

## Minutes of the 62<sup>nd</sup> meeting of the Management Board

Held on 23-24 June 2021 via remote connection

### I. Summary record of the proceedings

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The Chair opened the meeting by welcoming participants to this remote meeting of the Management Board (MB). He welcomed the eight new members and they briefly introduced themselves: Kristin SCHREIBER (DG GROW, European Commission), Karine BOQUET (France), Stephen CURRAN (Ireland), Szilvia DEIM (Hungary), Kees HOPPENER (The Netherlands), Pasqualino ROSSI (Italy), Jérôme FAÉ (Luxembourg) and Per ÅNGQUIST (Sweden).

A recap of the practical aspects of running the meeting remotely was provided and the Secretariat confirmed that the quorum necessary to hold a meeting<sup>1</sup> was achieved, as all Members and registered persons of trust and advisors had established their meeting connection.

#### 1. Agenda

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The Chair introduced the draft agenda<sup>2</sup> and proposed that item B.11 Mandate of the Executive Director would be taken on the first meeting day. This was agreed and the agenda of the meeting was then adopted on this basis.

With reference to the confirmation of decisions taken in remote meetings, the Chair proposed to continue confirming them by using an online tool. No objection was expressed to this proposal and the Chair concluded that the online confirmation of decisions would take place after point B.10 on the second meeting day.

The Secretariat presented the following documents distributed before the meeting, in addition to the ordinary meeting documentation:

- AP B.5 Amending budget and transfers incl. Annex 1, REV1
- New AP B.11 Mandate of the Executive Director (highly restricted) together with a revised draft agenda
- AP B.7 Quarterly report – highlights slides

#### 2. Declaration of specific interests

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The Chair informed Management Board members that he had reviewed, together with the Secretariat, the members', observers', persons of trust's and the Executive Director's declarations of interest and commitment in accordance with ECHA's procedure for the Prevention and Management of potential Conflicts of Interest (CoIs)<sup>3</sup>.

He concluded, based on the declarations, that there was no need for specific restrictions with respect to the agenda of this 62<sup>nd</sup> Management Board meeting.

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<sup>1</sup> As defined in Article 6 of the Management Board Rules of Procedure.

<sup>2</sup> MB/A/03/2021.

<sup>3</sup> ECHA's Policy on the Prevention and Management of potential Conflicts of Interest (PRO-0067).

The Chair then invited members to further declare any specific interests that could not be drawn from their declarations of interest and commitment, and which could be considered to be prejudicial to their independence with respect to any items on the agenda. No further specific interests were declared in response to this.

The Chair reminded members of the importance of keeping their declarations up to date and thanked members for their cooperation in regularly updating their declarations and in particular new members for having provided their declarations in advance of their first meeting.

### 3. Minutes of the Extraordinary Management Board meeting of 26 May 2021

The highly restricted draft minutes of the Extraordinary Management Board meeting, held remotely on 26 May 2021, were adopted.

The Chair pointed out the status of agreed follow-up actions as follows:

<b>Action</b>	<b>MB</b>	<b>Status</b>
The Executive Director will formalise the administrative arrangements regarding BoA AAMs by signing the appropriate Service Level Agreements.	58	ON-GOING
The Secretariat will provide data and background to the Commission to start a reflection on ECHA's funding model.	59	DONE
The Management Board will review ECHA's Strategic Plan in 2021. The newly established ad hoc Subgroup on strategy review will prepare the review and provide recommendations and proposals to the Management Board.	60-61	ON-GOING
The Secretariat will share with the Management Board the data availability roadmap (under the ECHA's transparency approach) when it becomes available.	60	PENDING
The Secretariat will inform the Management Board in June 2021 of the progress in developing the revised SEAC opinion format and organise an information session on applications for authorisation in June 2021.	61	See AP B.10
The Chair of the Management Board will inform the candidates for the position of Legally Qualified Member of the Board of Appeal and alternate/additional Legally Qualified Members for the Board of Appeal of the Management Board's decision and seek their acceptance thereof.	EO	DONE
The Chair of the Management Board will inform the candidates appointed as LQM and ALQM and the Chair of the Board of Appeal of the considerations in the opinion of the Conflict of Interest Advisory Committee (CoIAC) of 7 April 2021 and request that they are duly considered whenever cases are allocated to these members.	EO	DONE
The Administrative arrangements for safeguarding the independence of the Board of Appeal will be updated to reflect the decision taken with respect to the reclassification of BoA members.	EO	PENDING

## A. Points for automatic adoption

No points for automatic adoption were scheduled for this meeting.

