

RULES OF PROCEDURE FOR THE COMMITTEE FOR RISK ASSESSMENT

Article 1

Responsibilities

In accordance with Article 76(1) of Regulation 1907/2006 the Committee for Risk Assessment (hereinafter, referred to as “the Committee”) shall be responsible for preparing the opinion of the European Chemicals Agency (hereinafter, referred to as “the Agency”) on evaluations, applications for authorisation, proposals for restrictions and proposals for classification and labelling, and any other questions that arise from the operation of that Regulation relating to risks to human health or the environment.

Article 2

Tasks

The Committee, in accordance with Article 77(3) of Regulation 1907/2006 and Article 37(4) of Regulation 1272/2008, shall undertake the following tasks:

- a) performing the tasks allotted to it under Titles¹ VI to X of Regulation 1907/2006;
- b) performing the task allotted to it under Title V of Regulation 1272/2008;
- c) at the Executive Director's request, providing technical and scientific support for steps to improve cooperation between the Community, its Member States, international organisations and third countries on scientific and technical issues relating to the safety of substances, as well as active participation in technical assistance and capacity building activities on sound management of chemicals in developing countries;
- d) at the Executive Director's request, drawing up an opinion on any other aspects concerning the safety of substances on their own, in preparations or in articles.

¹ It should be noted that tasks are allotted to the Committee under Titles VII, VIII and X

Article 3

Membership

1. In accordance with Article 85(1) and (4) of Regulation 1907/2006, the Committee is composed of members appointed by the Management Board of the Agency (hereinafter, referred to as the “Management Board”) and a maximum of five additional members co-opted by the Committee. Only members (including co-opted members) have voting rights.
2. Members nominated by the EEA-EFTA States that are Iceland, Liechtenstein and Norway have the same rights and obligations as other members except the right to vote.

Article 4

Co-opting members

1. In accordance with Article 85(4) of Regulation 1907/2006 the Committee shall aim to have a broad range of relevant expertise among their members. To this end the Committee may co-opt a maximum of five additional members chosen on the basis of their specific competence.
2. The Committee may decide whether additional members should be co-opted and shall agree on the required specific competences and on the selection procedure by two-thirds majority of all members having the right to vote.
3. Co-opted members shall be appointed for a term of three years, which may be renewed by the Committee, if it decides that the specific competence of the co-opted member continues to be necessary for the Committee.
4. These additional members can be co-opted at any point in time up to a maximum of five.

Article 5

Term of office, and replacing and adding members

1. In accordance with Article 85(4) of Regulation 1907/2006, the term of office of the members of the Committee shall be three years starting on the date of the appointment by the Management Board. The appointment shall be renewable.
2. A member’s term of office shall end before the expiry of the three-year period with his or her resignation, submitted in writing to the Agency, or death. Following a justified proposal from the Chair the Executive Director of the Agency may request a member to resign if the member is not fulfilling his/her duties. The Member State may nominate a replacement candidate in accordance with Article 5(3).
3. Member States which have no or only one appointed member in the Committee, may nominate one or more candidates at any point in time. After receiving nominations, the Executive Director of the Agency shall request the Management Board to decide on the appointment of new members.
4. Members are appointed for their qualifications and therefore shall not have alternates. The members may, in exceptional cases when they are prevented from participating in a meeting of the Committee, identify in advance a person who may, without the need to have a recourse to the procedure laid down in Article 6(3), be invited by the Chair to participate in a meeting as an invited expert.

Article 6

Other participants to the meetings

1. The meetings of the Committee and its working groups shall be open to advisers, invited experts and observers, as specified in paragraphs 2 to 9.
2. Advisers are participants of the Committee meetings or its working groups accompanying members to provide advice on scientific, technical or regulatory matters. The members shall notify the names of their advisers to the Secretariat before the meeting which they are due to attend.
3. Invited experts are experts in technical or scientific fields who can, upon proposal of a member or the Secretariat and in agreement with the Committee, be invited by the Chair to participate for one or more points of the agenda in a meeting of the Committee or its working groups.
4. Observers are other participants of the meetings of the Committee or its working groups under paragraphs 5 to 9 who are not members, advisers or invited experts.
5. The Executive Director and his representatives and representatives of the Commission shall be entitled to take part in the meetings of the Committee and its working groups as observers.
6. Representatives of stakeholder organisations may be admitted as observers to the meeting of the Committee or its working groups upon request of members of the Committee or the Management Board. These stakeholder observers shall conform to the 'ECHA Code of Conduct for observers from stakeholder organisations at ECHA meetings'.
7. Applicants for authorisation and, where relevant, other case-owners may be admitted as observers when their application or case is addressed by the Committee.
8. Pursuant to Articles 106 and 107 of Regulation 1907/2006, representatives of third countries and international organisations may take part as observers if the Management Board has invited them, in agreement with the Committee, to participate in the work of the Agency.
9. Other observers may be admitted upon request of a member of the Committee or of the Chair.
10. The Committee shall agree by two-thirds majority of all members having the right to vote on the procedure for the admission of observers referred to in paragraphs 6, 7 and 9.
11. The Chair may decide to hold the meeting or parts thereof in a closed session.
12. Invited experts and observers referred to in paragraphs 6 to 9 shall have the same access to the documents of the meeting or the documents for the relevant agenda points that they take part in as the members, except in relation to the issues that the Chair identifies as confidential or where their participation is excluded. Advisers' access to documents is at the discretion of the respective member.

Article 7

Chair

1. In accordance with Article 85(9) of Regulation 1907/2006, the Committee shall be chaired by an employee of the Agency, assigned by the Executive Director.
2. In case of absence of the Chair, the Executive Director will assign a replacement.

Article 8

Responsibilities of Chair

The Chair is responsible for the efficient conduct of the business of the Committee and shall in particular:

- a) plan the work of the Committee together with the members and the Secretariat;
- b) monitor that the Rules of Procedure are respected and propose measures in case of breach;
- c) ensure that at the beginning of each meeting any potential conflict of interest is declared regarding any particular item to be discussed by the Committee;
- d) ensure that the work of the Committee is consistent with its tasks indicated in Article 77(3) of Regulation 1907/2006, including the requests from the Executive Director;
- e) ensure, together with the Committee and the Secretariat, the regulatory and scientific consistency of the Committee's opinions and recommendations;
- f) ensure that scientific grounds are adequately reflected in the Committee opinions;
- g) co-ordinate together with the Secretariat the work of the Committee with that of other Committees of the Agency and the Forum for Exchange of Information on Enforcement as well as with other relevant Community committees or bodies;
- h) facilitate adoption of opinions within the set deadline and endeavour to reach consensus in the opinions of the Committee;
- i) execute any powers entrusted to the Chair by the Committee, such as representing the Committee towards other parties.

Article 9

Independence

1. Based on Article 88(2) of Regulation 1907/2006, members shall make a declaration of commitment to fulfill their duties and a declaration of interests which could be considered to be prejudicial to their independence. The declarations shall be made in accordance with the models contained in Annex 1 and Annex 2. These declarations shall be made annually in writing and be entered in a register held by the Agency. In addition, the declarations of interests shall be published on the Agency's website without prejudice to Article 11(1).
2. According to Article 88(3) of Regulation 1907/2006, members, their advisers and invited experts participating in the meeting shall declare at each meeting any interest which could be considered to be prejudicial to their independence² with respect to any

² 'ECHA Guidance on conflicts of interest for ECHA Committees and Forum members, their advisers and invited experts' provides guidance on identifying interests that could potentially present conflicts.

point on the agenda. Any members declaring such interests shall not participate in any voting on the relevant agenda point. The Chair may decide if other measures are necessary.

3. According to Article 87(1) of Regulation 1907/2006, for each case, the rapporteur and co-rapporteur referred to in Article 17 shall undertake to act in the interest of the Community and shall make a declaration of commitment to fulfil their duties and a declaration of interests in writing. A member of the Committee shall not be appointed as rapporteur for a particular case if he indicates any interest that might be prejudicial to the independent consideration of that case.
4. Following Article 85(7) of Regulation 1907/2006, members, their advisers and invited experts of the Committee or its working groups shall not accept from any Member States any instructions incompatible with their individual tasks or with the tasks, responsibilities and independence of the Agency. Similarly, these persons should refrain from accepting any such instructions from any other parties.
5. Members who work as private consultants or who are employed by a consultancy company (including employees of universities or public institutes) and provide such services and who currently have contracts with chemical industry or downstream users associations, chemical companies, or other potential registrants or authorisation applicants, or other bodies which can be considered as an interest group in the context of the field dealt with by the Committee, should withdraw from current contracts and refrain from entering into any new contracts with the aforementioned legal entities.
6. Members may not be employed by a private enterprise that could have any direct interest in matters dealt with by the Committee nor by an industry association or other body which can be considered as an interest group in the context of the field dealt with by the Committee. The member shall, in principle, resign from the Committee before entering into service in any such enterprise or association.
7. Individual members or the Chair can be mandated by the Committee to represent the Committee on specific issues and/or occasions.

Article 10

Confidentiality

1. Members, their advisers, invited experts and observers of the Committee and its working groups shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission and Community bodies, any information acquired as a result of their work in the Committee unless otherwise stipulated in Community or national law or already publicly available. They shall make a written declaration of confidentiality in accordance with a model laid down in Annex 3.
2. The obligation to maintain confidentiality shall continue to apply even after participation of members, their advisers, invited experts and observers in the work or in the meetings of the Committee has ceased.

Article 11

Transparency

1. In accordance with Article 88(1) of Regulation 1907/2006, the membership shall be made public unless the Executive Director decides not to publish the appointment at a request of an individual member.
2. The Committee shall operate in accordance with the need for a high level of transparency, without prejudice to legitimate requests for confidentiality or the independence of members, their advisers and invited experts vis-à-vis external influence.
3. The following documents of the Committee shall be published on the Agency's web site, subject to respect of confidentiality requirements:
 - Rules of Procedure;
 - Final minutes of plenary meetings, including the list of attendees and any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - Draft agendas;
 - Final opinions;
 - The annual declaration of interests in accordance with Article 9(1) of these Rules of Procedure;
 - The names of the members of the Committee together with their brief CVs.
4. With the exception of minority positions referred to in Article 19, individual views, whether expressed orally or in writing by members or experts during deliberations within the Committee or a working group, shall not be ascribed to a particular individual, unless this is explicitly requested by the individual.

