

Election of the Chair of the Management Board

59th Meeting of the Management Board 24-25 September 2020

Action requested

The Management Board is invited to elect a Chair.

Background

The 2nd mandate of the current Chair, Sharon McGUINNESS, expires on 30 September 2020. The mandate may not be renewed. The members of the Management Board have been invited to submit nominations on 31 July 2020.

Matters for consideration

- The current Chair will chair the meeting for this agenda point.
- The following candidatures have been received by 5 September 2020:
 - Chair from 1 October 2020 - 30 September 2022¹: Paul Krajnik (Austria, current Deputy Chair)
 - Chair from 1 October 2020 – 30 September 2022²: Paul Rasqué (Luxembourg)
- The documents submitted by the candidate in support of the nomination are attached.
- The Secretariat has screened the declaration of interests of the candidate and identified no issue of concern.
- The election will be held by secret ballot, using an online tool (webropol). Separate instructions will be issued to Board members with voting rights. 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 candidature.
- Late applications may be considered, subject to the Chair's agreement, only until 18 September 2020, due to the technical limitations of the online election tool.

Attachments:

- Annex 1: Excerpts from the REACH Regulation and the Management Board Rules of Procedure
- Annex 2: Supporting documents received from Paul Krajnik
- Annex 3: Supporting documents received from Paul Rasqué

¹ The Rules of Procedure stipulate that 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 (Art 2(2)). The current mandate of Paul Krajnik expires on 31 May 2021.

² Idem. The current mandate of Paul Rasqué expires on 31 May 2021.

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 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.