

PRELIMINARY CONCLUSIONS

40TH MANAGEMENT BOARD MEETING
16-17 DECEMBER 2015, HELSINKI

1. Quarterly Report on ECHA's Activities

The Management Board received the quarterly report on ECHA's progress in reaching the 2015 Work Programme targets, including the work programme indicators and monitoring of risks. The Board also took note of relevant institutional developments, such as a resolution of the European Parliament of 25 November 2015 related to an authorisation application. It was agreed that the Management Board would revert to a more in depth discussion at its next meeting on the functioning of the Committees, based on preparations by the Secretariat.

2. Final Amending Budget 2015 and Notification of Transfers within the Budget

The Board members adopted the final amending budget for 2015 and took note of the budget transfers carried out under the responsibility of the Executive Director.

Following the above amendments, the overall income and expenditure totals to € 120.6 million, implying:

- An increase of € 1.8 million compared to the second amending budget 2015, and bringing the total budget for fees and charges for REACH/CLP to € 22 million
- An amount of € 7 million to be budgeted to cater for the requirement to pay the employer's part of the pension contribution for staff working on REACH/CLP to the Paymaster's Office of the Commission.
- Reductions in expenditure in all three titles of the REACH/CLP budget totalling ca. € 3.2 million, which will be used to partly finance the pension contribution (the remainder taken from the reserve).
- The total expenditure budgeted for REACH/CLP, excluding the reserve, is increased by € 3.8 million to 104.7 million.

The decision will be notified to the Budgetary Authority, the Court of Auditors and the Commission and be published.

3. Budget and Work Programme 2016

3.1 Budget 2016

The Board adopted ECHA's budget for 2016 including the establishment plan. The total expenditure budget for 2016 amounts to € 107.4 million, which is identical in size for REACH/CLP and PIC than the draft budget, and slightly higher for BPR. The Board shared the concern of the Secretariat that the reduction of the BPR subsidy in final negotiation on the budget puts the next stage of the required further IT development for the BPR at risk.

REACH/CLP establishment plan posts total 420 Temporary Agent (TA) posts (that is, 10 less than in 2015). Biocides Establishment Plan TA posts total 39 (that is, 9 posts less than in 2015). PIC Establishment Plan remains constant at 6 TA posts.

The Board noted that from 2016, the flexibility provided by the reserve will no longer exist, while the volatility and uncertainty of fee income in both the REACH/CLP and Biocides areas will continue. Therefore, there is a key requirement for continuous budget monitoring – in collaboration with the Commission - in particular for accuracy in income forecasting to address the risks of shortfalls on the revenue side. Different uncertainties were also highlighted which may lead to the need for amending the budget during 2016.

The decision will be notified to the Budgetary Authority, the Court of Auditors and the Commission and be published.

3.2 Update of the 2016 Work Programme

The Management Board adopted an updated version of the Work Programme 2016 including annexes on staff allocation per activity area and on planned procurements. The Work Programme originally adopted in September 2015 is now aligned with the final budget for 2016 and other budgetary relevant developments.

The proposal was prepared by the Secretariat with the support of the Working Group on Planning and Reporting. One minor amendment requested by the Commission - related to work on rodenticides - was agreed in the meeting.

The final document will be sent to the Member States, the European Parliament, the Council and the Commission and will be published.

The Board took also note of the ECHA IT masterplan and of an issue raised by the Secretariat in relation to the execution of that plan.

4. ECHA Programming

4.1 Draft ECHA Programming Document 2017-19

In support to ECHA's preliminary draft budget request for 2017, the Management Board adopted a Draft Programming Document 2017-2019. The Board noted that the subsidy and staffing requirements are in line with the Commission's Multiannual Financial Framework Planning in 2017, except for a slightly higher amount of BPR subsidy, which is provisional subject to confirmation of the fee study undertaken by the Commission.

The proposal was prepared by the Secretariat with the support of the Working Group on Planning and Reporting. It was agreed that a clarification concerning the terminology on priority substances and a reference to the 2030 World Sustainable Development targets shall be added to the text.

The document will be submitted to the European Commission and Institutions by 31 January 2016. The final version will be adopted by the Management Board in September 2016.