Article 12

Invitations to meetings

1. The meetings of the Committee shall be convened by invitation from the Chair or, alternatively, by the Executive Director at the request of a majority of the members.
2. The invitation to an ordinary meeting shall be circulated no later than 21 calendar days before the meeting.
3. In urgent cases, and where the measures to be adopted need to apply immediately, the Executive Director may, at the request of a member of the Committee or on his own initiative, shorten the time limit for invitations to a minimum of seven calendar days before the start of the meeting.

Article 13

Agenda for ordinary meetings

1. A provisional agenda shall be drawn up by the Chair and circulated to the Committee together with the invitation to the meeting.
2. Members may request items to be included in the agenda. Such requests shall be submitted to the Secretariat at an appropriate time but no later than 12 calendar days before the meeting.
3. A final draft agenda shall be established by the Chair and circulated no later than ten calendar days before the meeting. The agenda shall be adopted at the beginning of each meeting.
4. If the Committee so decides, urgent questions may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 14

Documentation to the meetings

Documentation to the meeting shall be made available as early as possible to allow preparation for the meeting. With due consideration of their volume, documents shall normally be made available at least ten calendar days before the meeting.

Article 15

Agenda and documentation for urgent meetings

The draft agenda and documents for an urgent meeting referred to in Article 12(3) shall be circulated together with the invitation at the latest seven calendar days before the start of the meeting.

Article 16

Minutes

1. Minutes of each meeting shall as a general rule include:
 - a) any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - b) a summary record of the proceedings;
 - c) the opinions reached by the Committee;
 - d) the list of attendees;
 - e) action points.
2. Taking into account Article 6(12), draft minutes shall be distributed to participants of the meeting no later than 28 calendar days after the meeting. Written comments shall be provided to the Secretariat within the specified deadline which shall be a minimum of seven calendar days. The minutes shall be approved at a following meeting or by a written procedure.

Article 17

Rapporteurs

1. According to Article 87(1) of Regulation 1907/2006, where the Committee is required to provide an opinion or consider whether a dossier conforms to the requirements of Annex XV, it shall identify and appoint one of its members as a rapporteur as early as possible. The Committee may appoint a second member to act as co-rapporteur.
2. The Committee shall agree by two thirds majority of the members present having the right to vote on details of the roles and tasks of the rapporteurs and possible co-rapporteurs, and on how they are appointed.
3. Any remuneration of the rapporteur and co-rapporteur or their employer shall be based on the rules established by the Management Board and laid down in a written contract between the Agency and the person concerned or his/her employer.
4. The Committee may replace the rapporteur or co-rapporteur by another one of its members at any time, if, for example, they are unable to fulfil their duties within the prescribed time limits, or if an interest that might be prejudicial to the independent consideration of a case comes to light.
5. The Committee may decide to designate a working group to support the rapporteur and co-rapporteur in their task.
6. Where relevant and in view of Articles 64(3) and 71(3) of Regulation 1907/2006, the rapporteur and co-rapporteur shall co-operate with the rapporteur and co-rapporteur of the Committee for Socio-economic Analysis in order to ensure the necessary coordination when the opinions are prepared.

Article 18

Working groups

1. Where appropriate, the Committee may establish ad hoc or permanent working groups as well as subgroups to these working groups. A working group shall be chaired by a member of the Committee or the Secretariat and shall report to the Committee.
2. The mandate, composition and the objectives of a working group as well as the duration of its activity shall be determined and reviewed periodically by the Committee. The Committee decision establishing the mandate and objectives of a working group shall also include its composition and shall be recorded in the minutes of the meeting.
3. Working groups are composed of volunteering members of the Committee and invited experts on the basis of the required expertise. The working group members should then receive an invitation from the Chair of the Committee.
4. Any remuneration of invited experts serving on a working group shall be based on the rules established by the Management Board and laid down in a written contract between the Agency and the person concerned or his/her employer.
5. Draft agendas, meeting dates and minutes of the working group meetings shall be made available to the Committee.
6. Working groups under the Committee and their subgroups shall apply the Rules of Procedure of the Committee, as applicable.

Article 19

Quorum and opinions or decisions of the Committee

1. The quorum necessary for a meeting is achieved when at least sixty percent of all members having the right to vote are present at the meeting at the time of the agenda point in question.
2. Members having declared a conflict of interest regarding an agenda point under Article 9(2) shall not be regarded as a part of the quorum for the purposes described under paragraph 1, and shall not participate in voting on that agenda point.
3. If the quorum is not achieved, the Chair may decide to immediately launch a written procedure in accordance with Article 20.
4. When preparing an opinion the Committee shall use its best endeavours to reach a consensus.
5. Unless these Rules of Procedure specify otherwise, if consensus cannot be reached, the opinion adopted by the Committee shall consist of the position of the simple majority of all members having the right to vote, including their grounds. Members not supporting the majority position shall present their minority position(s), including their grounds, which shall be recorded and published.
6. Unless these Rules of Procedure specify otherwise, decisions on any procedural issues need to be supported by a simple majority of all members having the right to vote.

Article 20

Written Procedure

1. The Committee can adopt opinions and take other decisions by written procedure. To this end, the Chair of the Committee shall send the members the draft documents on which their opinion is sought and indicate the response period.
2. The period shall normally not be shorter than ten calendar days. In case of urgency, or if agreed beforehand by the Committee by consensus, the period can be shortened to a minimum of five calendar days.
3. In case of adoption of opinions, at least sixty percent of the members having the right to vote have to respond for the procedure to be regarded as valid. If the opinion is not adopted by consensus, the position of the simple majority of all members having the right to vote, including their grounds, and the minority position(s), including their grounds, shall be duly recorded in the written procedure report.
4. In case of taking other decisions, any member who does not comment within the response period is considered to have given his tacit agreement to the document. A document is agreed by consensus when the members having the right to vote have agreed expressly or tacitly. In the event of non-consensus, Article 19(5) shall apply.
5. In case major and justified objections are submitted to the Secretariat, the Chair shall decide, in agreement with the rapporteur and co-rapporteur, whether the written procedure should be suspended and the adoption of the draft opinion or decision postponed to the next meeting of the Committee.

6. The Secretariat shall inform the Committee of the outcome of the written procedure and forward the written procedure report, including any opinion or decisions, to the Committee for its next meeting.

Article 21

Reimbursement

The Agency shall reimburse members of the Committee and, where appropriate, other participants invited to attend meetings of the Committee in accordance with the rules adopted by the Management Board on the reimbursement of travel and other expenses.

Article 22

General provisions

1. The Rules of Procedure or any amendment to them shall apply from the date they have been approved by the Management Board.
2. The decision to amend these Rules of Procedure shall be taken by a two thirds majority of all members having the right to vote. Amendment of the Rules of Procedure shall be approved by the Management Board.

ANNEX 1 Declaration of commitment form
ANNEX 2 Declaration of interests form
ANNEX 3 Declaration of confidentiality form

**ANNUAL DECLARATION OF COMMITMENT OF ECHA
COMMITTEE FOR RISK ASSESSMENT MEMBERS**

I, hereby declare that I shall make all reasonable efforts to fulfil my duties as a member of the Committee for Risk Assessment of the European Chemicals Agency.

More particularly, I undertake to exercise the functions entrusted to me by the Committee for Risk Assessment and not to seek or accept any instructions incompatible with my individual tasks or with the tasks of the Risk Assessment Committee from any other party.

I understand that this Declaration will be entered in a register held by the European Chemicals Agency which is accessible to the public, on request, at the Agency's offices.

Done at _____ on ____/____ 200__

Signature: _____

ANNUAL DECLARATION OF INTERESTS OF ECHA COMMITTEES AND FORUM MEMBERS

Title (Ms., Mr., Dr., Prof.):

First Name:

Surname:

Position:

- Member of the Committee for Risk Assessment
- Member of the Committee for Socio-economic Analysis
- Member of the Member State Committee
- Member of a Forum for Exchange of Information on Enforcement

hereby declares to have the following interests

1. Work and activities in organisations relevant to the operating area of ECHA during the past 5 years³:

Name of organisation	Position/Tasks	Period

2. Financial interests in a company relevant to the operating area of ECHA during the past 5 years and exceeding 50 000 € and/or voting right of 5 % or more per company⁴:

Name of the company	Current/Past

3. Other interests or facts whether or not related to such organisations⁵ which you consider should be made known to the Agency, including matters relating to the members of your household⁶:

.....

I,, hereby declare on my honour that, to the best of my knowledge, the only direct or indirect interests I have in organisations relevant to the operating area of ECHA related to my position referred to above are those listed above.

³ Work and activities, whether or not remunerated, for and/or on behalf of such a company or organisation and other links with the industry and organisations of REACH relevance. See points 3.3 and 3.4 of the ECHA Guidance on conflicts of interest
⁴Investment funds excluded. See point 3.2 of the ECHA Guidance on conflicts of interest.
⁵ See point 3.6 of the ECHA Guidance on conflicts of interest.
⁶ A household member means: spouse, partner, or child living at the same address as the Committee/Forum member concerned. The names of these persons do not need to be declared.

I further declare that should any changes occur and should it appear that I have or acquire additional interests that should be made known to the Agency, I shall forthwith declare them and complete a new declaration of interests detailing the changes.

I understand that this declaration will be published on the European Chemicals Agency's website and entered in a register held by the Agency which is accessible to the public, on request, at the Agency's offices.

Signature:.....

Date:.....