## B. Points for discussion/ decision

### B.1. Composition of Management Board Subgroups

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The Management Board adopted the revised composition<sup>4</sup> of its Subgroups. The changes in the composition are as follows: Magnus LØFSTEDT (DK) leaves the Subgroup Strategy, Planning and Implementation and joins the Subgroup Board of Appeal. Per ÅNGQUIST (SE) joins the Subgroup Strategy, Planning and Implementation (SPI). Kristin SCHREIBER (DG GROW) replaces Sabine JÜLICHER (DG SANTE) in the Reporting Officers for the Executive Director, as Chair.

The Secretariat will publish the revised composition of the Subgroups on ECHA's website. The Chair reminded members of the importance of the work of the Subgroups and pointed out that the new members are invited to consider joining subgroups.

### B.2. Report from the Management Board Subgroups Strategy, Planning and Implementation (SPI) and Finance, Audit and Risks (FAR)

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The Management Board took note of the reports from its Subgroups on Strategy, Planning and Implementation (SPI) and Finance, Audit and Risks (FAR), which met on 1 June 2021 and 3 June 2021, respectively.

The Subgroup on Strategy, Planning and Implementation (SPI): Among other topics, the Subgroup had prepared the Management Board decision with respect to the amendment to the Programming Document (B.4) and reviewed the information provided on ECHA's contribution to the Commission's Chemicals Strategy for Sustainability (CSS).

The Subgroup on Finance, Audit and Risks (FAR): Among other topics, the Subgroup had prepared the Management Board decision with respect to the first amending budget 2021 (B.5) and the Board's opinion on ECHA's annual accounts 2020 (B.3). The Subgroup also took note of the 2020 report of the Internal Audit Capability, of the summaries of the audits conducted or concluded in 2021, together with the Secretariat's action plans and received an update on corporate risks.

### B.3 Opinion on the final accounts 2020

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The Management Board took note of ECHA's Final Annual Accounts for the financial year 2020 and the preliminary observations of the European Court of Auditors thereon<sup>5</sup>. The Management Board adopted its opinion on the Final Annual Accounts 2020, on the basis of the draft opinion prepared by its Subgroup FAR.

Board members congratulated the Secretariat on the work underpinning the Annual Accounts 2020 and welcomed that there were no comments ('emphasis of matter') in the Court of Auditors preliminary observations for the financial year 2020. Reference was made to the need for a stable and predictable financing model for ECHA; in this context close cooperation with the Commission to prepare the future financing model was welcomed.

The Management Board instructed the Executive Director to forward the documents to the relevant European institutions by 1 July 2021, according to the Financial Regulation<sup>6</sup>. A

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<sup>4</sup> MB/18/2021.

<sup>5</sup> MB/19/2021.

<sup>6</sup> Art. 102(4) of the Financial Regulation.

link to the pages of ECHA's website where the Final Annual Accounts 2020, are disclosed will be published in the Official Journal of the EU by 15 November 2021.

## B.4 Amendment to the Programming Document 2021-2024

The Management Board (MB) adopted an amendment to the Programming Document (PD) 2021-2024<sup>7</sup>.

The amendment concerns the inclusion of ECHA's participation in the Partnership for the Assessment of Risks from Chemicals (PARC) project in the PD, together with the corresponding human resources (two Contract Agent positions) in the human resources quantitative description (Annex IV).

The decision was prepared by the Management Board Subgroup on Strategy, Planning and Implementation (SG SPI) in its meeting of 1 June 2021. The Chair of the SG reported that the SG was of the view that the proposal is not in line with the MB agreement reached in December 2020 on the general direction for de-prioritising activities, reallocating resources and for adding new tasks. However, acknowledging the exceptional nature of the project, the temporary nature of the resourcing solution and without prejudice to the MB decision on prioritisation, the SG recommended the adoption of the proposed PD amendment.

