

TERMS OF REFERENCE OF THE MANAGEMENT BOARD SUBGROUP ON BOARD OF APPEAL

These Terms of Reference describe the European Chemicals Agency (ECHA) Management Board Subgroup on Board of Appeal's role, composition and organisation, tasks and reporting arrangements.

1. ROLE

The Subgroup on Board of Appeal assists the Management Board on all issues related to the Board of Appeal and its members.

2. COMPOSITION

- The Management Board Subgroup on Board of Appeal comprises at least four members of the Management Board, including one member representing the Commission.
- The Subgroup members' mandate will have a term of two years. Membership may be renewed.
- The Subgroup shall have a balanced composition and include members with professional experience covering appropriate backgrounds (such as in legal and administrative matters).
- The Subgroup Board of Appeal elects its Chair from among its members.

3. ORGANISATION AND MEETING ATTENDANCE

- Meetings shall be held as frequently as circumstances require, taking into account the schedule of Management Board meetings.
- Meetings may be held in person, by remote connection or by a combination of these.
- The quorum to hold a meeting shall be three members of the Subgroup.
- The Subgroup works on the basis of consensus.
- The Secretariat to the Subgroup shall be provided by the Secretariat of the Agency.
- The Subgroup may invite external experts to attend meetings where considered necessary.
- Staff members of ECHA other than the Executive Director shall take part in the Subgroup meetings at the discretion of the Executive Director.

4. TASKS OF THE SUBGROUP

The tasks of the Subgroup shall be to:

- Inform and advise the Management Board with regard to all issues related to the Board of Appeal, its functioning, ways of working and appointment and contractual conditions of its members;
- Advise the Management Board in defining/reviewing the structure of the Board of Appeal;
- Act (via its members) as preparatory group for the selection of Board of Appeal members and alternate/additional members;
- Advise the Management Board on the adoption of Implementing Rules to the Staff Regulations insofar as they pertain to members of the Board of Appeal;
- Advise the Management Board on the adoption of rules for remunerating alternate/additional Board of Appeal members;
- Advise the Management Board on the adoption of rules for calculation of the amounts and advances to be paid to witnesses;
- Review the Executive Director-Board of Appeal administrative arrangements, as necessary;

- Receive information on/review the Code of Conduct of the Board of Appeal, as necessary;
- Prepare the annual exchange of views of the Management Board with the Board of Appeal Chair;
- And other related tasks as and if requested by the Management Board.

5. REPORTING

The Subgroup shall bring to the Management Board's attention any issue arising from its work and will report to the Management Board after its meetings.

Done at Helsinki on 13 December 2019

signed

Sharon MCGUINNESS
Chair of the Management Board