

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

46th Meeting of the Management Board 21-22 June 2017

Proposal

The Management Board is invited to agree with the proposal of the ECHA Secretariat that the decision on the remuneration of experts and co-opted members does not require any amendment.

Background

After several previous discussions the MB agreed in its 37th meeting in March 2015 that ECHA could proceed with the appointment of co-opted members in order to cope with the peak workload caused for RAC and SEAC by the applications for authorisation. The Management Board Decision¹, adopted in 2008, on the remuneration of experts and co-opted members invited by the ECHA Committees and the Forum, established the financial arrangements for remuneration of experts and co-opted members in the Committees, who are not employed in the public service of a Member State. To enable a fair level of remuneration for the co-opted members for their (co-)rapporteur work in RAC and SEAC, and to allow for a good selection of candidates for co-option, the Management Board Decision of 2008 was amended in 2015² and is to be reviewed after 18 months of operational experience, i.e. by June 2017³.

Rationale

RAC and SEAC have successfully processed the peak of applications for authorisation in 2016/2017 with the support of currently seven co-opted members⁴.

All co-opted members in RAC and SEAC⁵ are fully operational and active in both Committees. From December 2015 onwards, when the co-opted members started in RAC and SEAC, a substantial amount of applications for authorisation were handled by co-opted members as rapporteurs of the total of 85 applications for authorisation on 130 uses of SVHC currently processed, the co-opted members acted with their additional capacity and expertise as (co-)rapporteur on 44 applications for authorisation covering 67 uses of SVHC in RAC and 35 applications for authorisation covering 51 uses of SVHC in SEAC.

The level of remuneration for the co-opted members has proven to be appropriate. Although the remuneration is clearly below market prices for any commercial consultants, it provides a fair level of compensation for the co-opted members, not employed in the public service of Member States and therefore, not otherwise compensated for their work in the Committees.

In particular in RAC, but also in SEAC, the continuous support of co-opted members is needed to keep up with the workload and to free up members for rapporteurships for other processes, which require specific expertise. The peak in applications for authorisation is currently declining, nevertheless, the workload in RAC will be continuously high or even increasing, as the amount

¹ MB/77/2008

² MB/07/2015

³ Minutes MB/43/2016 - 28-29 September 2016

⁴ Status May 2017

⁵ Nine co-opted members (5 in RAC and 4 in SEAC) appointed in September 2015 of whom one co-opted RAC-member resigned in December 2015 and one co-opted SEAC-member resigned in December 2016

of dossiers on harmonised classification and labelling is foreseen to remain at the same level, while the submission of restriction dossiers is expected to increase and since March 2017, RAC is mandated with an additional task to evaluate occupational exposure limits for some carcinogenic chemical substances in the context of worker protection and occupational health.

Thus, ECHA Secretariat is very grateful for the support of the co-opted members so far, and the continuation of the co-opted members, tasked with rapporteurship in a flexible way under several processes is warranted.

As a consequence of the above proposal, in view of the Secretariat, no further amendment needs to be made to the Decision on the remuneration of experts and co-opted members.

The Secretariat would launch early 2018 a new call for co-opted members, up to a maximum of 5 members, to ensure continuity of co-option also after the ending of the current term in September 2018. The foreseen support of the co-opted members would not exclusively be for applications for authorisation, but co-opted members would also be expected to be fully operational in other processes of RAC and SEAC, and would be chosen based on their competences.

Member States would be encouraged to nominate the current co-opted members as regular members, if considered appropriate. In parallel, the Secretariat would encourage the Member States to enhance the capacity in the Committees via nomination of additional regular members⁶.

Alternative options

The alternative options would be to revise or revoke the Decision. As described above, that would risk ensuring continued capacity of RAC and SEAC in responding to the needs of specific expertise, also considering the continued high workload in both Committees.

Drawbacks

As discussed in the context of the decision of the Management Board amending the remuneration rules the potential drawback could be seen to be the financial impact of the remuneration. However, it should be considered that the actual cost per rapporteurship is on average the same when using regular member of the co-opted members as a rapporteur (i.e. about 5000 EUR per rapporteurship). Thus the incremental cost of the co-opted members is caused by the remuneration of the meeting attendance, which amounts to about EUR 135000 on an annual basis, assuming both Committees would appoint the maximum of five co-opted members. This is considered as acceptable cost for increased certainty in delivering Committee opinions in time and supported by the additional expertise of the co-opted members.

Attachment:

- MB Decision 09/2015

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⁶ Up to a maximum of two nominations per country.