The Secretariat first introduced the proposed activity under the PARC project, together with the resourcing solution, which consists of increasing the CA ceiling by two posts but without additional financial resources to finance these posts, which means that they would have to be accommodated by savings. This solution proposed by the Commission is intended to be temporary, until ECHA's activities can be described more explicitly in the Agency's future standalone founding regulation.

Board members acknowledged the exceptional nature of ECHA's participation in the PARC project and the mid- to long-term benefits were equally pointed out, e.g. the possibility to positively influence prioritisation to develop methodologies. At the same time, the concerns of the SG SPI were reiterated whilst also questioning the need for discussing issues of such low materiality in light of the prioritisation decision reached in December 2020, which was seen as providing sufficient guidance to the Executive Director. A Board member appointed by the Commission to represent interested parties raised a question with respect to ECHA's possible participation in other Horizon Europe projects.

The Management Board agreed to adopt the proposed amendment of the PD, taking into account the temporary nature of the resourcing solution and the potential long-term benefits of ECHA's participation in the PARC project.

## B.5 1<sup>st</sup> Amending budget 2021 and transfers within budget

The Management Board adopted the first amending budget 2021<sup>8</sup> and took note of the budget transfers carried out under the responsibility of the Executive Director since the last notification.

The adopted amendments in the budget are related to the availability of ECHA's 2021 Biocidal Products Regulation (BPR) EU subsidy, ECHA's ongoing collaboration with the European Food Safety Authority (EFSA) on the International Uniform Chemical Information Database (IUCLID) and compensation for ECHA's work on Occupational Exposure Limits (OELs).

The Subgroup Finance, Audit and Risks (FAR) had reviewed the proposed amending budget during its meeting of 3 June 2021 and recommended its adoption.

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<sup>7</sup> MB/20/2021.

<sup>8</sup> MB/21/2021.

## B.6 Chemicals Strategy for Sustainability: report from the Secretariat on requests for support, input provided and impacts

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The Management Board took note of the of the requests received to support the Commission's Chemicals Strategy for Sustainability (CSS), the input provided so far, and the potential impact on the ECHA Work Programme 2021<sup>9</sup>, as well as of a presentation from the Commission on the plans for the proposal for a standalone ECHA founding regulation.

The Secretariat explained that several urgent actions have kick-started within the Agency, mainly with regard to the revision of the REACH and CLP regulations, where there is a short deadline to provide input to the Commission, often already by June-September 2021 (e.g. provision of data in preparation of new CLP hazard criteria; a draft restrictions roadmap, etc.). Other CSS actions appear to be rather long-term and, while the work has started within the Commission's working groups, it progresses at a slower pace and ECHA mainly contributes as a regular member of such working groups with its expertise. It was furthermore noted that preliminary informal discussions have started with the Commission with respect to potential new tasks being integrated into the Committee for Risk Assessment (RAC). The Secretariat explained that there are not yet indications that the work undertaken so far in support of the CSS will have an impact on other WP 2021 deliverables, but it cannot be excluded that such impacts will materialise later in the year. The Secretariat will continue recording the work and its possible impacts and report to the Management Board.

Board members representing the Commission thanked ECHA for the support provided so far and highlighted, in particular, the usefulness of the input in the areas of REACH/CLP revision impact assessment studies and the work on indicators. It was equally highlighted that ECHA's input will be necessary for the future work on 'one substance one assessment' (OSOA) and on the extension of the Public Activities Coordination Tool (PACT). A presentation was provided on the preliminary plans for a standalone ECHA founding regulation, which is foreseen to be published in the end of 2023, and which aims to strengthen the governance of ECHA and the sustainability of its financing model.

Board members thanked the Secretariat and the Commission for the information provided and welcomed the level and content of the reporting to the Board. The preliminary plans for the future standalone founding regulation were appreciated.

The importance of the further development of the OSOA process was pointed out, as it will impact ECHA's future tasks and resourcing. These concerns form a key part of the Management Board's considerations and the Management Board requested to receive further information from the Commission, when available. Furthermore, a Board member appointed by the Commission to represent interested parties formally requested the Commission to specify the role of the Management Board in the development of the OSOA and other key issues under the CSS that are relevant for the functioning of ECHA.

In the wider context, Board members reflected on the relevance of the CSS-related work to the on-going review of ECHA's strategy. It was pointed out that the strategy review does not aim to anticipate the outcome of the legislative changes arising from the CSS.

