

PRELIMINARY CONCLUSIONS

**50TH MANAGEMENT BOARD MEETING
20-21 JUNE 2018, HELSINKI**

1. Opinion on the final accounts 2017

The Management Board adopted its opinion on the Agency's final annual accounts for the financial year 2017, taking into account the preliminary observations of the European Court of Auditors and the recommendation made by the Working Group on Audit matters. The Board noted the comments made in the preliminary observations and will discuss the follow up on the basis of the final report.

The Executive Director will forward the opinion to the Commission's Accounting Officer, the European Court of Auditors, the European Parliament and the Council by 1 July 2018. The document will be published.

2. Appointment of the Accounting Officer

The Management Board appointed a new Accounting Officer. Following this appointment, the ECHA Executive Director, as the contract concluding authority, will initiate the signing of the employment contract with the selected candidate.

3. Appointment of a Member of Conflicts of Interest Advisory Committee

The Management Board prolonged the appointment of Ms Judite DIPANE (LV) as the person designated by the Management Board to the Conflicts of Interest Advisory Committee for two years, i.e. until 24 August 2020. The Management Board also noted that the Executive Director decided to renew the mandate of Julio BACIO TERRACINO from the OECD Secretariat as a member of the committee.

4. Appointment of Committee members

The Management Board appointed two new members (Raili MOLDOV (EE) and Davor ZELJEZIC (HR)) for the Committee of Risk Assessment (RAC) and one new member (Dorota DOMINIAK (PL)) for the Committee for Socio-economic Analysis (SEAC).

In addition, the Management Board renewed the membership of five RAC members (Stephka CHANKOVA-PETROVA (BG), Kostas ANDREOU (CY), Ruth MOELLER (LU), João CARVALHO (PT), Ignacio DE LA FLOR TEJERO (ES)), as well as that of two SEAC members (Stefano CASTELLI (IT), Maria NORING (SE)).

Following these appointments and renewals, RAC will have 56 members (including four co-opted members) and SEAC will have 35 members (including two co-opted members). The names of the committee members will be published on ECHA's website together with their annual declarations of interest.

The Chair concluded that the Secretariat will provide more comprehensive information on the level of activity of the members and the overall composition of expertise in the committees for future appointments and renewals.

5. Technical amendment to the Guide for Reimbursement

The Management Board adopted a technical amendment to ECHA's Guide for the Reimbursement of Travel and Accommodation Expenses and Payment of Subsistence Allowances to Management Board members, Committee and Forum members and other participants invited to attend meetings of ECHA. The technical amendment concerns the reimbursement rate per kilometre for travel by car.

6. Potential new tasks for ECHA

The Management Board took note of an update from the Secretariat concerning new tasks for ECHA, namely the Waste Framework Directive, Poison Centres and the Delegation agreement for a European Union Chemicals Legislation Finder (EUCLEF).

The Management Board discussed the developments and challenges, especially in relation to resources, which will require priority setting by ECHA. In light of the on-going discussions about resources, the Management Board noted that it may be required to agree on certain aspects of the implementation of these new tasks by written procedure(s) over the summer. In addition, ECHA took note of the start of the legislative process on the POP Regulation¹, which will entail additional tasks for ECHA, once adopted.

7. Exchange of views with the Vice-Chair of the Forum

The Management Board held an exchange of views with Ms Sinead MCMICKAN, the Vice-Chair of the Forum for Exchange of Information on Enforcement (Forum). The exchange of views follows the Forum's request to the Management Board to provide input for its Multiannual Work Programme 2019-2023, and focused on the Forum's enforcement priorities for this period, as well as on addressing the actions arising from the Commission General Report on the operation of REACH.

8. Board of Appeal

The Management Board heard the annual report from the Chairman of the Board of Appeal (BoA) and congratulated all the members of the BoA, as well as the Registry for their excellent work. The Chairman of the BoA reported on the period June 2017 – June 2018, and gave an overview of the main findings contained in the BoA's decisions adopted over 10 years of the existence of the REACH Regulation.

Board members expressed their appreciation with respect to the contribution of the BoA decisions in clarifying the interpretation of REACH and the BPR and in helping to ensure their effective implementation by ECHA. The Management Board also thanked the current Chair, Mercedes ORTUÑO, who provided the last report before her mandate as Chair ends in April 2019.

The Management Board took note of the annual report of its Working Group on the BoA.

9. Report on the outcome of the 3rd REACH registration deadline

The Management Board took note of a report from the Secretariat on the outcome of the 3rd REACH registration deadline, as well as of the immediate tasks related to the high number of registrations, such as processing the number of dossiers submitted in the last weeks, as well as the publication of information and processing of confidentiality claims. The Management Board thanked the Secretariat for the support provided to registrants and for the smooth running of the registration deadline.

10. Review of the Policy for avoiding potential conflicts of interest – elements for consideration

The Management Board held an exchange of views and provided its input on proposed principles for improving ECHA's Conflicts of Interest (CoI) policy. Further to its last update

¹ Regulation on persistent organic pollutants (recast) 2018/0070(COD)

in 2014, the Secretariat will propose an update to the CoI policy at one of the future Board meetings in 2018. The Management Board will be closely involved in the elaboration of the review of the policy.

The Board provided input at this stage on a number of elements that are being considered for improvement. These included the guidelines to avoid conflicts of interest at Member State level, clarification of interests that lead to exclusion from the work of the Agency, strengthening of the scrutiny for key functions in the secretariat and ECHA bodies, enhanced clarity of the template for the annual declarations of interest and providing additional assurance on the effectiveness of the policy.

The discussion was informed by a report from the Management Board member in the ECHA Conflict of Interest Advisory Committee (CoIAC), which met on 13 June and also discussed the review of the policy.

11. Other topics

- The Management Board thanked and bid farewell to Mr Peter VAN PUYVELDE (European Parliament) and Ms Parvoleta LULEVA (BG). The Management Board welcomed its new Estonian member, Ms Enda VESKIMÄE, as well as its future Maltese member, Ms Ingrid BORG, who participated in the present meeting as the person of trust of the current Maltese member, Mr Edward XUEREB.
- The Management Board took note of the report from the first Joint meeting of the Working Groups on Audit and Planning & Reporting (held on 19 June), their recommendations on a number of topics on the agenda, including the status of *ex ante* and *ex post* evaluations and the 2016 discharge recommendations by the European Parliament².
- The Management Board heard the quarterly report on ECHA's progress in reaching the 2018 Work Programme targets.
- The Management Board took note of an update on the collaborative approach (COLLA) pilot projects and their review.
- The Management Board took note of the positive outcome of the Written Procedure MB/WP/01/2018 on the extension of the scope of the ECHA Cloud Service to non-SMEs.
- The Management Board took note of a report from its Advisory Group on the building project. It was noted that ECHA's future building project is progressing according to the plans.
- The Management Board took note of the budget transfers, carried out since the previous notification, under the responsibility of the Executive Director.
- The Management Board took note of a debrief from the Reporting Officers for the Executive Director and the Board of Appeal.
- The Management Board exchanged views on a letter from NGOs with respect to the call for evidence on microplastics, as well as the Chair's response to this letter.
- The Management Board took note of a presentation on the Commission Report on the implementation of the Union authorisation of biocidal products in accordance with Article 42(3) of the Biocidal Products Regulation.

² European Parliament decision of 18 April 2018 on discharge in respect to the implementation of the budget of the European Chemicals Agency for the financial year 2016 (2017/2167(DEC))