**DECLARATION OF CONFIDENTIALITY OF ECHA
COMMITTEE FOR RISK ASSESSMENT MEMBERS, THEIR
ADVISERS, INVITED EXPERTS AND OBSERVERS**

I, hereby declare that I shall undertake to exercise the greatest discretion with regard to all facts and information coming to my knowledge in the course of or in connection with the performance of my duties a member/adviser/invited expert/observer⁷ of the Committee for Risk Assessment of the European Chemicals Agency. I shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission and Community bodies, any information acquired as a result of my work in the Committee unless otherwise stipulated in Community or national law or already publicly available. I accept without reservation that I continue to be bound by this obligation also after these duties have ceased.

Done at _____ on ____/____ 200__

Signature: _____

Position: _____

⁷ Strike through the text that is not relevant.

RULES OF PROCEDURE FOR THE COMMITTEE FOR SOCIO-ECONOMIC ANALYSIS

Article 1

Responsibilities

In accordance with Article 76(1) of Regulation 1907/2006, the Committee for Socio-economic Analysis (hereinafter, referred to as “the Committee”) shall be responsible for preparing the opinion of the European Chemicals Agency (hereinafter, referred to as “the Agency”) on applications for authorisation, proposals for restrictions, and any other questions that arise from the operation of that Regulation relating to the socio-economic impact of possible legislative action on substances.

Article 2

Tasks

The Committee, in accordance with Article 77(3) of Regulation 1907/2006, shall undertake the following tasks:

- a) performing the tasks allotted to it under Titles¹ VI to XI of Regulation 1907/2006;
- b) at the Executive Director's request, providing technical and scientific support for steps to improve cooperation between the Community, its Member States, international organisations and third countries on scientific and technical issues relating to the safety of substances, as well as active participation in technical assistance and capacity building activities on sound management of chemicals in developing countries;
- c) at the Executive Director's request, drawing up an opinion on any other aspects concerning the safety of substances on their own, in preparations or in articles.²

Article 3

Membership

1. In accordance with Article 85(2) and (4) of Regulation 1907/2006, the Committee is composed of members appointed by the Management Board of the Agency (hereinafter, referred to as the “Management Board”) and a maximum of five additional members co-opted by the Committee. Only members (including co-opted members) have voting rights.
2. Members nominated by the EEA-EFTA States that are Iceland, Liechtenstein and

¹ It should be noted that tasks are allotted to the Committee under Titles VII, VIII and X.

² The Committee would deal with tasks described in (b) and (c) as far as socio-economic aspects are concerned.

Norway have the same rights and obligations as other members except the right to vote.

Article 4

Co-opting members

1. In accordance with Article 85(4) of Regulation 1907/2006, the Committee shall aim to have a broad range of relevant expertise among their members. To this end the Committee may co-opt a maximum of five additional members chosen on the basis of their specific competence.
2. The Committee may decide whether additional members should be co-opted and shall agree on the required specific competences and on the selection procedure by two-thirds majority of all members having the right to vote.
3. Co-opted members shall be appointed for a term of three years, which may be renewed by the Committee, if it decides that the specific competence of the co-opted member continues to be necessary for the Committee.
4. These additional members can be co-opted at any point in time.

Article 5

Term of office, and replacing and adding members

5. In accordance with Article 85(4) of Regulation 1907/2006, the term of office of the members of the Committee shall be three years starting on the date of the appointment by the Management Board. The appointment shall be renewable.
6. A member's term of office shall end before the expiry of the three-year period with his or her resignation, submitted in writing to the Agency, or death. Following a justified proposal from the Chair, the Executive Director of the Agency may request a member to resign if the member is not fulfilling his/her duties. The Member State may nominate a replacement candidate in accordance with Article 5(3).
7. Member States which have no or only one appointed member in the Committee, may nominate one or more candidates at any point in time. After receiving nominations, the Executive Director of the Agency shall request the Management Board to decide on the appointment of new members.
8. Members are appointed for their qualifications and therefore shall not have alternates. The members may, in exceptional cases when they are prevented from participating in a meeting of the Committee, identify in advance a person who may, without the need to have a recourse to the procedure laid down in Article 6(3), be invited by the Chair to participate in a meeting as an invited expert.

Article 6

Other participants to the meetings

1. The meetings of the Committee and its working groups shall be open to advisers, invited experts and observers, as specified in paragraphs 2 to 9.
2. Advisers are participants of the Committee meetings or its working groups accompanying members to provide advice on scientific, technical or regulatory matters. The members shall notify the names of their advisers to the Secretariat before

the meeting which they are due to attend.

3. Invited experts are experts in technical or scientific fields who can, upon proposal of a member or the Secretariat and in agreement with the Committee, be invited by the Chair to participate for one or more points of the agenda in a meeting of the Committee or its working groups.
4. Observers are other participants of the meetings of the Committee or its working groups under paragraphs 5 to 9 who are not members, advisers or invited experts.
5. The Executive Director and his representatives and representatives of the Commission shall be entitled to take part in the meetings of the Committee and its working groups as observers.
6. Representatives of stakeholder organisations may be admitted as observers to the meeting of the Committee or its working groups upon request of members of the Committee or the Management Board. These stakeholder observers shall conform to the ECHA “Code of conduct for observers from stakeholder organizations at ECHA meetings”.
7. Applicants for authorisation and, where relevant, other case owners may be admitted as observers when their application or case is addressed by the Committee.
8. Pursuant to Articles 106 and 107 of Regulation 1907/2006, representatives of third countries and international organisations may take part as observers if the Management Board has invited them, in agreement with the Committee, to participate in the work of the Agency.
9. Other observers may be admitted upon request of a member of the Committee or of the Chair.
10. The Committee shall agree by two-thirds majority of all members having the right to vote on the procedure for the admission of observers referred to in paragraphs 6, 7 and 9.
11. The Chair may decide to hold the meeting or parts thereof in a closed session.
12. Invited experts and observers referred to in paragraphs 6 to 9 shall have the same access to the documents of the meeting or the documents for the relevant agenda points that they take part in as the members, except in relation to the issues that the Chair identifies as confidential or where their participation is excluded. Advisers’ access to documents is at the discretion of the respective member.

Article 7

Chair

1. In accordance with Article 85(9) of Regulation 1907/2006, the Committee shall be chaired by an employee of the Agency, assigned by the Executive Director.
2. In case of absence of the Chair, the Executive Director will assign a replacement.

Article 8
Responsibilities of Chair

The Chair is responsible for the efficient conduct of the business of the Committee and shall in particular:

- a) plan the work of the Committee together with the members and the Secretariat;
- b) monitor that the Rules of Procedure are respected and propose measures in case of breach;
- c) ensure that at the beginning of each meeting any potential conflict of interest is declared regarding any particular item to be discussed by the Committee;
- d) ensure that the work of the Committee is consistent with its tasks indicated in Article 77(3) of Regulation 1907/2006, including the requests from the Executive Director;
- e) ensure, together with the Committee and the Secretariat, the regulatory and scientific consistency of the Committee's opinions and recommendations;
- f) ensure that scientific grounds are adequately reflected in the Committee opinions;
- g) co-ordinate together with the Secretariat the work of the Committee with that of other Committees of the Agency and the Forum for Exchange of Information on Enforcement as well as with other relevant Community committees or bodies;
- h) facilitate adoption of opinions within the set deadline and endeavour to reach consensus in the opinions of the Committee;
- i) execute any powers entrusted to the Chair by the Committee, such as representing the Committee towards other parties.

Article 9
Independence

1. Based on Article 88(2) of Regulation 1907/2006, members shall make a declaration of commitment to fulfill their duties and a declaration of interests which could be considered to be prejudicial to their independence. The declarations shall be made in accordance with the models contained in Annex 1 and Annex 2. These declarations shall be made annually in writing and be entered in a register held by the Agency. In addition, the declarations of interests shall be published on the Agency's website without prejudice to Article 11(1).
2. According to Article 88(3) of Regulation 1907/2006, members, their advisers and invited experts participating in the meeting shall declare at each meeting any interest which could be considered to be prejudicial to their independence³ with respect to any point on the agenda. Any members declaring such interests shall not participate in any voting on the relevant agenda point. The Chair may decide if other measures are necessary.
3. According to Article 87(1) of Regulation 1907/2006, for each case, rapporteurs and co-rapporteurs referred to in Article 17 shall undertake to act in the interest of the Community and shall make a declaration of commitment to fulfil their duties and a declaration of interests in writing. A member of the Committee shall not be appointed as rapporteur for a particular case if he indicates any interest that might be prejudicial to the independent consideration of that case.

³ "ECHA Guidance on conflicts of interest for ECHA Committees and Forum members, their advisers and invited experts" provides guidance on identifying interests that could potentially present conflicts.

4. Following Article 85(7) of Regulation 1907/2006, members, their advisers and invited experts of the Committee or its working groups shall not accept from any Member States any instructions incompatible with their individual tasks or with the tasks, responsibilities and independence of the Agency. Similarly, these persons should refrain from accepting any such instructions from any other parties.
5. Members who work as private consultants or who are employed by a consultancy company (including employees of universities or public institutes) and provide such services and who currently have contracts with chemical industry or downstream users associations, chemical companies, or other potential registrants or authorisation applicants, or other bodies which can be considered as an interest group in the context of the field dealt with by the Committee, should withdraw from current contracts and refrain from entering into any new contracts with the aforementioned legal entities.
6. Members may not be employed by a private enterprise that could have any direct interest in matters dealt with by the Committee nor by an industry association or other body which can be considered as an interest group in the context of the field dealt with by the Committee. The member shall, in principle, resign from the Committee before entering into service in any such enterprise or association.
7. Individual members or the Chair can be mandated by the Committee to represent the Committee on specific issues and/or occasions.

Article 10

Confidentiality

1. Members, their advisers, invited experts and observers of the Committee and its working groups shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission and Community bodies any information acquired as a result of their work in the Committee unless otherwise stipulated in Community or national law or already publicly available. They shall make a written declaration of confidentiality in accordance with a model laid down in Annex 3.
2. The obligation to maintain confidentiality shall continue to apply even after participation of members, their advisers, invited experts and observers in the work or in the meetings of the Committee has ceased.