## B.7 Quarterly report on ECHA's activities

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The Management Board took note of the Quarterly report on ECHA's activities<sup>10</sup>. Board members welcomed the new format of reporting, whereby the traditional detailed report is provided in advance, to allow for questions and discussion in the Board meeting, and a shorter presentation is provided in the meeting, to highlight the Secretariat's reflections on emerging risks, opportunities, areas where significant challenges are detected or where reputational risks are to be addressed. It was requested that, in the future, mitigating measures are presented together with the risks.

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<sup>9</sup> MB/22/2021.

<sup>10</sup> MB/23/2021.

Board members noted the risks in terms of predicting ECHA's fee income, which is mitigated by corresponding savings, as well as the trend of declining fee income, compared with a stable or increasing (non fee-generating) workload. The Secretariat and the Commission's work on the future, stable financing framework of the Agency was welcomed.

Board members noted with concern the impact of resource limitations in some areas, where the Work Programme targets are at risk of not being met. This concerned, on the one hand, the planned delay in improvements to dissemination, where the Secretariat explained that the reason for the delay is technical shortcomings and a shortage in staff. Work has nevertheless started, and the objective is to make the dissemination platform more robust and expandable in the future. The Management Board will be regularly informed of the progress. The second area highlighted as impacted by resource limitations was technical completeness check (manual verification of the chemical safety report), the reason being high turnover of external contractors.

The Management Board also noted an emerging reputational risk, related to high public scrutiny and expectation level attached to the process for the harmonised classification and labelling for glyphosate, and asked the Secretariat to prepare accordingly. It was noted that early preparatory discussions took place with the European Food Safety Authority (EFSA) and Member States and the timelines and communication steps are closely aligned.

## B.8 Annual report from the Chairman of the Board of Appeal and exchange of views

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The Management Board took note of the annual report provided by the Chairman of the Board of Appeal<sup>11</sup> (BoA). The report included information on the activities of the BoA over the previous twelve months and on the organisation of the activities of the BoA. It further provided an overview of the cases of the BoA, as well as a recap of the BoA members' terms of office and statistics related to appeals.

Management Board members warmly welcomed Nikolaos GEORGIADIS, the new Technically Qualified Member, who was appointed in December 2020 and started in this position in March 2021.

Board members thanked the Chairman of the BoA for the information provided and expressed their appreciation for the BoA's work. The efficiencies gained were particularly welcomed, as well as having addressed the backlog of cases, which was recognised as of high value both for the Secretariat and for ECHA overall. The independence of the BoA and the high quality of its decisions were highlighted, and it was acknowledged that the BoA's performance is even more significant considering the challenges to its work brought on by the pandemic.

The good collaboration between the BoA members and the Management Board Subgroup Board of Appeal was acknowledged. In this context, the Management Board thanked Oscar GONZALEZ SANCHEZ for having recently accepted to chair this subgroup after the departure of its previous Chair, Hans MEIJER.

## B.9 Appointment of Committee members

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The Management Board appointed<sup>12</sup> three new RAC members (TSAKOVSKA Ivanka (BG), MENDAŠ STARČEVIĆ Gordana (HR) and VIEGAS Susana (PT)) and renewed the mandate of two RAC members (DE LA FLOR TEJERO Ignacio (ES) and MÖLLER Ruth (LU)). The Management Board also appointed two new SEAC members (ARGYROPOULOS Christos (CY) and GARCET PINEROS Juan (BE)) and renewed the mandate of two SEAC members (LEAHY Eimear (IE) and CASTELLI Stefano (IT)).

In this context, the Management Board took note of information provided by the RAC and SEAC Chairs on the process applied by them to arrive to their assessment during the

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<sup>11</sup> MB/24/2021.

<sup>12</sup> MB/25/2021.

appointment and re-appointment of Committee members. The information had been requested by a Board member appointed by the Commission to represent interested parties. The steps taken to ensure the availability of sufficient working time of new Committee members were considered appropriate to serve as part of the basis for the Board's appointment decision. With respect to re-appointments, it was noted that the Chairs' recommendation is based on the overall contribution of the candidates during the whole period of membership in terms of rapporteurships, Committee consultations and participation in plenaries, taking into account members' advisors' input as well.

