of the Executive Director since the last Board meeting.

Update on the Budget 2018 preparations

As indicated in the Management Board meeting of March 2017, a number of potential new tasks for ECHA to be undertaken in 2018 were under consideration by the Commission and not included in the budget request of the Management Board. At present, the Management Board took note of the status of ECHA's request for financial and human resources in the 2018 budget in relation to the four regulations and new tasks under preparation, namely endocrine disruptors, poison centres, occupational exposure limits, EU chemicals legislation finder and persistent organic pollutants.

The Management Board took note of the fact that ECHA's requests for additional resources in excess of the Multiannual Financial Framework (MFF) ceilings under the three budget lines were rejected by the Commission. As a result, ECHA will not have any financial buffer to face possible low fee revenue nor will be able to take up the proposed new tasks to the extent foreseen and, in effect, their take-up will be conditional on the 2018 registration deadline generating higher-than-budgeted fee income.

Board members acknowledged the relevance of the new tasks foreseen for ECHA, in particular in terms of economies of scale and closing existing legislation gaps in the area of chemicals safety. It was noted that tasks may also derive from the implementation of the Commission' circular economy package. However, they strongly stressed the need for appropriate resources and for a clearer reference to the expected efficiency gains.

Board members underlined the need to seek support for securing resources with the Budgetary Authority, in particular at Council level.

As regards the potential new task on Poison Centres, Board members called for further discussions based on the feasibility study to be published in October 2017, aiming at clarifying the legal, IT and financial aspects. As concerns the budget for the poison centre portal, the Commission proposed to finance it from any economies of scale which could

be achieved and any surplus of fee income and charges. Should the budget of the Agency in 2018 not be in balance because of shortfall of fee income, the Commission should be alerted immediately so that mitigation measures could be envisaged.

2. Opinion of the final accounts 2016

The Management Board adopted its opinion on the Agency's Final Annual Accounts for the financial year 2016, taking into account the preliminary observations of the European Court of Auditors and the recommendation made by the Management Board Working Group on Audit matters.

The Board instructed the Executive Director to forward the opinion to the Commission's Accounting Officer, the European Court of Auditors, the European Parliament and the Council by 1 July 2017. The document will be published.

3. Appointment of an interim Accounting Officer

In order to anticipate the termination of the duties of ECHA's accounting officer Mr John WICKHAM and to ensure the continuity of operations, the Management Board appointed Mr Markus WOLF as interim accounting officer, from 16 August 2017 until the appointment of the new accounting officer.

Board members also appointed Ms Hanna KORHONEN (FI) as observer in the selection procedure of the new accounting officer.

4. Review of the Decision on the remuneration of experts and co-opted members

The Management Board endorsed the proposal that the decision on the remuneration of experts and co-opted members does not require any amendment at this time.

The Management Board asked the Secretariat to provide information on the costs incurred by the work of co-opted members. The Management Board also invited the Chairs of the committees to annually report to the Board on the workload, expertise needs of the committees, as well as the level of engagement of members.

5. Request from the Swiss authorities to participate in the CLP work of the HelpNet

The Management Board agreed that Switzerland participates as observer in the work of the CLP HelpNet. This approval follows the application of Switzerland to become observer in the CLP HelpNet (May 2017).

6. Appointment of Committee Members

The Management Board appointed three members for the Committee for Risk Assessment (RAC): Ms Annemarie LOSERT, Ms Vessela VITCHEVA, and Mr Gabriele AQUILINA. Board members also appointed three new nominees for the Committee for Socio-Economic Analysis (SEAC): Mr Karel BLAHA, Mr Karolis RUZGYS, and Ms Ilona ZAIKOVA.

The mandates of two RAC members (Mr Peter Hammer SOERENSEN and Mr Ralf STAHLMANN) and five SEAC members (Ms Silva KAJIC, Ms Karen THIELE, Mr Janis LOCS, Mr Ivars BERGS and Mr Adolfo NARROS SIERRA) were renewed for a three-year term.

The names of the committee members will be published on ECHA's website together with their annual declarations of interest.

The Management Board asked the Secretariat to prepare an in-depth discussion on the composition of ECHA's committees, their needs for particular expertise and skills, as well as the level of engagement of members. A member highlighted that avoiding potential conflicts of interest remains an important aspect in appointing committee members.

7. Quarterly report on ECHA's activities

The Management Board heard the quarterly report on ECHA's progress in reaching the 2017 Work Programme targets.

Board members congratulated the Secretariat on the progress since the previous quarter, in particular on the launch of the European Observatory on Nanomaterials. Board members commented on a wide range of topics covering various REACH, BPR and PIC processes.

Board members also received a presentation on the Agency's outreach to the media and exchanged views on the implementation of ECHA's approach to communicating with the media, in particular with the press as well as the Agency's external communication strategy.