Article 11

Transparency

1. In accordance with Article 88(1) of Regulation 1907/2006, the membership shall be made public unless the Executive Director decides not to publish the appointment at a request of an individual member.
2. The Committee shall operate in accordance with the need for a high level of transparency, without prejudice to legitimate requests for confidentiality or the independence of members, their advisers and invited experts vis-à-vis external influence.
3. The following documents of the Committee shall be published on the Agency's web site, subject to respect of confidentiality requirements:
 - Rules of Procedure;

- Final minutes of plenary meetings, including the list of attendees and any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - Draft agendas;
 - Final opinions;
 - The annual declaration of interests in accordance with Article 9(1);
 - The names of the members of the Committee together with their brief CVs.
4. With the exception of minority positions referred to in Article 19, individual views, whether expressed orally or in writing by members or experts during deliberations within the Committee or a working group, shall not be ascribed to a particular individual, unless this is explicitly requested by the individual.

Article 12

Invitations to meetings

1. The meetings of the Committee shall be convened by invitation from the Chair or, alternatively, by the Executive Director at the request of a majority of the members.
2. The invitation to an ordinary meeting shall be circulated no later than 21 calendar days before the meeting.
3. In urgent cases, and where the measures to be adopted need to apply immediately, the Executive Director may, at the request of a member of the Committee or on his own initiative, shorten the time limit for invitations to a minimum of seven calendar days before the start of the meeting.

Article 13

Agenda for ordinary meetings

1. A provisional agenda shall be drawn up by the Chair and circulated to the Committee together with the invitation to the meeting.
2. Members may request items to be included in the agenda. Such requests shall be submitted to the Secretariat at an appropriate time but no later than 12 calendar days before the meeting.
3. A final draft agenda shall be established by the Chair and circulated no later than ten calendar days before the meeting. The agenda shall be adopted at the beginning of each meeting.
4. If the Committee so decides, urgent questions may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 14

Documentation to the meetings

Documentation to the meeting shall be made available as early as possible to allow preparation for the meeting. With due consideration of their volume, documents shall normally be made available at least ten calendar days before the meeting.

Article 15

Agenda and documentation for urgent meetings

The draft agenda and documents for an urgent meeting referred to in Article 12(3) shall be circulated together with the invitation at the latest seven calendar days before the start of the meeting.

Article 16

Minutes

1. Minutes of each meeting shall as a general rule include:
 - a) any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - b) a summary record of the proceedings;
 - c) the opinions reached by the Committee;
 - d) the list of attendees;
 - e) action points.
2. Taking into account Article 6(12), draft minutes shall be distributed to participants of the meeting no later than 28 calendar days after the meeting. Written comments shall be provided to the Secretariat within the specified deadline which shall be a minimum of seven calendar days. The minutes shall be approved at a following meeting or by a written procedure.

Article 17

Rapporteurs

1. According to Article 87(1) of Regulation 1907/2006, where the Committee is required to provide an opinion or consider whether a dossier conforms to the requirements of Annex XV, it shall identify and appoint one of its members as a rapporteur as early as possible. The Committee may appoint a second member to act as co-rapporteur.
2. The Committee shall agree by two thirds majority of the members present having the right to vote on details of the roles and tasks of the rapporteurs and possible co-rapporteurs, and on how they are appointed.
3. Any remuneration of the rapporteur and co-rapporteur or their employer shall be based on the rules established by the Management Board and laid down in a written contract between the Agency and the person concerned or his/her employer.
4. The Committee may replace the rapporteur or co-rapporteur by another one of its members at any time, if, for example, they are unable to fulfil their duties within the prescribed time limits, or if an interest that might be prejudicial to the independent consideration of a case comes to light.
5. The Committee may decide to designate a working group to support the rapporteur and co-rapporteur in their task.
6. Where relevant and in view of Articles 64(3) and 71(3) of Regulation 1907/2006, the rapporteur and co-rapporteur shall co-operate with the rapporteur and co-rapporteur of the Committee for Risk Assessment in order to ensure the necessary coordination when the opinions are prepared.

Article 18

Working groups

1. Where appropriate, the Committee may establish ad hoc or permanent working groups as well as subgroups to these working groups. A working group shall be chaired by a member of the Committee or the Secretariat and shall report to the Committee.
2. The mandate, composition and the objectives of a working group as well as the duration of its activity shall be determined and reviewed periodically by the Committee. The Committee decision establishing the mandate and objectives of a working group shall also include its composition and shall be recorded in the minutes of the meeting.
3. Working groups are composed of volunteering members of the Committee and invited experts on the basis of the required expertise. The working group members should receive an invitation from the Chair of the Committee.
4. Any remuneration of invited experts serving on a working group shall be based on the rules established by the Management Board and laid down in a written contract between the Agency and the person concerned or his/her employer.
5. Draft agendas, meeting dates and minutes of the working group meetings shall be made available to the Committee.
6. Working groups under the Committee and their subgroups shall apply the Rules of Procedure of the Committee, as applicable.

Article 19

Quorum and opinions or decisions of the Committee

1. The quorum necessary for a meeting is achieved when at least sixty percent of all members having the right to vote are present at the meeting at the time of the agenda point in question.
2. Members having declared a conflict of interest regarding an agenda point under Article 9(2) shall not be regarded as a part of the quorum for the purposes described under paragraph 1, and shall not participate in voting on that agenda point.
3. If the quorum is not achieved, the Chair may decide to immediately launch a written procedure in accordance with Article 20.
4. When preparing an opinion the Committee shall use its best endeavours to reach a consensus.
5. Unless these Rules of Procedure specify otherwise, if consensus cannot be reached, the opinion adopted by the Committee shall consist of the position of the simple majority of all members having the right to vote, including their grounds. Members not supporting the majority position shall present their minority position(s), including their grounds, which shall be recorded and published.
6. Unless these Rules of Procedure specify otherwise, decisions on any procedural issues need to be supported by a simple majority of all members having the right to vote.

Article 20

Written Procedure

1. The Committee can adopt opinions and take other decisions by written procedure. To this end, the Chair of the Committee shall send the members the draft documents on which their opinion is sought and indicate the response period.
2. The period shall normally not be shorter than ten calendar days. In case of urgency, or if agreed beforehand by the Committee by consensus, the period can be shortened to a minimum of five calendar days.
3. In case of adoption of opinions, at least sixty percent of the members having the right to vote have to respond for the procedure to be regarded as valid. If the opinion is not adopted by consensus, the position of the simple majority of all members having the right to vote, including their grounds, and the minority position(s), including their grounds, shall be duly recorded in the written procedure report.
4. In case of taking other decisions, any member who does not comment within the response period is considered to have given his tacit agreement to the document. A document is agreed by consensus when the members having the right to vote have agreed expressly or tacitly. In the event of non-consensus, Article 19(5) shall apply.
5. In case major and justified objections are submitted to the Secretariat, the Chair shall decide, in agreement with the rapporteur and co-rapporteur, whether the written procedure should be suspended and the adoption of the draft opinion or decision postponed to the next meeting of the Committee.
6. The Secretariat shall inform the Committee of the outcome of the written procedure and forward the written procedure report, including any opinion or decisions, to the Committee for its next meeting.

Article 21

Reimbursement

The Agency shall reimburse members of the Committee and where appropriate other participants invited to attend meetings of the Committee in accordance with the rules adopted by the Management Board on the reimbursement of travel and other expenses.

Article 22

General provisions

1. The Rules of Procedure or any amendment to them shall apply from the date they have been approved by the Management Board.
2. The decision to amend these Rules of Procedure shall be taken by a two thirds majority of all members having the right to vote. Amendment of the Rules of Procedure shall be approved by the Management Board.

ANNEX 1 Declaration of commitment form

ANNEX 2 Declaration of interests form

ANNEX 3 Declaration of confidentiality form

**ANNUAL DECLARATION OF COMMITMENT OF ECHA
COMMITTEE FOR SOCIO-ECONOMIC ANALYSIS
MEMBERS**

I, hereby declare that I shall make all reasonable efforts to fulfil my duties as a member of the Committee for Socio-economic Analysis of the European Chemicals Agency.

More particularly, I undertake to exercise the functions entrusted to me by the Committee for Socio-economic Analysis and not to seek or accept any instructions incompatible with my individual tasks or with the tasks of the Committee for Socio-economic Analysis from any other party.

I understand that this Declaration will be entered in a register held by the European Chemicals Agency which is accessible to the public, on request, at the Agency's offices.

Done at _____ on ____/____ 200__

Signature: _____

ANNUAL DECLARATION OF INTERESTS OF ECHA COMMITTEES AND FORUM MEMBERS

Title (Ms., Mr., Dr., Prof.):

First Name:

Surname:

Position:

- Member of the Committee for Risk Assessment
- Member of the Committee for Socio-economic Analysis
- Member of the Member State Committee
- Member of a Forum for Exchange of Information on Enforcement

hereby declares to have the following interests

1. Work and activities in organisations relevant to the operating area of ECHA during the past 5 years⁴:

Name of organisation	Position/Tasks	Period

2. Financial interests in a company relevant to the operating area of ECHA during the past 5 years and exceeding 50 000 € and/or voting right of 5 % or more per company⁵:

Name of the company	Current/Past

3. Other interests or facts whether or not related to such organisations⁶ which you consider should be made known to the Agency, including matters relating to the members of your household⁷:

.....

I,, hereby declare on my honour that, to the best of my knowledge, the only direct or indirect interests I have in organisations relevant to the operating area of ECHA related to my position referred to above are those listed above.

¹ Work and activities, whether or not remunerated, for and/or on behalf of such a company or organisation and other links with the industry and organisations of REACH relevance. See points 3.3 and 3.4 of the ECHA Guidance on conflicts of interest

⁵ Investment funds excluded. See point 3.2 of the ECHA Guidance on conflicts of interest.

⁶ See point 3.6 of the ECHA Guidance on conflicts of interest.

