

PRELIMINARY CONCLUSIONS

**49TH MANAGEMENT BOARD MEETING
22-23 MARCH 2018, HELSINKI**

Highlights from the new Executive Director

Bjorn HANSEN, ECHA's new Executive Director, gave a brief report of his impressions gathered over the first three months of his service. This also included an overview of the handover process from the previous Executive Director, ECHA's current challenges and strategic outlook as well as his preliminary views on developing ECHA's relations with its institutional and Member State stakeholders.

1. Public consultation on ECHA's draft strategic plan 2019-2023

The Management Board approved the submission of ECHA's draft 2019-2023 strategic plan for public consultation. This was subject to changes agreed during the meeting, which were related to the clarity of references and the wording regarding efforts to improve transparency.

The draft strategic plan, in English, will be open for public consultation on ECHA's website for a period of three weeks in April-May 2018. The comments received during this public consultation will be analysed by the Secretariat and the Management Board during a dedicated workshop in June. The public consultation will put the draft strategic plan in context with regard to the Commission's second General Report on the operation of REACH (REACH review), which was published on 5 March¹.

The draft will also be submitted to the Commission services, for it to be taken into account in the preparation of its opinion on ECHA's Draft Programming Document 2019-2021.

In regard to the adoption process and timeline of ECHA's Programming Document, the Management Board supported the Secretariat's proposal to improve the planning cycle, and agreed to have a general orientation debate in September, in October to give formal input simultaneously on two (draft) Programming Documents (i.e. those for years n+1 to n+3 and n+2 to n+4), before adopting the final documents in December.

2. General Report 2017

The Management Board adopted the General Report 2017. Some amendments were agreed². The 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, and will be published.

The Management Board agreed to have an orientation discussion on next year's General Report with the Working Group on Planning and Reporting at an earlier stage.

¹ Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee – Commission General Report on the operation of REACH and review of certain elements Conclusions and Actions – Brussels, 5.3.2018 COM(2018) 116 final

² Related to the reference to the public debate on glyphosate in the Executive Summary, and to the sensitivities around risk communication in the management section.

3. Assessment of the Consolidated Annual Activity Report 2017

The Management Board took note of the Executive Director's Consolidated Annual Activity Report and adopted its assessment of this report. The final assessment includes 13 recommendations for 2018. The report and the assessment will be sent to the Court of Auditors, the European Parliament, and the Commission by 1 July 2018.

4. ECHA Committees

The Management Board took note of the first annual report from the ECHA committees (RAC, SEAC, MSC and BPC). The report included information on the committees' workload, expertise needs, as well as on the level of engagement of their members. The report was submitted as a follow-up action to the 46th Management Board meeting and will be provided annually.

The Management Board expressed its concerns about the high work load and emphasised the importance of maintaining the high quality of the Committees work, while recognising at the same time the contributions of the majority of members but also the low level of activity of a proportion of the members. It expressed its support for the Secretariat's proposal to improve the recruitment of RAC and SEAC members by fostering a deeper dialogue between ECHA and the nominating Member State competent authorities during the nomination process.

The overall objective was defined as achieving the right activity level of the experts and to match the expertise of the Committees with their evolving scientific and regulatory tasks. In the area of worker protection levels (OELs) it was suggested that ECHA should look into increasing the number of RAC members with specific expertise in occupational health and safety and explore additional ways of involving a wider group of scientific experts in the work.

The Management Board noted that it is necessary for Committee members to enjoy the support of their organisation and to be able to allocate sufficient working time to the committee. Board members called on ECHA to make this key requirement more explicit during the contacts with the nominating bodies. As regards the BPC, the Management Board noted its already increased and further increasing workload, as well as the need for more risk management expertise, due to the Union Authorisation process.

The Management Board in this context also decided not to renew the membership of a second member for the SEAC.

5. 2nd Commission General Report on the operation of REACH / Evaluation of ECHA (REACH review)

The Management Board took note of a presentation from the Commission on its second General Report on the operation of REACH (REACH review) and held a first exchange of views on the actions addressed to ECHA. The Secretariat will propose a roadmap for the specific follow-up to the evaluation of ECHA and a more detailed discussion with the Management Board is planned for June 2018.