## B.10 Update on the progress in developing the revised Application for Authorisation opinion format

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The Management Board took note of an oral update from the Secretariat on the progress in developing the revised formats for Application for Authorisation (AfA) opinions.

The Secretariat first recalled that the revision of the opinion format in 2019 clarified the boundaries between the scientific opinion making of ECHA committees and the policy decision taken by the Commission; they did no longer contain an explicit conclusion on whether the benefits of continued use of substances of very high concern (SVHCs) outweigh the associated risks.

In November 2020, the Commission requested<sup>13</sup> to include an explicit conclusion on whether the applicant has shown that the socio-economic benefits outweigh the risks to human health or the environment arising from the use of the substance. It was requested that this should explicitly clarify the scientific nature, purpose and scope of the advice given. An assessment and conclusion on whether safer alternatives are feasible and available in the EU (so far, the conclusion was only on whether they are feasible and available for the applicant) was also requested to be included.

ECHA prepared a revised draft of the new format, based on intensive reflection and discussion on how the conclusions in the format could be strengthened and clarified in response to the Commission's request, and within the regulatory scientific remit of the ECHA committees. RAC and SEAC members, as well as the Commission and stakeholders, commented on the draft revised format and it was later discussed in the June 2021 RAC and SEAC meetings. The outcome was furthermore presented to the Management Board in a dedicated AfA information session on 17 June 2021.

The Secretariat then explained the distinction between RAC and SEAC's scientific and technical evaluation and the Commission's broader (political) value judgements. The opinions are scientific, based on EU methodology and guidance. They provide clarity on what can be concluded and on what basis, what uncertainties remain and where the burden of proof lies. It was further highlighted that the assessment of SEAC follows the Commission's Better Regulation Toolbox and does not seek to rectify applicants' assessment but to provide a scientific opinion on it. It is based on a benefit-cost logic, even if impacts cannot be monetised or even quantified and it captures major impacts of authorisation on all those affected and not only on the applicants.

The Secretariat afterwards introduced the main changes in the SEAC conclusions in 2021, on socio-economic analysis and on the analysis of alternatives. With respect to the former, it was noted that different wordings would apply for different cases (based on the types of cases received in the past). The conclusions will include a list of elements on which they are based on and whether the applicant has demonstrated that the societal costs of not granting an authorisation are higher than the risks of continued use. For some of the cases, the conclusion will be dependent on whether a condition is fulfilled (to be determined by the Commission if it is, as the condition itself is outside of SEAC's remit). With respect to alternatives, the opinions will include a conclusion on the availability of alternatives in the EU and they will highlight that SEAC's conclusions are based on information in the application or the responses to consultation (with no externally conducted research). The conclusion will be drawn on whether there are alternatives that are technically and/or

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<sup>13</sup> MB/70/2020.

economically feasible in the EU. If there are, in most cases it will be noted that RAC is unable to conclude on whether these alternatives are safer.

The Secretariat finally explained that the new formats will be taken into use and the first opinions in the revised format may be expected by the end of 2021. The revised formats will be duly communicated to future applicants and the necessary training will be provided.

Board members thanked the Secretariat for the work and welcomed the revised opinion format as representing a significant improvement and the right way forward. It was acknowledged that AfA remains a complex topic, where not all issues can be addressed by only the opinion formats. It was appreciated that with the revision SEAC remains within its scientific and technical role, does not take value judgments and that the burden always remains on the applicant. It was furthermore emphasised that the roles of the committees and that of the Commission should be clearly spelled out, communicated widely and respected, and that the opinions should remain conclusive on all elements that are required, to allow the Commission to take an informed decision.

## B.11 Mandate of the Executive Director [*in camera*]

The Management Board took note of the resignation of the Executive Director, with the intention to retire<sup>14</sup>. The resignation from ECHA is due to personal reasons and it takes effect on 31 March 2022. The Management Board decided to request the European Commission to take the necessary steps to propose a list of suitable candidates for appointing a new Executive Director in accordance with Article 84(1) of REACH.

The Board member representing DG GROW explained the process for selecting and appointing the future Executive Director. The process will be composed of the publication of the vacancy notice, the pre-selection phase run by the Commission, resulting in the adoption of a list of qualified candidates, which will be transmitted to the Management Board. After receipt of the list, the Management Board will assess the merits of the candidates and select a new Executive Director. Before the final Management Board appointment, the selected candidate will be invited to make a statement before the European Parliament and to answer questions from its Members.