⁷ A household member means: spouse, partner, or child living at the same address as the Committee/Forum member concerned. The names of these persons do not need to be declared.

I further declare that should any changes occur and should it appear that I have or acquire additional interests that should be made known to the Agency, I shall forthwith declare them and complete a new declaration of interests detailing the changes.

I understand that this Declaration **will be published on the European Chemicals Agency's website** and entered in a register held by the Agency which is accessible to the public, on request, at the Agency's offices.

Signature:.....

Date:.....

**DECLARATION OF CONFIDENTIALITY OF ECHA
COMMITTEE FOR SOCIO-ECONOMIC ANALYSIS
MEMBERS, THEIR ADVISERS, INVITED EXPERTS AND
OBSERVERS**

I, hereby declare that I shall undertake to exercise the greatest discretion with regard to all facts and information coming to my knowledge in the course of or in connection with the performance of my duties a member/adviser/invited expert/observer⁸ of the Committee for Socio-economic Analysis of the European Chemicals Agency. I shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission and Community bodies, any information acquired as a result of my work in the Committee unless otherwise stipulated in Community or national law or already publicly available. I accept without reservation that I continue to be bound by this obligation also after these duties have ceased.

Done at _____ on ____/____ 200__

Signature: _____

Position: _____

⁸ Strike through the text that is not relevant.

RULES OF PROCEDURE FOR THE MEMBER STATE COMMITTEE

Article 1

Responsibilities

In accordance with Article 76(1)(e) of Regulation 1907/2006 the Member State Committee (hereinafter, referred to as “the Committee”) shall be responsible for resolving potential divergences of opinions on draft decisions proposed by the Agency or the Member States under Title VI of Regulation 1907/2006 and proposals for identification of substances of very high concern to be subjected to the authorisation procedure under Title VII of Regulation 1907/2006.

Article 2

Tasks

1. The Committee shall undertake the following tasks:
 - a) resolving potential divergences of opinions on draft decisions proposed by the Agency or the Member States on dossier and substance evaluation under Title VI;
 - b) resolving potential divergences of opinions on proposals for identification of substances of very high concern to be subjected to the authorisation procedure under Title VII;
 - c) providing opinions on draft recommendations on priority substances to be included in Annex XIV of Regulation 1907/2006
 - d) providing an opinion on a draft Community rolling action plan for substances which could constitute a risk to human health or the environment, and on any proposed additions to it; and
 - e) seeking agreement in cases where two or more Member States have expressed an interest in evaluating the same substance under substance evaluation.
2. In accordance with Article 77(3) of Regulation 1907/2006, the Committee shall undertake other tasks at the Executive Director's request.

Article 3

Membership

1. In accordance with Article 85(3) and (4) of Regulation 1907/2006, each Member State shall appoint one member to the Committee, and the Committee may co-opt a

maximum of five additional members. Only members (including co-opted members) have voting rights.

2. Members nominated by Iceland, Liechtenstein and Norway have the same rights and obligations as other members except the right for voting.

Article 4

Co-opting members

1. In accordance with Article 85(4) of Regulation 1907/2006 the Committee shall aim to have a broad range of relevant expertise among their members. To this end the Committee may co-opt a maximum of five additional members chosen on the basis of their specific competence.
2. The Committee may decide whether additional members should be co-opted and shall agree on the required specific competences and on the selection procedure by two-thirds majority of all members having the right to vote.
3. Co-opted members shall be appointed for a term of three years, which may be renewed by the Committee, if it decides that the specific competence of the co-opted member continues to be necessary for the Committee.
4. These additional members can be co-opted at any point in time.

Article 5

Term of office, and replacing and adding members

1. In accordance with Article 85(4) of Regulation 1907/2006, the term of office of the members of the Committee shall be three years starting from the date of the first plenary meeting to which they were invited. The appointment shall be renewable.
2. A member's term of office shall end before the expiry of the three-year period with his or her resignation submitted in writing to the Agency or death, or following a communication to the Agency from the Member State concerned indicating another appointment. The new member thus appointed shall start serving a full term of three years starting from the date of the appointment by the Member State.
3. Members shall not have alternates. The members may, in exceptional cases when they are prevented from participating in a meeting of the Committee, identify in advance a person who shall, without the need to have a recourse to the procedure laid down in Article 6(3), be invited by the Chair to participate in a meeting as an invited expert.
4. If prevented from participating in a meeting, members of the Committee having the right to vote may vote by proxy. In addition to his/her own vote each member having the right to vote may cast a maximum of two votes by proxy. The proxy shall be notified to the Chair at the beginning of the meeting and shall be recorded in the minutes.

Article 6

Other participants to the meetings

1. The meetings of the Committee and its working groups shall be open to advisers, invited experts and observers, as specified in paragraphs 2 to 8.

2. Advisers are participants of the Committee meetings or its working groups accompanying members to provide advice on scientific, technical or regulatory matters. The members shall notify the names of their advisers to the Secretariat before the meeting which they are due to attend.
3. Invited experts are experts in technical or scientific fields who can, upon proposal of a member or the Secretariat, be invited by the Chair to participate for one or more points of the agenda in a meeting of the Committee or its working groups.
4. Observers are other participants of the meetings of the Committee or its working groups under paragraphs 5 to 8 who are not members, advisers or invited experts.
5. The Executive Director and his representatives and representatives of the Commission shall be entitled to take part in the meetings of the Committee and its working groups as observers.
6. Representatives of stakeholder organisations may be admitted by the Committee as observers to the meeting of the Committee or its working groups upon request of members of the Committee or the Management Board. These stakeholder observers shall conform to the ECHA Code of conduct for observers from stakeholder organisations at ECHA meetings.
7. Pursuant to Articles 106 and 107 of Regulation 1907/2006, representatives of third countries and international organisations may take part in the meetings as observers if the Management Board has invited them, in agreement with the Committee, to participate in the work of the Agency.
8. Other observers may be admitted upon request of a member of the Committee or of the Chair.
9. The Committee shall agree by two-thirds majority of all members having the right to vote on the procedure for the admission of observers referred to in paragraphs 6 and 8.
10. The Chair may decide to hold the meeting or parts thereof in a closed session
11. Invited experts and observers referred to in paragraphs 6 to 8 shall have the same access to the documents of the meeting or the documents for the relevant agenda points that they take part in as the members, except in relation to the issues that the Chair identifies as confidential or where their participation is excluded. Advisers' access to documents is at the discretion of the respective member.

Article 7

Chair

1. In accordance with Article 85(9) of Regulation 1907/2006, the Committee shall be chaired by an employee of the Agency assigned by the Executive Director.
2. In case of absence of the Chair, the Executive Director will assign a replacement.

Article 8

Responsibilities of Chair

The Chair is responsible for the efficient conduct of the business of the Committee and shall in particular:

- a) plan the work of the Committee together with the members and the Secretariat;

- b) monitor that the Rules of Procedure are respected and propose measures in case of breach;
- c) ensure that at the beginning of each meeting any potential conflict of interest is declared regarding any particular item to be discussed by the Committee;
- d) ensure that the work of the Committee is consistent with its tasks indicated in Article 77(3) of Regulation 1907/2006, including the requests from the Executive Director;
- e) endeavour to ensure, together with the Committee and the Secretariat, consistency of the Committee's work;
- f) ensure that all underlying argumentation is adequately reflected in the deliberations of the Committee;
- g) co-ordinate together with the Secretariat the work of the Committee with that of other Committees of the Agency and the Forum for Exchange of Information on Enforcement as well as with other relevant Community committees or bodies;
- h) facilitate reaching unanimous agreements and providing opinions within the set deadlines; and
- i) execute any additional powers entrusted to the Chair by the Committee.

Article 9

Independence

1. Pursuant to Article 88(2) of Regulation 1907/2006, members shall make a declaration of commitment to fulfil their duties and a declaration of any interests which could be considered to be prejudicial to their independence. The declarations shall be made in accordance with the models contained in Annex 1 and Annex 2. These declarations shall be made annually in writing and be entered in a register held by the Agency. In addition, the declarations of interests shall be published on the Agency's website without prejudice to Article 11(1).
2. According to Article 88(3) of Regulation 1907/2006, members, their advisers and invited experts participating in the meeting shall declare at each meeting any interest which could be considered to be prejudicial to their independence¹ with respect to any point on the agenda. Any members declaring such interests shall not participate in any voting on the relevant agenda point. The Chair may decide if other measures are necessary.
3. According to Article 87(1) of Regulation 1907/2006, for each case, the rapporteur and co-rapporteur referred to in Article 17 shall undertake to act in the interest of the Community and shall make a declaration of commitment to fulfil their duties and a declaration of interests in writing. A member of the Committee shall not be appointed as rapporteur for a particular case if he indicates any interest that might be prejudicial to the independent consideration of that case.
4. Members who work as private consultants or who are employed by a consultancy company (including employees of universities or public institutes providing such services on an occasional basis) and who currently have contracts with the chemical industry or downstream users associations, chemical companies, or other potential registrants or authorisation applicants, or other body which can be considered as an interest group in the context of the field dealt with by the Committee, should withdraw from current contracts and refrain from entering into any new contracts with

¹ "ECHA Guidance on conflicts of interest for ECHA Committees and Forum members, their advisers and invited experts" provides guidance on identifying interests that could potentially present conflicts.

potential registrants, applicants and chemical industry or downstream user associations.

5. Members may not be employed by a private enterprise that could have any direct interest in the matter dealt with by the Committee nor by an industry association or other body which can be considered as an interest group in the context of the field dealt with by the Committee. The member shall resign from the Committee before entering into service in any such enterprise or association.
6. The Chair is representing the Committee towards other parties. Individual members can be mandated by the Chair to represent the Committee on specific issues or occasions.

