

Information on revised Procedure for Prevention and Management of potential Conflicts of Interest

53rd Meeting of the Management Board 28-29 March 2019

Key messages

The members of the Management Board are invited to take note of the revised ECHA Procedure for Prevention and Management of potential Conflicts of Interest and more in particular the main changes that may have a direct impact on themselves as members of the Board.

Background

The ECHA Management Board adopted via written procedure on 25 February the revised [Procedure for Prevention and Management of potential Conflicts of Interest](#).

Rationale

Several of the changes implemented may have a direct effect on the Management Board members. Due consideration should therefore be taken to the following main changes:

- The eligibility criteria applicable to the MB members (and other key positions in ECHA), to which their appointing authorities are invited to adhere, are further strengthened:
 - scope extended to include all ECHA managers and chairmen of committees;
 - financial exclusion criterium lowered from 100.000 EUR to 10.000 EUR;
 - membership of permanent scientific advisory boards of chemical companies or interest groups also leads to exclusion;
- Existing restrictions applicable to MB members were clarified and summarised in a clear overview of allowable and non-allowable interests (see annex 1 of the procedure);
- The template for annual declarations of interest ("DoI") has been revised, e.g. the definition of "close family members" was extended to include also other relatives under the care of the members of the household. The new [version](#) shall be used for any updates from now onwards;
- The Chair of the MB, with the assistance of the ECHA secretariat, shall scrutinise all DoI and apply the newly adopted risk levels to all interests declared:
 - **A** ("interest cleared"): no competing interests declared or cleared as not relevant to the work of respective ECHA body
 - **B** ("interests require ad hoc assessment"): competing interest may be relevant to the work of the respective ECHA body under certain specific circumstances
 - **C** ("interest leads to specific restriction"): competing interest covered by a specific cooling off period;
- The Member State competent authority (for REACH) will receive in the coming weeks a request to sign a Memorandum of Understanding with the Agency on conflict of interest avoidance;
- Independence of the Conflict of Interest Advisory Committee further enhanced: the chair (Head of Unit of the Legal Affairs Unit) is excluded by default from cases related to the Board of Appeal and the Management Board becomes the appointing authority for the external expert.

Drawbacks

N/A

Attachment:

- Annex: ECHA Procedure for Prevention and Management of potential Conflicts of Interest

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