Board members welcomed the information, as well as the Commission's commitment to conducting a robust and efficient process. The importance of consistent communication towards stakeholders and the general public was pointed out and the Secretariat was asked to provide assistance to Board members, as necessary.

The Management Board decided to establish a preparatory group for the selection and appointment of the future Executive Director. The group's tasks will include preparing upcoming Management Board decisions, such as the approval of the vacancy notice or any transitional/interim arrangements. The group will be composed of the Chair of the Management Board (Paul KRAJNIK), the Reporting Officers for the Executive Director (Kristin SCHREIBER, Alojz GRABNER, Claudia DUMITRU) and two members appointed by the Commission to represent interested parties (Marco MENSINK and Stefan SCHEUER).

In this context, the Management Board took note of information from the Executive Director regarding upcoming personnel changes in ECHA's senior management.

## Confirmation of decisions taken

The Management Board confirmed all the decisions taken during the 62<sup>nd</sup> meeting<sup>15</sup>, using an electronic tool (Webropol), which was set up to guarantee anonymity and secrecy of

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<sup>14</sup> MB/27/2021.

<sup>15</sup> After each conclusion reached in the meeting, the Chair proposed to confirm the respective decision online. No objection was expressed to any of these proposals and on this basis, the online confirmation included all the decisions reached in the meeting, namely under the following points of the agenda:

3 Highly restricted minutes of the Extraordinary Management Board meeting of 26 May 2021,



the vote, the use of proxies and ensured that every member with voting rights was only able to submit one vote. The decisions were confirmed with the required two-third majority of votes.

Consequently, no written procedures will be conducted after the meeting to confirm the decisions taken.

## C. Points for information

### C.1 Periodic review of the Management Board Code of Governance

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The Management Board took note of the upcoming periodic review of its Code of Governance<sup>16</sup> ('the Code'), adopted in 2019. Board members were furthermore invited to convey proposals for any update they deem necessary to the Chair, in view of the review.

### C.2 Discharge 2019 recommendations

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The Management Board took note<sup>17</sup> of the European Parliament decisions of 28 April 2021 on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2019; on the closure of the accounts of the European Chemicals Agency for the financial year 2019 and of the European Parliament resolution of 29 April 2021 with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2019<sup>18</sup>.

### C.3 Outcome of the Written Procedure MB/WP/01/2021

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The Management Board took note of the positive outcome of the Written Procedure MB/WP/01/2021, conducted in April 2021.

## 4. Any other business

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N/A.

## Next meeting and closure

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The Management Board Chair thanked participants and the Secretariat. It was noted that the next Board meeting will take place remotely on 23-24 September 2021. The Management Board thanked its Slovenian member (Alojz GRABNER) for the invitation to hold the 63<sup>rd</sup> Board meeting in Slovenia in honour of its Presidency of the Council of the EU. It was noted with regret that it is not possible to accept the invitation, due to the pandemic and public health concerns.

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B.1 Composition of Management Board Subgroups,  
B.3 Opinion on the final accounts 2020,  
B.4. Amendment to the Programming Document 2021-2024,  
B.5 1st Amending budget 2021 and transfers within budget,  
B.9 Appointment of Committee members,  
B.11 Mandate of the Executive Director

<sup>16</sup> MB/26/2021

<sup>17</sup> P9 TA(2021)0194

<sup>18</sup> 2020/2170(DEC)

## II. Documents submitted to the Management Board

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Draft Agenda	MB/A/03/2021
Draft Minutes of the extraordinary meeting	MB/M/02/2021
Composition of Management Board Subgroups	MB/18/2021
Opinion on the final accounts 2020	MB/19/2021
Amendment to the Programming Document 2021-2024	MB/20/2021
1 <sup>st</sup> Amending budget 2021 and transfers within budget	MB/21/2021
Chemicals Strategy for Sustainability: report from the Secretariat on requests for support, input provided and impacts	MB/22/2021
Quarterly report on ECHA's activities	MB/23/2021
Annual report from the Chairman of the Board of Appeal and exchange of views	MB/24/2021
Appointment of Committee members	MB/25/2021
Periodic review of the Management Board Code of Governance	MB/26/2021
Mandate of the Executive Director	MB/27/2021
Discharge 2019 recommendations	P9_TA(2021)0194
Outcome of the Written Procedure	MB/WP/01/2021

