

**DECISION OF THE MANAGEMENT BOARD
ON THE DESIGNATION OF AN ALTERNATE CHAIR TO ACT AS A LEGALLY
QUALIFIED MEMBER IN A BOARD OF APPEAL CASE**

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 Article 89 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(1) and 3(2) thereof;

Having regard to Commission Regulation 1238/2007 of 23 October 2007 on laying down rules on the qualifications of the members of the Board of Appeal of the European Chemicals Agency and in particular Article 1(1) thereof;

Having regard to the Call for expression of interest for the appointment of a chair and alternate chair of the board of appeal of the European Chemicals Agency COM/2018/20030 (2018/C 295 A/01);

Having regard to its Decision 20/2019 of 15 April 2019 on the appointment of a Chairman and Alternate Chairman of the Board of Appeal;

WHEREAS:

Each appeal shall be decided by three members of the Board of Appeal,

At least one member shall be legally qualified and at least one member shall be technically qualified,

The Chairman and the Alternate Chairman shall be legally qualified,

Ms Ekaterina GEORGIEVA was appointed by the Management Board as an Alternate Chairman of the Board of Appeal,

At present, the Board of Appeal, as a collegial body, due to the vacancy of the post of the legally qualified member, needs to rely on all its Alternate members to ensure the processing of appeals without undue delay,

It is necessary to adopt temporary measures for 12 months to ensure that the appeals can be processed at a satisfactory rate,

The cessation of the effects of this decision will not affect the compositions of the Board of Appeal that have been established before the date of that cessation,

HAS DECIDED:

Article 1

The Chairman of the Board of Appeal may designate Ms Ekaterina GEORGIEVA, the Alternate Chairman, to act as a Legally Qualified Member of the Board of Appeal, replacing the Legally Qualified Member in an appeal case.

When Ms Ekaterina GEORGIEVA is designated to act as a Legally Qualified Member in an appeal case, the Chairman of the Board of Appeal shall be the only member in the composition of the Board of Appeal performing the tasks of the Chairman of the Board of Appeal during the conduct of the proceedings in that appeal case.

Article 2

The Decision shall take effect on the day of its adoption and shall be in force for 12 months.

The validity and the effects of any decision designating an alternate member adopted before the expiry of the Decision shall not be affected.

Done at Vienna, 9 October 2020

signed

Paul Krajnik

Chair of the Management Board