Article 10

Confidentiality

1. Members, their advisers, experts and observers of the Committee and its working groups shall not disclose to any persons other than representatives of relevant competent authorities of the Member States, the Commission and Community bodies any information acquired as a result of their work in the Committee unless otherwise stipulated in Community or national law or already publicly available. They shall make a written declaration of confidentiality in accordance with a model laid down in Annex 3.
2. The obligation to maintain confidentiality shall continue to apply even after participation of members, their advisers, invited experts and observers in the work or in the meetings of the Committee has ceased.

Article 11

Transparency

1. In accordance with Article 88(1) of Regulation 1907/2006, the membership shall be made public unless the Executive Director decides not to publish the appointment at a request of an individual member.
2. The Committee shall operate in accordance with the need for a high level of transparency, without prejudice to legitimate requests for confidentiality or the independence of members, their advisers and invited experts vis-à-vis external influence.
3. The following documents of the Committee shall be published on the Agency's web site, subject to respect of confidentiality requirements:
 - Rules of Procedure;
 - Final minutes of plenary meetings in accordance with Article 16(1);
 - Draft agendas;
 - The annual declarations of interests in accordance with Article 9(1);
 - The names of the members of the Committee together with their brief CVs.
4. With the exception of minority opinions referred to in Article 19(5), individual views, whether expressed orally or in writing by members or experts during deliberations within the Committee or a working group, shall not be ascribed to a particular individual unless this is explicitly requested by the individual.

Article 12

Invitations to meetings

1. The meetings of the Committee shall be convened by invitation from the Chair or, alternatively, by the Executive Director at the request of a majority of the members.
2. The invitation to an ordinary meeting shall be circulated no later than 15 calendar days before the meeting.
3. In urgent cases when it is necessary to convene the Committee immediately, the Executive Director may, at the request of a member of the Committee or on his own initiative, shorten the time limit for invitations to a minimum of five calendar days before the start of the meeting.

Article 13

Agenda for ordinary meetings

1. A provisional agenda shall be drawn up by the Chair and circulated to the Committee together with the invitation to the meeting.
2. Members may request items to be included in the agenda. Such requests shall be submitted to the Secretariat at an appropriate time but no later than 12 calendar days before the meeting.
3. A final draft agenda shall be established by the Chair and circulated no later than ten calendar days before the meeting. The agenda shall be adopted at the beginning of each meeting.
4. If the Committee so decides, urgent questions may be added to the agenda at any time prior to the end of the meeting, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 14

Documentation to the meetings

Documentation to the meeting shall be made available as early as possible to allow preparation for the meeting. With due consideration of their volume and complexity, documents shall be made available no later than ten calendar days before the meeting. This period can be shortened by the Chair in justified and exceptional cases. Unless the Committee otherwise agrees, documents available less than ten calendar days before the meeting would be for discussion only.

Article 15

Agenda and documentation for urgent meetings

The draft agenda and documents for an urgent meeting referred to in Article 12(3) shall be circulated together with the invitation no later than five calendar days before the start of the meeting.

Article 16

Minutes

1. Final minutes of plenary meetings shall include:
 - a) any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - b) a summary record of the proceedings;
 - c) the agreements and opinions reached by the Committee and their underlying argumentation;
 - d) the list of attendees;
 - e) action points.
2. Taking into account Article 6(11), draft minutes shall be distributed to all participants of the meeting no later than 28 calendar days after the meeting. Written comments shall be provided to the Secretariat within a specified deadline which shall be a minimum of seven calendar days. The minutes shall be approved at a following meeting or by a written procedure.

Article 17

Rapporteurs

1. Pursuant to Article 87(1) of Regulation 1907/2006, where the Committee is required to provide an opinion under Articles 44(2), 45(5), 58(3) or 77(3)(c) of Regulation 1907/2006, it shall identify and appoint one of its members as a rapporteur as early as possible. The Committee may appoint a second member to act as a co-rapporteur.
2. The Committee shall agree by two thirds majority of all members having the right to vote on the role and tasks of the rapporteur and possible co-rapporteur, and how they are appointed.

Article 18

Working groups

1. Where appropriate, the Committee may establish ad hoc or permanent working groups. A working group shall be chaired by a member of the Committee or the Secretariat and shall report to the Committee.
2. The mandate, composition and the objectives of a working group as well as the duration of its activity shall be determined and reviewed periodically by the Committee. The Committee decision establishing the mandate and objectives of a working group shall also include its composition and shall be recorded in the minutes of the meeting.
3. Working groups are composed of volunteering members of the Committee and invited experts on the basis of the required expertise. Such experts should then receive an invitation from the Chair of the Committee.
4. Draft agendas, meeting dates and minutes of the working group meetings shall be made available to the Committee.
5. Working groups under the Committee shall apply these Rules of Procedure of the Committee, as applicable.

Article 19

Quorum and agreements or opinions of the Committee

1. The quorum necessary for a meeting is achieved when at least 60 percent of all members having the right to vote are present or represented by a proxy at the meeting at the time of the agenda point in question.
2. Members having a conflict interest regarding the relevant agenda point shall not be regarded as a part of the quorum for the purposes described under paragraph 1, and shall not participate in voting on that agenda point.
3. If the quorum is not achieved the Chair may decide to launch a written procedure in accordance with Article 20, where appropriate, shortening the deadline in its paragraph 2 to five calendar days.
4. When the task of the Committee is to seek agreement it shall use its best endeavours to reach unanimity.
5. Where unanimous agreement by members present and entitled to vote cannot be reached, the opinion of the Committee shall, for the purposes of Articles 45(3) and 59(9) of Regulation 1907/2006, consist of the position of the majority of members having the right to vote, including its grounds, and minority position(s), including their grounds. These shall be recorded in the minutes and published.
6. When preparing an opinion for the purposes of Articles 44(2), 45(5) and 58(3) of Regulation 1907/2006, the Committee shall use its best endeavours to reach a consensus. If consensus cannot be reached, the opinion shall consist of the position of the majority of members having the right to vote, including its grounds. The minority position(s), including their grounds, shall also be indicated. These shall be recorded in the minutes and published.
7. Unless these Rules of Procedure specify otherwise, decisions on any procedural issues need to be supported by a simple majority of all members having the right to vote.

Article 20

Written Procedure

1. The Committee can adopt agreements, establish opinions and take decisions by written procedure. To this end, the Chair of the Committee shall send the members the draft documents on which their opinion is sought and indicate the response period.
2. The period shall normally not be shorter than ten calendar days. In case of urgency, the period can be shortened to a minimum of five calendar days.
3. Without prejudice to paragraph 5, any member who does not comment within the response period is considered to have given his tacit agreement to the document. A document is agreed by consensus following the tacit or express agreement of all members having the right to vote.
4. If the document is not agreed by consensus, the minority position(s) shall be duly recorded in the written procedure report.
5. In case of adoption of agreements, at least 60 percent of the members having the right to vote have to respond for the written procedure to be regarded as valid.

6. In case major and justified objections are submitted to the Secretariat, the Chair shall decide whether the written procedure should be suspended and the adoption of the agreement, opinion or decision postponed to the next meeting of the Committee.
7. The Secretariat shall inform the Committee of the outcome of the written procedure and forward the written procedure report to the Committee for its next meeting.

Article 21

Reimbursement

The Agency shall reimburse members of the Committee and, where appropriate, other participants invited to attend meetings of the Committee in accordance with the rules adopted by the Management Board on the reimbursement of travel and other expenses.

Article 22

General provisions

1. The Rules of Procedure or any amendment to them shall apply from the date they have been approved by the Management Board.
2. The decision to amend these Rules of Procedure shall be taken by a two thirds majority of all members having the right to vote. Amendment of the Rules of Procedure shall be approved by the Management Board.

ANNEX 1 Declaration of commitment form

ANNEX 2 Declaration of interests form

ANNEX 3 Declaration of confidentiality form

**ANNUAL DECLARATION OF COMMITMENT OF ECHA
MEMBER STATE COMMITTEE MEMBERS**

I, hereby declare that I shall make all reasonable efforts to fulfil my duties as a member of the Member State Committee of the European Chemicals Agency.

More particularly, I undertake not to seek or accept any instructions from any party other than the Member State which appointed me.

I understand that this Declaration will be entered in a register held by the European Chemicals Agency which is accessible to the public, on request, at the Agency's offices.

Done at _____ on ____/____ 200__

Signature: _____

ANNUAL DECLARATION OF INTERESTS OF ECHA COMMITTEES AND FORUM MEMBERS

Title (Ms., Mr., Dr., Prof.):

First Name:

Surname:

Position:

Member of the Committee for Risk Assessment

Member of the Committee for Socio-economic Analysis

Member of the Member State Committee

Member of a Forum for Exchange of Information on Enforcement

hereby declares to have the following interests

1. Work and activities in organisations relevant to the operating area of ECHA during the past 5 years¹:

Name of organisation	Position/Tasks	Period

2. Financial interests in a company relevant to the operating area of ECHA during the past 5 years and exceeding 50 000 € and/or voting right of 5 % or more per company²:

Name of the company	Current/Past

3. Other interests or facts whether or not related to such organisations³ which you consider should be made known to the Agency, including matters relating to the members of your household⁴:

.....

I,, hereby declare on my honour that, to the best of my knowledge, the only direct or indirect interests I have in organisations relevant to the operating area of ECHA related to my position referred to above are those listed above.

¹ Work and activities, whether or not remunerated, for and/or on behalf of such a company or organisation and other links with the industry and organisations of REACH relevance. See points 3.3 and 3.4 of the ECHA Guidance on conflicts of interest

² Investment funds excluded. See point 3.2 of the ECHA Guidance on conflicts of interest.

³ See point 3.6 of the ECHA Guidance on conflicts of interest.

⁴ A household member means: spouse, partner, or child living at the same address as the Committee/Forum member concerned. The names of these persons do not need to be declared.

I further declare that should any changes occur and should it appear that I have or acquire additional interests that should be made known to the Agency, I shall forthwith declare them and complete a new declaration of interests detailing the changes.

I understand that this Declaration **will be published on the European Chemicals Agency's website** and entered in a register held by the Agency which is accessible to the public, on request, at the Agency's offices.

Signature:..... Date:.....