4.2 Milestones for Developing the ECHA Strategic Orientation 2019-23

The Management Board endorsed an approach for defining ECHA's future strategic orientation for the years 2019-23, which will have its first milestone with a Management Board workshop in June 2016 and would conclude with the adoption of the strategic orientation document latest in June 2018 after public consultation.

5. Report of the Quality Manager

The Board took note of the report of the Quality Manager in the area of quality certification which supports efficiencies, consistency and continuous improvements. It was noted that ECHA will strive in future also for an environmental certification, first

under the ISO Standard and afterwards under the EU Eco-Management and Audit Scheme (EMAS).

6. Report from the WG Audit and Information on Ex-ante/ Ex-post Evaluations

The Chair of the Working Group on Audit reported on the meeting of the Group on 15 December, covering the audit planning for next year and the findings of the 2015 IAS audit on forecasting, calculation and collection of fee income and charges under the REACH, CLP and BPR Regulations.

The Board took note of the report and encouraged a continued timely follow-up of audit recommendations.

7. Report from the AG Dissemination

The Management Board took note of the Advisory Group on Dissemination report following its meeting on 18 November. The Agency's strategy to achieve the publication of exposure scenario information from the REACH Safety Data Sheet will be aligned with the release of IUCLID 6.1.

The Board members received a live presentation of the new dissemination portal to be launched in January 2016, which will in its view become a major success.

8. Report from the Working Group on Board of Appeal

The Board members took note of the report presented by the Chair of the Working Group Board of Appeal from its meeting of 18 November 2015, welcoming that the Board of Appeal is smoothly functioning.

9. Appointment of Committee Members

The Management Board appointed one new member nominated by Spain for RAC and three new members nominated by Czech Republic¹, Italy and Sweden for SEAC.

With these new nominations, RAC has 52 members (including 5 co-opted members) and SEAC has 43 members (including 3 co-opted members).

10. ECHA's Approach on Avoiding Unnecessary Animal Testing

The Board took note of ECHA's approach on avoiding unnecessary animal testing and its foreseen actions for the years 2016-2017. The Agency is committed to ensure a high level of human and environmental protection and apply the 3R principle: reduce, replace and refine and will prepare a comprehensive report on the validity and regulatory acceptability of alternative methods and approaches.

The Board is looking forward to the final adjustments to the agency's processes on testing proposals and compliance checks in response of the Ombudsman recommendations. The Commission showed its support and invited ECHA to participate and contribute to the Scientific Conference in November 2016.

11. ECHA's Approach on Engaging Third Parties in Public Consultations

The Board took note of how ECHA involves third parties in its REACH and CLP processes and ideas on how the process can be further improved.

The Board also welcomed the proposal of an interested parties representative appointed by the Commission to mandate the Advisory Group on Dissemination to further discuss possible improvements particularly in getting access to information on alternatives to

¹The Czech nomination will take effect only after the expiry of the term of one of the two current Czech members.

substances for which there is an application for authorisation and forevaluating the effect of the recent changes to the public consultations on testing proposals and applications for authorisations.

Furthermore, several members suggested that the group could provide its expertise and advice also to other aspects of the authorisation application process which are relevant for the effectiveness of public consultations, such as the scope of applications in terms of uses covered.

12. Other topics

- The Board confirmed the **composition of Management Board subgroups**. Judite Dipane (Latvia) and the three new members appointed by the Commission to represent interested parties (Ester Lynch (ETUC) Stefan Scheuer (EEB), Peter Smith (CEFIC) will join the Advisory Group on Dissemination.
- The Board heard a report from the **SME visit programme**, welcoming the initiative and exchanging views in the challenges faced by SMEs in implementing chemicals legislation.
- The Board was updated on **ECHA's translation practice**. Efficiencies will be sought in future, focusing translations on added value for ECHA's stakeholders.
- The Board received a **report on the implementation of the 2013 discharge recommendations**.
- The Board was updated on the **implementation of the Compliance Check Strategy** and firmly welcomed the approach taken by the Secretariat for integrating the regulatory strategies under the different REACH processes.

Meetings of the Management Board in 2016:

- 17-18 March (Thursday-Friday)
- 22-23 June (Wednesday-Thursday)
- 28-29 September (Wednesday-Thursday - in Bratislava, hosted by the Slovakian EU Presidency)
- 13-14 December (Tuesday-Wednesday)