The Management Board highlighted the need to carefully preserve the reputation of ECHA and focussed on the importance of selecting titles and headlines of press releases that reflect the content of the press release; the challenge of including more than one message within the same release and tackling complex and uncertain scientific issues.

8. Revision of the Standard Security Requirements for access to ECHA's IT systems

The Management Board adopted the revised Decision on the adoption and scope of application of unified declarations of commitment by a Member State Competent Authority/ Mandated National Institutions/ Designated National Authority of a Member State and the European Commission with respect to security aspects for ECHA's Information systems. This was closely prepared by the Security Officers Network.

The Management Board also took note of the presented further evolution of the ICT security compliance issues with the audit requirements in Member States, and was pleased to see the positive effects of the new escalation procedure.

9. Progress with implementing the SVHC Roadmap

The Management Board took note of the report and the efforts undertaken by the ECHA Secretariat to successfully implement the Roadmap for SVHC identification and the implementation of risk management measures under REACH (SVHC Roadmap to 2020). The state of play was provided as a regular update on ECHA's contribution in having all relevant currently known substances of very high concern identified and included on the Candidate list by 2020.

Board members welcomed the report and expressed their appreciation for ECHA's work, recognising that ECHA's SVHC Roadmap implementation activities have evolved and now support the main elements of ECHA's integrated regulatory strategy. They emphasised the important role of the Candidate List in informing consumers, as well as being a reference point for industry, and expressed concern that the exercise is limited to registered chemicals with exposure information. At the same time, they called for enhanced predictability of the SVHC identification process and asked for numerical information on the known SVHCs. Board members also suggested to keep the topic regularly on the agenda, in particular with respect to the communications aspect.

10. Board of Appeal

Annual report from the Chairman

The Management Board heard the annual report from the Chairman of the Board of Appeal (BoA) and congratulated the members of the BoA for their excellent work. The Chairman of BoA reported on the period June 2016 – June 2017.

Board members expressed their appreciation with respect to the clarity of BoA decisions, in particular in light of the high number and complexity of the cases submitted.

Annual report from the MB Working Group

The Management Board took note of the annual report of its Working Group on the BoA. The Working Group on Board of Appeal elected Mr Hans MEIJER (NL) as new Chair.

11. Update from the Commission on the status of ECHA's 2nd evaluation and the preparation of the 2nd REACH Review

The Management Board took note of an update from the Commission on the status of ECHA's 2nd evaluation and the preparation of the 2nd REACH Review.

The ECHA performance evaluation study was commissioned in the framework of the REACH REFIT evaluation. The update provided for the Board included the objective and scope of the study, the approach used, as well as the main findings and conclusions of the evaluator.

Board members welcomed the update and called for further information as soon as the Commission's Staff Working Document is available. Board members stressed the importance of the Commission's findings, in particular with respect to the on-going work on ECHA's next Strategic Plan, which should take the recommendations into account.

12. Other topics

- The Management Board welcomed eight new members: Mr Paul KRAJNIK (AT), Ms Tatjana KOLESNIKOVA (CZ), Ms Hanna KORHONEN (FI), Ms Marie-Laure METAYER (FR), Ms Francesca GIANNOTTI (IT), Mr Alojz GRABNER (SI), Mr Oscar GONZALEZ SANCHEZ (ES), Ms Lisa ANFÄLT (SE)
- Board members agreed on the new composition of the Management Board Working groups (subgroups): Ms Judite DIPANE (LV) and Ms Francesca GIANNOTTI (IT) became members of the Working Group on the Transfer of Fees to Member States; Mr Paul KRAJNIK (AT) and Ms Lisa ANFÄLT (SE) became members of the Working Group on Planning and Reporting; Ms Marie-Laure METAYER (FR) became member of the ECHA Quality Steering Group; Ms Hanna KORHONEN (FI) became member of the Working Group on Audit.
- The Board took note of a report from its Working Group on Audit matters.
- The Management Board took note of a report from its Advisory group on ECHA's future premises. The report included an update on the present status of the project, including the progress made since the 2017 March Board meeting. Members noted that the project is progressing according to the foreseen timeline and that the Management Board will be invited to endorse ECHA's future building during the September 2017 Board meeting. After this point, the Budgetary Authority will consider the proposal before, pending a positive outcome, the project will progress to the implementation phase.
- The Chair recalled the outcome from the first Management Board written procedure in 2017, concerning the adoption of a Staff Regulation implementing rule on the procedure governing the engagement and use of temporary staff under Article 2(f) of the CEOS taking into account Board of Appeal members. The draft rules have been formally sent to the Commission for the agreement.
- The Management Board took note of the Discharge recommendations 2015¹, adopted by the European Parliament in April 2017. The Secretariat will present the follow-up report to the December Management Board meeting.

¹ P8_TA-PROV(2017)0165