**DECLARATION OF CONFIDENTIALITY OF ECHA
MEMBER STATE COMMITTEE MEMBERS, THEIR
ADVISERS, INVITED EXPERTS AND OBSERVERS**

I, hereby declare that I shall undertake to exercise the greatest discretion with regard to all facts and information coming to my knowledge in the course of or in connection with the performance of my duties a member/adviser/invited expert/observer⁵ of the Member State Committee of the European Chemicals Agency. I shall not disclose to any persons other than representatives of relevant competent authorities of the Member States, the Commission or Community bodies any information acquired as a result of my work in the Committee unless otherwise stipulated in Community or national law or already publicly available. I accept without reservation that I continue to be bound by this obligation also after these duties have ceased.

Done at _____ on ____/____ 200__

Signature: _____

Position: _____

⁵ Strike through the text that is not relevant.

RULES OF PROCEDURE FOR THE FORUM FOR EXCHANGE OF INFORMATION ON ENFORCEMENT

Article 1

Forum Responsibility

In accordance with Article 76(1)(f) of Regulation 1907/2006, the Forum for Exchange of Information on Enforcement (hereinafter referred to as “the Forum”) shall coordinate a network of Member State authorities responsible for enforcement of this Regulation. In accordance with Article 46(3) of Regulation 1272/2008, the Forum shall undertake similar tasks concerning enforcement of that Regulation.

Article 2

Tasks

1. In accordance with Article 77(4) of Regulation 1907/2006 and Article 46(3) of Regulation 1272/2008, the Forum shall undertake the following tasks in relation to these two Regulations:
 - (a) spreading good practice and highlighting problems at Community level;
 - (b) proposing, coordinating and evaluating harmonised enforcement projects and joint inspections;
 - (c) coordinating exchange of inspectors;
 - (d) identifying enforcement strategies, as well as best practice in enforcement;
 - (e) developing working methods and tools of use to local inspectors;
 - (f) developing an electronic information exchange procedure;
 - (g) liaising with industry, taking particular account of the specific needs of SMEs, and other stakeholders, including relevant international organisations, as necessary;
 - (h) examining proposals for restrictions with a view to advising on enforceability.
2. In addition, the Forum shall agree on common issues to be covered in the report indicated in Article 127 of Regulation 1907/2006.
3. Forum may agree to advise on other issues related to enforceability of Regulation 1907/2006.
4. In order to plan the execution of its tasks the Forum shall establish a work programme.

Article 3

Membership

1. In accordance with Article 86(1) of Regulation 1907/2006, the Forum is composed of members appointed by the Member States and a maximum of five additional members co-opted by the Forum. Only the members have voting rights.
2. Members nominated by the EEA-EFTA States that are Iceland, Liechtenstein and Norway have the same rights and obligations as other members except having the right to vote.

Article 4

Co-opting members

1. In accordance with Article 86(1) of Regulation 1907/2006 the Forum shall aim to have a broad range of relevant expertise among its members. To this end the Forum may co-opt a maximum of five additional members chosen on the basis of their specific competence.
2. Following a proposal from a member the Forum may decide whether additional members should be co-opted and shall agree on the required specific competences and selection procedure by two-thirds majority of all members having the right to vote.
3. Co-opted members shall be appointed for a term of three years, which may be renewed by the Forum, if it considers that the specific competence of the co-opted member continues to be necessary for the Forum.
4. Additional members can be co-opted at any point in time.

Article 5

Term of office and replacing members

1. In accordance with Article 86(1) of Regulation 1907/2006, the term of office of members shall be three years starting on the date of the first meeting to which they were invited and it shall be renewable.
2. A member's term of office shall end at the expiry of the three-year period, with his or her resignation submitted in writing to the European Chemicals Agency (hereinafter referred to as 'the Agency') or death, or following a communication to the Agency from the Member State concerned indicating another appointment. The new member thus appointed shall start serving a full term of three years, starting from the date of appointment by the Member State.
3. Members are appointed for their qualifications and therefore shall not have alternates. The members may, in exceptional cases when they are prevented from participating in a meeting of the Forum, identify in advance a person who shall, without the need to have a recourse to the procedure laid down in Article 6(4), be invited by Executive Director or an authorised member of the Forum Secretariat (hereinafter, referred to as 'Secretariat') to participate in a meeting as an invited expert.
4. If prevented from participating in a meeting, members of the Forum having the right to vote may vote by proxy. In addition to his/her own vote each member having the right to vote may cast a maximum of two votes by proxy. The proxy

shall be notified to the Chair at the beginning of the meeting and shall be recorded in the minutes.

Article 6

Other participants of the meetings

1. The meetings of the Forum and its working groups shall be open to advisers, invited experts and observers, as specified in paragraphs 2 to 8.
2. The Executive Director and his representatives and representatives of the European Commission shall be entitled to take part in the meetings of the Forum and its working groups.
3. Advisers are participants of the Forum meetings or its working groups, accompanying members to provide advice on scientific or technical matters. The members shall notify the names of their advisers to the Secretariat before the meeting which they are due to attend. A maximum of 2 advisers may accompany a member per meeting of the Forum or its working groups.
4. Invited experts are experts in technical or scientific fields, who can, upon request of a member or the Secretariat, be invited by the Executive Director or an authorised member of the Secretariat in coordination with the Chair to participate for one or more points of the agenda in the meeting of the Forum or its working groups.
5. Observers are other participants of the meetings of the Forum or its working groups under paragraphs 6 to 8 who are not members, advisers or invited experts.
6. Representatives of stakeholder organisations may be admitted by the Forum as observers to the meeting of the Forum or its working groups upon request of members of the Forum or the Management Board. These stakeholder observers shall conform to the ECHA “Code of conduct for observers from stakeholder organisations at ECHA meetings”.
7. Pursuant to Articles 106 and 107 of Regulation 1907/2006, representatives of third countries and international organisations may take part in the meetings as observers if the Management Board has invited them, in agreement with the Forum, to participate in the work of the Agency.
8. Other observers may be admitted upon request of a member of the Forum or of the Chair.
9. The Forum shall agree by two-thirds majority of all members having the right to vote on the admission of observers referred to in paragraphs 6 and 8.
10. The Chair may decide to hold the meeting or parts thereof in a closed session.
11. Invited experts and observers referred to in paragraphs 6 to 8 shall have the same access to the documents of the meeting that they take part in as the members and participants referred to in paragraph 1 of this Article, except in relation to the issues that the Chair identifies as confidential or where their participation is excluded. Advisers’ access to documents is left for the discretion of the respective member.

Article 7

Election and replacing of the Chair and Vice-Chairs

1. The Forum shall be chaired by one of the members elected in accordance with the procedure specified in this Article.
2. The Forum shall elect a Chair and two Vice-Chairs from among its members having the right to vote.
3. The term of office of the Chair and the Vice-Chairs shall be 3 years, which shall be renewable once.
4. Candidatures for the Chair and the Vice-Chairs shall be submitted in writing by any of the members to the Secretariat. When accepting, the candidates shall explain their motivation to the plenary.
5. The election shall be by secret ballot.
6. Two tellers shall be designated amongst the members to assist in the counting of the vote.
7. At each round, the candidate with the lowest number of votes shall withdraw. Rounds will run until one candidate receives two-thirds majority of favourable votes of the members having the right to vote, who are present or represented by proxy.
8. If the Chair and both the Vice-Chairs are unable to attend a meeting, the meeting shall be chaired by the longest serving member from among members appointed by the EU Member States or, in the event of equal length of service, by the oldest of these members.
9. If the office of Chair or one of the Vice-Chairs falls vacant before the end of the term of office, the successor shall be appointed at the next meeting of the Forum in accordance with the procedure described in this Article. The member then elected shall serve as Chair or Vice-Chair for a full term of office.
10. Where there is reasonable doubt in the integrity or competence of the Chair or the Vice-Chairs, the Forum may decide, with a two-thirds majority of the members present and having the right to vote, to remove him or her or them from the duties.

Article 8

Responsibilities of the Chair

The Chair is responsible for the efficient conduct of the business of the Forum and shall in particular:

- a) plan the work of the Forum together with the members and the Secretariat;
- b) cooperate with the Secretariat on preparing draft agendas and draft meeting minutes;
- c) monitor that the Rules of Procedure are respected and propose measures in case of breach;

- d) ensure that at the beginning of each meeting any potential conflict of interest is declared regarding any particular item to be discussed by the Forum;
- e) ensure that the work of the Forum is consistent with its tasks indicated in Article 77(4) of Regulation 1907/2006;
- f) endeavour to ensure, together with the Forum and the Secretariat, consistency of the Forum's work;
- g) co-ordinate together with the Secretariat the work of the Forum with that of other committees of the Agency as well as with other relevant Community bodies;
- h) endeavour to reach consensus in the conclusions of the Forum;
- i) execute any additional powers entrusted to the Chair by the Forum.

Article 9

Independence

1. Based on Article 88(2) of Regulation 1907/2006, members shall make a declaration of commitment to fulfill their duties and a declaration of interests which could be considered to be prejudicial to their independence. The declarations shall be made in accordance with the models contained in Annex 1 and Annex 2. These declarations shall be made annually in writing and be entered in a register held by the Agency. In addition, the declarations of interests shall be published on the Agency's website without prejudice to Article 11(1).
2. According to Article 88(3) of Regulation 1907/2006, members, their advisers and invited experts participating in the meeting shall declare at each meeting any interest which could be considered to be prejudicial to their independence¹ with respect to any point on the agenda. Any members declaring such interests shall not participate in any voting on the relevant agenda point. The Chair may decide if other measures are necessary.
3. Following Article 86(3) of Regulation 1907/2006, members, their advisers and invited experts of the Forum or its working groups shall not accept from any Member States any instructions incompatible with their individual tasks or with the tasks and responsibilities of the Forum. Similarly, these persons should refrain from accepting any such instructions from any other parties.
4. Members who work as private consultants or who are employed by a consultancy company (including employees of universities or public institutes) and provide such services and who currently have contracts with chemical industry or downstream users associations, chemical companies, or other potential registrants or authorisation applicants, or other bodies which can be considered as an interest group in the context of the field dealt with by the Forum, should withdraw from current contracts and refrain from entering into any new contracts with the aforementioned legal entities.
5. Members may not be employed by a private enterprise that could have any direct interest in the matter dealt with by the Forum nor by an industry association or

¹ "ECHA Guidance on conflicts of interest for ECHA Committees and Forum members, their advisers and invited experts" provides guidance on identifying interests that could potentially present conflicts.

other body which can be considered as an interest group in the context of the field dealt with by the Forum. The member shall resign from the Forum before entering into service in any such enterprise or association.