### III. Decisions taken/ Conclusions reached by the Management Board

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#### The Management Board:

- Adopted the agenda for its 62<sup>nd</sup> meeting (Decision 21/2021).
- Approved the minutes of the Extraordinary Management Board meeting held on 26 May 2021 (highly restricted) (Decision 22/2021).
- Adopted the revised composition of the Management Board Subgroups (Decision 23/2021).
- Took note of the reports from its Subgroups Strategy, Planning and Implementation (SPI) and Finance, Audit and Risks (FAR).
- Took note of ECHA's Final Annual Accounts for the financial year 2020.
- Adopted its opinion on the Final Annual Accounts 2020 (Decision 24/2021).

Instructed the Executive Director to forward the Final Accounts, together with the opinion of the Management Board, to the accounting officer of the Commission, the Court of Auditors, the European Parliament and the Council, by 1 July 2021.

- Adopted an amendment to the Programming Document (PD) 2021-2024 (PARC) (Decision 25/2021).
- Adopted the first amending budget 2021 (Decision 26/2021).

Took note of transfers within the budget since the last notification.

- Took note of the current state of play of the requests received to support the CSS, the input provided so far, and the potential impact on the ECHA Work Programme 2021.
- Took note of information on the preliminary plans for ECHA's future standalone founding regulation.
- Took note of the quarterly report on ECHA's activities.
- Took note of the annual report from the Chairman of the Board of Appeal.
- Appointed and renewed new members to the Committee for Risk Assessment (RAC) and Socio-economic Analysis (SEAC), as follows (Decision 27/2021):

RAC new members	TSAKOVSKA Ivanka (BG) MENDAŠ STARČEVIĆ Gordana (HR) VIEGAS Susana (PT)
SEAC new members	ARGYROPOULOS Christos (CY) GARCET PINEROS Juan (BE)

Renewed the appointment of the following RAC members: DE LA FLOR TEJERO Ignacio (ES) and MÖLLER Ruth (LU)

Renewed the appointment of the following SEAC members: LEAHY Eimear (IE) and CASTELLI Stefano (IT).

Took note of information provided by the RAC and SEAC Chairs on the process applied by them to arrive to their assessment during the appointment and re-appointment of Committee members.

- Took note of the update on the progress in developing the revised Application for Authorisation opinion format.
- Took note of the resignation of the Executive Director, with his last day in contract being 31 March 2022.
- Decided to request the European Commission to take the necessary steps to propose a list of suitable candidates for appointing a new Executive Director in accordance with Article 84(1) of REACH (Decision 28/2021).

- Decided to establish a preparatory group for the selection and appointment of the future Executive Director, composed of the Chair of the Management Board (Paul KRAJNIK), the Reporting Officers for the Executive Director (Kristin SCHREIBER, Alojz GRABNER, Claudia DUMITRU) and two members appointed by the Commission to represent interested parties (Marco MENSINK and Stefan SCHEUER) (Decision 29/2021).
- Took note of information on the periodic review of the Management Board Code of Governance.
- Took note of the European Parliament decisions of 28 April 2021 on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2019; on the closure of the accounts of the European Chemicals Agency for the financial year 2019 and of the European Parliament resolution of 29 April 2021 with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Chemicals Agency for the financial year 2019.
- Took note of the positive outcome of its Written Procedure MB/WP/01/2021.

Agreed follow-up actions:

- The Secretariat will publish the updated list of members of its Subgroups on ECHA's website.
- The Executive Director will forward the Final Accounts, together with the opinion of the Management Board, to the accounting officer of the Commission, the Court of Auditors, the European Parliament and the Council, by 1 July 2021.