6. Implementing Rules to the Staff Regulations

The Management Board endorsed the application by analogy of two Commission implementing rules, namely those on staff appraisal and the mission guide. The Management Board also adopted four implementing rules, on learning and development, on teleworking, on temporary posting and on the use and engagement of Temporary Agents. In addition, the Management Board decided to request the Commission's approval to opt out of the implementing rules on conditions of employment of Contract Agents.

7. Poison centres

The Management Board took note of an update from the Secretariat on the discussions around ECHA's tasks under EU poison centres and in particular the developments since the last Management Board meeting. It was noted that ECHA is ready to develop an advanced version of the notification portal if and when the Commission provides a legal mandate and sustainable resourcing. The Commission will report on the progress made to the Board in June.

In the meantime, the Chair invited all authorities to communicate if they will need to develop their own systems, should ECHA not be mandated to develop an advanced version of the notification portal. This would allow these authorities to cooperate and to look for solutions together.

8. Other topics

- The Management Board heard the quarterly report on ECHA's progress in reaching the 2018 Work Programme targets. Issues addressed by members in the discussion included
 - o The reputational risk of ECHA preparing the restriction dossier for microplastics and oxo-plastics, as requested by the Commission in January, further to the plastics strategy
 - o ECHA's readiness for the 2018 registration deadline and exceptional circumstances policy
 - o Status of the collaborative approach between Member States and industry in the area of REACH evaluation (COLLA)
 - o Status of the agreed conclusion to provide numerical information on known SVHCs in the SVHC Roadmap Implementation Report 2017
 - o The change required for ePIC due to the UK withdrawal from the EU and ECHA's need for additional funding in order to be able to start implementing the necessary changes
 - o ECHA's work on the guidance document on endocrine disruptors
 - o The next annual report on the SVHC roadmap implementation
 - o The follow-up of dossier evaluation decisions, in particular the EOGRTS cases
- The Management Board took note of a request from the Forum for Exchange of Information on Enforcement (Forum). The Forum is preparing its next Multi-annual Action Programme outlining its enforcement priorities and actions for the years 2019-2023 and requested input from Management Board members (deadline: 20 April 2018).
- The Management Board took note of the budget transfers carried out under the responsibility of the Executive Director since the previous notification.
- Board members took note of the new composition of the Management Board working groups (subgroups). It was agreed that Oscar GONZÁLEZ SANCHEZ (ES) will join the Working Group on the Board of Appeal.
- The Management Board took note of the 2017 report from its Advisory Committee on Conflict of Interests. The presentation also included an explanation about the Committee's new opinion adopted on 8 March 2018 upon request by the Executive Director in (March) 2017. The Management Board will revisit ECHA's Conflict of Interest policy in 2018 to follow-up the recommendations and to take into account other relevant developments at institutional level or audit findings.
- A representative of the Commission informed the Management Board about the status of the review of the REACH Fee Regulation.

- The Chair of the Advisory Group on Dissemination reported on a meeting of the group which was held back-to-back with the Management Board meeting. The meeting dealt with a recent report from an NGO on ECHA's dissemination activities and with the modalities for publishing notifications from downstream users of authorisation holders. The advisory group will continue to work on these and related issues in 2018.
- The Management Board was informed that the correction coefficients for the transfer of fees to the Member States have not been updated, given that the new Management Board Decision on the arrangements for the transfer of fees³ only entered into force on 1 January 2018.
- The Management Board noted that the mandate of the Chairman of the Board of Appeal expires in April 2019 and that the Secretariat has informed the Commission services of the need to launch a selection procedure. The Management Board's Working Group on the Board of Appeal will act as preparatory group and make a proposal for the decision of the Management Board in due course.
- The Management Board took note of its rolling plan, and revised its meeting dates for 2018 and its indicative meeting dates for 2019:

2018	2019
• 22-23 March 2018	• 28-29 March 2019
• 20-21 June 2018	• 19-20 June 2019
• 20-21 September 2018	• 26-27 September 2019
• 13-14 December 2018	• 12-13 December 2019

³ MB/36/2017.