

Amendment to Rules of Procedure of Committees

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

Proposal

- The Management Board is invited to adopt revisions updating the Rules of Procedure for RAC and SEAC concerning lowering the quorum from at least sixty percent to at least fifty percent on the following items:
 - The quorum necessary for a meeting is achieved when at least fifty percent of all members having the right to vote are present at the meeting at the time of the agenda point in question.
 - When opinions are being adopted under written procedure, at least fifty percent of the members having the right to vote have to respond for the procedure to be regarded as valid.
- The proposed revisions were agreed by RAC and SEAC at their respective plenary meetings (RAC 6-8 March and 12-15 March; SEAC 12-15 March).

Background

The current proposal for revision to lower the quorum is intended to bring the Rules of Procedure into line with the operational needs of RAC and SEAC going forward and is one of the efficiency measures to enable RAC- and SEAC members to handle the length of the plenary meetings through 2019 and 2020.

Other efficiency measures taken to reduce the plenary debate is setting up Working Groups in RAC (and SEAC), to allow A-listing of opinions on applications for authorisation in RAC, and the request to the Management Board to encourage their Member States Competent Authorities to provide RAC- and SEAC members involved in application for authorisation with suitably qualified advisors to take part in the above application for authorisation working group.

Rationale

RAC and SEAC are responsible for providing opinions on Restrictions and Applications for Authorisation under REACH. In addition, RAC is responsible for providing opinions on Classification Labelling and Packaging (CLP) and now Occupational Exposure Limits (OELs), the latter under a Contribution Agreement between DG-EMPL and ECHA (signed February 2019).

Such multifunctional Committees requires a wide range of expertise. With workload still increasing, and even with the above mentioned efficiency measures, the length of plenary meetings is likely to grow through 2019 and 2020. To allow members to attend more easily the items for which they are needed, two-week meetings are divided as clearly as possible into CLP and REACH/OSH weeks where RAC is concerned.

Lowering the quorum from at least 60 percent of members having the right to vote, to at least 50 percent will allow more members to focus on and attend the parts of meetings relevant to their expertise. Considering that RAC and SEAC currently have respectively 51 and 33 voting members (i.e. excluding, EEA, co-opted and any conflicted members in line with the Rules of Procedure of RAC and SEAC) this will still ensure that all parts of the plenary meetings will still be attended by suitable numbers of qualified experts.

Issues in attaining quorum has also arisen in written procedures and to be consistent the same change is proposed also for the opinions being adopted under written procedure, i.e. to lower the quorum from at least sixty percent to at least fifty percent.

Alternative options

Not to lower the quorum from at least 60 percent to fifty percent with the risk that the length of the plenary meeting is not manageable in RAC and SEAC in 2019 and 202 and with the risk that occasionally low attendance in Committee might prevent and delay decision-making.

Drawbacks

The perception might arise that the number of members voting to decide an issue might be low. Against this, in relatively large Committees such as RAC and SEAC, this is not expected to become an issue.

Attachments:

- Annex 1: Revised Draft Rules of Procedure for the Committee for Risk Assessment
- Annex 2: Revised draft Rules of Procedure for the Committee for Socio-Economic Analysis

For questions: bjorn.hansen@echa.europa.eu with copy to mb-secretariat@echa.europa.eu