6. The Chair, or in his absence the Vice-Chair, is representing the Forum towards other parties. Individual members can be mandated by the Chair to represent the Forum on specific issues and/or occasions.

Article 10

Confidentiality

1. Members, their advisers, invited experts and observers of the Forum and its working groups shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission and Community bodies any information acquired as a result of their participation in work in the Forum unless otherwise stipulated in Community or national law or already publicly available. They shall make a written declaration of confidentiality in accordance with the model contained in Annex 3.
2. The obligation to maintain confidentiality shall continue to apply even after participation of members, their advisers, invited experts and observers in the work or in the meetings of the Forum has ceased.

Article 11

Transparency

1. In accordance with Article 88(1) of Regulation 1907/2006, the membership shall be made public unless the Executive Director decides not to publish the appointment at a request of an individual member.
2. The Forum shall operate in accordance with the need for a high level of transparency, without prejudice to legitimate requests for confidentiality or the independence of members, their advisers and invited experts vis-à-vis external influence.
3. The following documents of the Forum are published on the Agency's web site, subject to respect of confidentiality requirements:
 - Rules of Procedure;
 - Final minutes of plenary meetings, pursuant to Article 15(1);
 - Draft agendas of plenary meetings;
 - The annual declaration of interests in accordance with Article 9(1);
 - The names of the members of the Forum together with their brief CVs.
 - Forum Work Programme

Article 12

Invitation to meetings

1. The meetings of the Forum shall be convened by invitation from the Executive Director or an authorised member of the Secretariat following a consultation with the Chair or, alternatively, at request of a majority of the members.

2. The invitation to a meeting shall be circulated no later than 28 calendar days before the meeting.

Article 13

Agenda for meetings

5. A provisional draft agenda shall be drawn up by the Secretariat in cooperation with the Chair and circulated to the Forum with the invitation to the meeting.
6. Members may request items to be included in the agenda. Such requests shall be submitted to the Secretariat within 14 calendar days of the circulation of the provisional draft agenda.
7. A final draft agenda shall be circulated ten calendar days before the meeting at the latest. The agenda shall be adopted at the beginning of each meeting.
8. If the Forum so decides, additional items may be added to the agenda at any time, and items on the agenda may be deleted or carried over to a subsequent meeting.

Article 14

Documentation to the meetings

Documentation to the meeting shall be made available as early as possible to allow preparation for the meeting. With due consideration of their volume, documents shall be circulated 10 calendar days before the meeting at the latest.

Article 15

Minutes

1. Minutes of each plenary meeting shall as a general rule include:
 - a) any specific interests declared by the participants to any points of the agenda pursuant to Article 9(2);
 - b) a summary record of the proceedings;
 - c) the conclusions reached by the Forum;
 - d) the list of attendees;
 - e) action points.
2. Taking into account Article 6(11), draft minutes shall be distributed to participants of the meeting of the Forum no later than six weeks after the meeting. Written comments shall be provided to the Secretariat within the specified deadline, which shall be a minimum of 14 calendar days. The minutes shall be adopted at a following meeting or by written procedure.

Article 16

Working groups

1. Where appropriate, the Forum may establish ad hoc or permanent working groups. A working group shall be chaired by a member of the Forum and shall report to the Forum.
2. The mandate, composition and the objectives of a working group as well as the duration of its activity shall be determined and reviewed periodically by the Forum. The Forum conclusion establishing the mandate and objectives of a working group shall also include its composition, and shall be recorded in the minutes of the meeting.
3. Working groups are composed of volunteering members of the Forum and/or invited experts on the basis of the required expertise. The working group members should then receive an invitation from the Executive Director or an authorised member of the Secretariat, following a consultation of the Chair.
4. Draft agendas, meeting dates and minutes of the working group meetings shall be made available to the Forum.
5. Working groups under the Forum shall apply these Rules of Procedure, as applicable.

Article 17

Quorum and Conclusions of the Forum

1. The quorum necessary for a meeting is achieved when at least half of all members having the right to vote are present or represented by a proxy at the meeting at the time of the agenda point in question.
2. Members having declared a conflict of interest regarding an agenda point under Article 9(2) shall not be regarded as a part of the quorum for the purposes described under paragraph 1, and shall not participate in voting on that agenda point.
3. If the quorum is not achieved, the Chair may decide to immediately launch a written procedure in accordance with Article 18.
4. When preparing its conclusion the Forum shall use its best endeavours to reach a consensus.
5. Unless these Rules of Procedure otherwise specify, if consensus cannot be reached, the conclusion of the Forum shall consist of the position of the simple majority of all members having the right to vote, including its grounds. Members not supporting the majority position shall present their minority position(s), including their grounds, which may also be recorded.

Article 18

Written Procedure

1. The Forum can adopt conclusions by written procedure. To this end, the Secretariat, in consultation with the Chair, shall send the members the draft documents on which their opinion is sought and indicate the response period.
2. The period shall not be shorter than 14 calendar days. In exceptional cases, or if agreed beforehand by the Forum by consensus, the period can be shortened.

3. Without prejudice to paragraph 5 any member who does not comment within the response period is considered to have given his tacit agreement to the distributed document. A document is agreed by consensus when all members having the right to vote have agreed expressly or tacitly. In the event of non-consensus, Article 17(5) shall apply.
4. In case major and justified objections are submitted to the Secretariat, the Chair shall decide whether the written procedure should be suspended and the adoption of the draft conclusion postponed to the next meeting of the Forum.
5. The Secretariat shall inform the Forum of the outcome of the written procedure and forward the written procedure report to the Forum for its next meeting.

Article 19

Reimbursement

The Agency shall reimburse members of the Forum and, where appropriate other participants invited to attend meetings of the Forum or its working groups in accordance with the rules adopted by the Management Board on the reimbursement of travel and other expenses.

Article 20

General provisions

1. The Rules of Procedure shall apply from the date they have been adopted by the Management Board.
2. The conclusion to amend these Rules of Procedure shall be taken by a two thirds majority of all members having the right to vote. Amendment of the Rules of Procedure shall be adopted by the Management Board.

ANNEX 1 Declaration of commitment form
ANNEX 2 Declaration of interests form
ANNEX 3 Declaration of confidentiality form

ANNUAL DECLARATION OF COMMITMENT OF ECHA FORUM MEMBERS

I, hereby declare that I shall make all reasonable efforts to fulfil my duties as a member of the Forum for Exchange of Information on Enforcement of the European Chemicals Agency (hereinafter referred to as “the Forum”).

More particularly, I undertake to exercise the functions entrusted to me at the Forum and not to seek or accept any instructions incompatible with my individual tasks or with the tasks of the Forum from any other party.

I understand that this Declaration will be entered in a register held by the European Chemicals Agency which is accessible to the public, on request, at the Agency’s offices.

Done at _____ on ____/____ 200__

Signature: _____

Position: _____

**ANNUAL DECLARATION OF INTERESTS OF ECHA
COMMITTEES AND FORUM MEMBERS**

Title (Ms., Mr., Dr., Prof.):

First Name:

Surname:

Position:

- Member of the Committee for Risk Assessment
- Member of the Committee for Socio-economic Analysis
- Member of the Member State Committee
- Member of the Forum for Exchange of Information on Enforcement

hereby declares to have the following interests

4. Work and activities in organisations relevant to the operating area of ECHA during the past 5 years¹:

Name of organisation	Position/Tasks	Period

5. Financial interests in a company relevant to the operating area of ECHA during the past 5 years and exceeding 50 000 € and/or voting right of 5 % or more per company²:

Name of the company	Current/Past

6. Other interests or facts whether or not related to such organisations³ which you consider should be made known to the Agency, including matters relating to the members of your household⁴:

.....

¹ Work and activities, whether or not remunerated, for and/or on behalf of such a company or organisation and other links with the industry and organisations of REACH relevance. See points 3.3 and 3.4 of the ECHA Guidance on conflicts of interest

² Investment funds excluded. See point 3.2 of the ECHA Guidance on conflicts of interest.

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I,, hereby declare on my honour that, to the best of my knowledge, the only direct or indirect interests I have in organisations relevant to the operating area of ECHA related to my position referred to above are those listed above.

I further declare that should any changes occur and should it appear that I have or acquire additional interests that should be made known to the Agency, I shall forthwith declare them and complete a new declaration of interests detailing the changes.

I understand that this Declaration **will be published on the European Chemicals Agency's website** and entered in a register held by the Agency, which is accessible to the public, on request of the Agency's offices.

Signature:.....

Date:.....

**DECLARATION OF CONFIDENTIALITY OF ECHA
FORUM MEMBERS, THEIR ADVISERS, INVITED
EXPERTS AND OBSERVERS**

I, hereby declare that I shall undertake to exercise the greatest discretion with regard to all facts and information coming to my knowledge in the course of or in connection with the performance of my duties a member/adviser/invited expert/observer⁵ of the Forum for Exchange of Information on Enforcement of the European Chemicals Agency. I shall not disclose to any persons other than representatives of relevant public authorities of the Member States, the Commission or Community bodies any information acquired as a result of my work in the Forum unless otherwise stipulated in Community or national law or already publicly available. I accept without reservation that I continue to be bound by this obligation also after these duties have ceased.

Done at _____ on ____/____ 200__

Signature: _____

Position: _____

⁵ Strike through the text that is not relevant.