

## PRELIMINARY CONCLUSIONS

**52<sup>ND</sup> MANAGEMENT BOARD MEETING  
13-14 DECEMBER 2018, HELSINKI**

### 1. ECHA Programming Document

The Management Board adopted the Programming Document 2019-2022 including ECHA's Strategic Plan for 2019-2023 and the Agency's budget request for 2020<sup>1</sup>. The Secretariat will reflect the necessary technical changes related to the adoption of the 2019 budget in the text, as well as certain changes related to the 2020 Biocidal Products Regulation (BPR) work programme.

The Management Board also adopted its reply to the Commission's opinion on the draft ECHA Programming Document 2019-2021. In connection to this Programming Document, the Management Board took note of the 2019 IT Masterplan and ECHA's Human Resources Strategy 2019-2023.

The Management Board took note of an update on the development of ECHA's new tasks, i.e. Occupational Exposure Limits, the Waste Framework Directive, Poison Centres, EUCLEF and the POPs Regulation.

The Programming Document will be published and submitted to the Member States and institutions, in particular the Commission, as a basis for the 2020 budget request.

### 2. ECHA Budget

#### **Budget 2018**

The Management Board adopted the second amending budget for 2018 and took note of the transfers carried out under the responsibility of the Executive Director since the last notification in September 2018.

The second amending budget was necessary to adjust ECHA's 2018 income and expenditure levels to the significantly reduced fee income under the BPR, in order to avoid a negative outturn at year-end and meet the budget execution targets.

The Management Board also approved a specific financing decision for the development of a prototype for the database under the Waste Framework Directive<sup>2</sup>. The specific financing decision allows ECHA to reserve EUR 0.9 million of REACH/CLP funds to commence the development of the prototype service in 2019 (through a global commitment to be undertaken in 2018). The committed funds will be used subject to confirmation from the Commission that the REACH/CLP subsidy and fees and charges income may be used for this purpose. Notwithstanding the adoption of this financing decision, the Management Board expressed its strong regret regarding the lack of a sustainable financing structure for these new tasks, and expressed hope that the Commission will make a proposal to resolve this structural problem as soon as possible.

<sup>1</sup> This includes the adoption of the Work Programme for 2020 to comply with Article 78 of REACH.

<sup>2</sup> Directive (EU) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste.

## **Budget 2019**

The Management Board adopted the 2019 budget, establishment plan and procurement plan.

The 2019 staffing levels and the subsidy requests for Biocides and PIC/POPs are aligned with the 2019 EU budget ceilings. The expenditure budget under REACH/CLP exceeds the 2019 EU budget ceiling by c. EUR 0.4 million, in order to accommodate the Poison Centres project in 2019.

### 3. Implementing Rules to the Staff Regulations

The Management Board adopted three Implementing Rules (IRs) to the Staff Regulations, namely the IR concerning the function of adviser, the IR on middle management staff, and the IR concerning the probationary period appraisal, managerial trial appraisal and the annual performance appraisal of the Executive Director and the members of the Board of Appeal. The adoption of the latter is subject to the formal approval of the European Commission.

### 4. Security model for the access to ECHA's Interact Portal

The Management Board approved the security arrangements for remote access to the ECHA Interact Portal. This included (1) the amendment of MB decision 21/2017 on the scope of application of ECHA's Unified Security Declaration, to include ECHA Interact in the list of tools covered by that decision as well as (2) the endorsement of the security model for individual experts' access to ECHA Interact.

### 5. Appointment of Committee members

The Management Board appointed one new member (Mr Ivan DOBREV (DE)) for the Committee for Risk Assessment (RAC) and one new member (Mr Mats FORKMAN (SE)) for the Committee for Socio-economic Analysis (SEAC).

In addition, the Management Board renewed the membership of one RAC member (Mr Michal MARTINEK (SK)), as well as that of one SEAC member (Mr Benjamin DELCOURT (BE)).

### 6. IAC annual work plan 2019

The Management Board took note of a report from its Working Group on Audit and approved the annual work plan for 2019 of the Internal Audit Capability (IAC). The audit topics for 2019 will be Union authorisations (BPR), Forum activities and quality audits with ECHA's Quality manager.

### 7. Revision of the ECHA Policy for managing potential conflicts of interest

The Management Board held an exchange of views on the proposal for the revision of the ECHA Procedure for Prevention and Management of potential conflicts of interest. The revision was not adopted as proposed. The Secretariat will revise the proposal based on the comments received from Board members and circulate it for written comments and adoption.

### 8. ECHA Communications Strategy 2019-2023

The Management Board held an exchange of views on ECHA's draft Communications Strategy 2019-2023 and provided steer for its further development.

### 9. Review of the Management Board working methods

The Management Board held an exchange of views on implementation actions arising from the outcome of the Board's self-evaluation.

## 10. Revision of ECHA's organisational structure

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The Management Board took note of the Secretariat's new organisational structure, applicable from 1 January 2019. It was pointed out that one director position is vacant and the recruitment process is ongoing. The Executive Director will take on the responsibilities in the area of risk management until the post is filled.

## 11. Other topics

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- The Management Board thanked and bid farewell to Mr Peter SMITH (Cefic) and Ms Esther LYNCH (ETUC). Both organisations will be represented by a person of trust until the formal end of their mandates, when the Commission will appoint individuals to represent interested parties.
- The Management Board took note of the report from its Working Group on Board of Appeal.
- The Management Board heard the quarterly report on ECHA's progress in implementing the 2018 Work Programme.

With regard to the recent European Parliament resolution on an application for authorisation (AfA) for sodium dichromate, the Management Board decided to review the status of the AfA improvement actions agreed in 2016<sup>3</sup> and determine whether sufficient progress is being made.

- The Management Board took note of a note on the improved functionalities of the Portal Dashboard – National Enforcement Authorities (PD-NEA) tool.
- The Management Board took note of the positive outcome of the Written Procedure MB/WP/05/2018 on the third amendment of the 2018 Procurement Plan.
- The Management Board took note of an update from its Advisory Group on the building project regarding ECHA's future building.
- The Management Board took note of an update from the Secretariat on ECHA's preparedness for the UK's withdrawal from the EU.
- The Management board took note of a background paper for a ministerial lunch debate on REACH, organised by the Austrian Presidency of the Council of the EU on 20 December.
- The Management Board took note of its meeting dates for 2019 as well as the planned meeting dates for 2020.

Meeting dates <b>2019</b>	Planned meeting dates <b>2020</b>
28-29 March	26-27 March
19-20 June	17-18 June
26-27 September	24-25 September
12-13 December	16-17 December

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<sup>3</sup> See MB/M/01/2016, MB/05/2016 and MB/52/2016.