

**DECISION OF THE MANAGEMENT BOARD
ON THE REMUNERATION OF THE ALTERNATE AND ADDITIONAL MEMBERS OF
THE BOARD OF APPEAL**

THE MANAGEMENT BOARD OF THE EUROPEAN CHEMICALS AGENCY,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, and in particular paragraph 3 of Article 78, Article 87(3) and the second subparagraph of Article 89(3) thereof,

Having regard to Commission Regulation (EC) No 771/2008 of 1 August 2008 laying down the rules of organisation and procedure of the Board of Appeal of the European Chemicals Agency, as amended by Commission Implementing Regulation (EU) 2016/823 of 25 May 2016, (the 'Rules of Procedure'), and in particular Articles 1(4) and 3(1) and (2) thereof,

Having regard to Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), and in particular Article 15 thereof,

Having regard to the Note of the Services of the Commission No Ares(2019)2578672 of 12 April 2019 containing information for Agencies regarding the decisions on outside activities,

Whereas:

(1) Alternate and additional members of the Board of Appeal, who are not employed as members of the temporary staff of the European Chemicals Agency (ECHA) or as members of staff of an EU institution or of any other EU body, office or agency, should receive an appropriate level of remuneration for the services they provide when designated by the Board of Appeal or the Chairman of the Board of Appeal to act in appeal cases.

(2) In order to ensure that alternate and additional members remain up-to-date and well prepared on issues related to the Board of Appeal, the Chairman of the Board of Appeal may consider it necessary to convene meetings which are unrelated to pending appeal cases. Alternate and additional members should receive appropriate compensation for their active participation in those meetings.

(4) It is important to remunerate alternate and additional members in an equitable manner in light of their workload and in line with the compensation paid by other similar Agencies for similar work.

HAS ADOPTED THIS DECISION,

Article 1

Remuneration for work related to appeal cases

1. When designated to act in appeal proceedings, the remuneration of the alternate and additional members of the Board of Appeal shall vary according to the role in which the member has participated in the treatment of the case and shall be as follows:

	Remuneration per actual day of work (€)	Maximum remuneration per one appeal (€)
Chairperson	750	11250
Rapporteur	600	9000
Other members	450	6750

However, in the event of several comparable appeals the level of maximum remuneration mentioned in the table above applies only to the treatment of the first case. The maximum remuneration for the following appeals will be half of the maxima mentioned in the table above.

2. Remuneration will be made upon production of a signed detailed specification of actual days of work spent. One day of work amounts to 8 hours of work.

Article 2

Remuneration for participation in meetings unrelated to appeal cases

1. Once a year the Chairperson of the Board of Appeal may convene a capacity building meeting of all the alternate and additional members of the Board of Appeal which is unrelated to any pending appeal proceedings. Such meetings shall last for a maximum of two days.

Alternate and additional members of the Board of Appeal shall receive € 450 per full day of participation at the meetings referred to in the first subparagraph of this Article which shall be convened by the Chairperson of the Board of Appeal and confirmed by an invitation of the Registrar of the Board of Appeal.

In the case of a half-day meeting, the daily rate of remuneration shall be reduced by 50%.

2. In order to qualify for payment, alternate and additional members shall submit a request for payment to ECHA. The request shall include an individual report setting out the main individual input and conclusions of the member.

Article 3

Contractual and administrative arrangements

The Executive Director shall, if necessary, put in place the necessary contractual and administrative arrangements concerning the payment of alternate and additional members in conformity with the financial rules applicable to the Agency.

Article 4

Reimbursement of costs

The rules adopted by the Management Board for the reimbursement of travel, hotel and subsistence expenses shall apply for the reimbursement of costs incurred by alternate and additional members as a result of attending all meetings of the Board of Appeal.

Article 5

Entry into force

1. This Decision shall enter into force on the day of its adoption.

2. Article 1 of this Decision shall apply to the remuneration of alternate and additional members designated to appeal proceedings after the date of adoption thereof.

Article 1 of Decision 11/2014 final adopted by the Management Board on 20 March 2014 shall continue to apply to the remuneration of alternate and additional members designated to appeal

proceedings prior to the adoption of this Decision.

Done at Vienna, 9 October 2020.

signed
Paul KRAJNIK
Chair of the Management Board