#### IV. List of attendees<sup>19</sup>

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##### Representatives of the Member States

Paul KRAJNIK	(AT)	(Also acting as proxy of Karine BOQUET (FR) on 24 June)
Anne-France RIHOUX	(BE)	
Teodora VALKOVA	(BG)	
Dubravka Marija KREKOVIC	(HR)	
Tasoula KYPRIANIDOU-LEONTIDOU	(CY)	(Also acting as proxy of Enda VESKIMÄE (EE))
Tatjana KOLESNIKOVA	(CZ)	(Also acting as proxy of Helena POLAKOVICOVA (SK) on 24 June)
Magnus LØFSTEDT	(DK)	
Hanna KORHONEN	(FI)	(Also acting as proxy of Judite DIPANE (LV))
Karine BOQUET	(FR)	
Axel VORWERK	(DE)	
Sofia ZISI	(EL)	
Szilvia DEIM	(HU)	
Stephen CURRAN	(IE)	
Pasqualino ROSSI	(IT)	
Donata PIPIRAITÉ-VALISKIENE	(LT)	
Jerome FAE	(LU)	
Ingrid BORG	(MT)	
Kees HOPPENER	(NL)	
Anna LEWANDOWSKA	(PL)	
Lilia MARTINS	(PT)	
Claudia DUMITRU	(RO)	
Helena POLAKOVICOVA	(SK)	
Alojz GRABNER	(SI)	
Oscar GONZALEZ SANCHEZ	(ES)	
Per ÄNGQUIST	(SE)	

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<sup>19</sup> 32 members with six proxies given (as detailed above and below: two full proxies (for 23-24 June) and four partial ones (only for 24 June)), two persons of trust (as detailed below) and one EEA/EFTA observer joined the remote meeting.

#### Representatives of the European Commission

Kestutis SADAUSKAS	DG ENV
Sabine JÜLICHER	DG SANTE
Kristin SCHREIBER	DG GROW (Also acting as proxy of Kestutis SADAUSKAS (DG ENV) and Sabine JÜLICHER (DG SANTE) on 24 June (only for part of the plenary session and for confirmatory voting))

#### Independent persons appointed by the European Parliament

Kristel BERNAERTS  
Olwenn MARTIN

#### Representatives from interested parties appointed by the European Commission

Stefan SCHEUER	EEB-BEUC – European Environmental Bureau/European Consumer Organisation
Marco MENSINK	Cefic

#### Not participating, no substitutes

Enda VESKIMÄE	(EE)
Judite DIPANE	(LV)
Steinunn Fjóla SIGURDARDOTTIR	(IS)

#### Observers from EEA/EFTA countries

Sverre Thomas JAHRE	(NO)
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#### Persons participating on behalf of Board members / observers:

Ignacio DORESTE (ETUC) on behalf of Gertraud LAUBER (IGBCE) (on 23 June)  
Jana BALEJIKOVA (Slovakia) on behalf of Helena POLAKOVIKOVA (on 24 June)

#### Other observers

Abdel EL-AMELI (DG GROW/COM)  
Michael FLÜH (DG GROW/COM)  
Bernhard BERGER (DG ENV/COM) (on 23 June)  
Cristina DE AVILA (DG ENV/COM) (on 24 June)

## ECHA staff

Bjorn HANSEN	(Executive Director)
Jukka MALM	(Deputy Executive Director)
Mike RASENBERG	(Acting Director of Information Systems)
Shay O'MALLEY	(Director of Resources)
Peter VAN DER ZANDT	(Director of Risk Management)
Christel MUSSET	(Director of Hazard Assessment)
Jack DE BRUIJN	(Director of Prioritisation and Integration)
Minna HEIKKILÄ	(Head of Legal Unit)
Frank BÜCHLER	(Head of Governance, Strategy and Relations Unit)
Tim BOWMER	(Chair of the Committee for Risk Assessment)
Maria OTTATI	(Chair of the Committee for Socio-economic Analysis)
Bo BALDUYCK	(Policy Officer, Governance, Strategy and Relations Unit)
Tuula HAKALA	(Head of Finance Unit)
Simos BOURSALIAN	(Accounting Officer, Finance Unit)
Hristina RANGELOVA	(Budget Officer, Finance Unit)
Matti VAINIO	(Head of Unit Risk Management II)
Antoine BUCHET	(Chairman of the Board of Appeal)
Nikolaos GEORGIADIS	(Technically Qualified Member, Board of Appeal)
Minna STRÖMBERG	(Internal Audit Capability)
Gabriella CSEH	(Management Board Secretary, Governance, Strategy and Relations Unit)
Timo RÖCKE	(Strategic Planning Officer, Governance, Strategy, and Relations Unit)
Jenni HOLSTI	(Management Board Assistant, Governance, Strategy and Relations Unit)