

Election of a Chairman and a Deputy-Chairman of the Management Board

43rd meeting of the Management Board 28-29 September 2016

Item	4
Action	For adoption
Status	Final - Public

Proposal

The Management Board is invited to elect a Chair and a Deputy-Chair.

Background

The 2nd mandate of the Chair of the Management Board, Nina CROMNIER, expires on 30 September 2016 and is not renewable. The 1st term of office of the Deputy-Chair, Karel BLAHA, ends on 24 September 2016 and is renewable.

The Secretariat invited the Management Board on 11 August 2016 to submit nominations.

Rationale

- The 1st term of office of the new Chairman will start on 1 October 2016.
- The following candidatures have been received so far (14 September 2016):
 - Chair from 1 October 2016: **Sharon McGUINNESS**
 - Deputy-Chair from 28 September 2016: **Karel BLAHA**
- The documents submitted by the candidates in support of the nominations are attached.
- The Secretariat has screened the declarations of interests of all candidates and identified no issue of concern.
- The election will be by secret ballot. A majority of two-thirds favourable votes of the members with voting rights will be required for the decision. If none of the proposed candidates receives a two-thirds majority in the first round, the candidate with the lower number will have to withdraw his/her candidature.
- The 1st term of office of the new Chairman will start on 1 October 2016.

Alternative options

The REACH Regulation requires the Management Board to elect a Chairman and a Deputy-Chairman.

Drawbacks

From a perspective of business continuity it is not ideal that the mandates of the Chairman and the Deputy-Chairman almost coincide.

Attachments:

- Annex 1: Excerpts from the REACH Regulation and the Management Board Rules of Procedure.
- Annex 2: Supporting documents received from the candidates

For questions: mb-secretariat@echa.europa.eu

Annex 1: Regulatory framework

Article 80 of the REACH Regulation (EC) No 1907/2006

Chairmanship of the Management Board

1. The Management Board shall elect a Chairman and a Deputy-Chairman from among the members with voting rights. The Deputy-Chairman shall automatically take the place of the Chairman if he is prevented from attending to his duties.
2. The terms of office of the Chairman and the Deputy-Chairman shall be two years and shall expire when they cease to be members of the Management Board. The term of office shall be renewable once.

Article 2 of the Management Board Rules of Procedure

Chair and Deputy-Chair

1. The Management Board shall elect a Chair and a Deputy-Chair from among the members with voting rights. The Deputy-Chair shall automatically take the place of the Chair if he/she is prevented from attending his duties.
2. The term of office of the Chair and the Deputy-Chair shall be two years and shall expire when they cease to be members of the Management Board. The term of office shall be renewable once.
3. Nominations for Chair and Deputy-Chair shall be submitted in writing either by the candidate themselves or by other members of the Management Board. Candidates shall submit a brief document in support of their candidature at the time of the nomination.
4. The election shall be by secret ballot.
5. Two tellers shall be designated amongst the members to assist in the counting of the vote.
6. 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 Management Board members.
7. If both the Chair and the Deputy-Chair are unable to attend a meeting, the meeting shall be chaired by the longest serving member of the Board or, in the event of equal length of service, by the oldest of the longest serving members.
8. If the office of Chair or Deputy-Chair falls vacant before the end of the term of office, the Deputy-Chair or Chair as the case may be shall convene a meeting to elect a successor, to be held within three months. The member then elected shall serve as Chair or Deputy-Chair for a full term of office or until the end of his membership of the Management Board whichever is earlier.