

## **General conditions and independence of members**

According to Article 86(1) of the REACH Regulation, the members of the Forum are appointed for a term of three years, which shall be renewable. Moreover, members of the Management Board of ECHA may not be members of the Forum.

### **Appointment of Forum members, BPR Subgroup (BPRS) members and their alternates**

Forum members may have up to three alternates. This will allow membership and backup for the Forum as well as membership and backup for BPRS. Member State concerned shall specify whether the alternate shall represent the Forum member in the Forum or in the BPR Subgroup or both.

The term of the Forum alternate members is linked to the term of the Forum member and therefore alternates need to be appointed each time the Forum member is appointed or renewed. The process and documentation needed for appointing an alternate member are the same as for appointment of the Forum member.

Together with the appointment or renewal of the Forum members and alternates please indicate which of them will be the BPRS member. Because the term of the BPRS member is also linked to the term of the Forum member, BPRS members and alternates need to be appointed each time the Forum member is appointed or renewed.

The appointment will begin from the date of the appointment letter sent to ECHA and the Member State has the possibility to appoint a new member at any point, according to the Forum Rules of Procedure.<sup>1</sup>

### **Publication of names, qualifications and declarations**

According to Article 88(1) of the REACH Regulation, the membership of the Forum and the professional qualifications of the members shall be made public. Moreover, in accordance with ECHA's value of transparency, the annual declarations of interests are published.

The information about your appointments should be sent from your Permanent Representation and may be submitted by mail to ECHA or by email to functional mailbox [forum@echa.europa.eu](mailto:forum@echa.europa.eu). ECHA will process any personal data received in accordance with Regulation (EC) 2018/1725 on the protection of individuals with regard to the processing of personal data by the EU institutions, bodies, offices and agencies.

### **Independence of members**

As one element to safeguard the independence, integrity and credibility of the Forum's outcomes, ECHA has put in place a policy<sup>2</sup> to manage potential conflicts of interests that

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<sup>1</sup> [https://echa.europa.eu/documents/10162/13577/forum\\_procedures\\_rules\\_en.pdf/d0f78361-393d-438f-994d-20c36667545c](https://echa.europa.eu/documents/10162/13577/forum_procedures_rules_en.pdf/d0f78361-393d-438f-994d-20c36667545c)

<sup>2</sup> [https://echa.europa.eu/documents/10162/13608/pro\\_0067\\_04\\_coi\\_management\\_en.pdf/c4082b12-5830-4647-abf7-47c4a0879c86](https://echa.europa.eu/documents/10162/13608/pro_0067_04_coi_management_en.pdf/c4082b12-5830-4647-abf7-47c4a0879c86)

could arise in relation to the membership of the ECHA Forum. This procedure ensures that a balance is taken between getting the right expertise to guarantee high quality science-based decision making and at the same time, strictly avoiding conflicting interests influencing or seen as influencing the decision-making process. Potential conflicts of interests will be assessed based on the information provided and in particular the declaration of interests.

As the appointing authorities, Member States are kindly invited to respect the ECHA Conflict of Interest policy and to adhere to the following eligibility guidelines when appointing their members of the Forum:

- a) Candidates being currently employed by (in a position of relevant importance), whether paid or unpaid, a commercial entity with an interest in the regulatory field of activity of the Agency or an association or other body (except a body established under public law of a Member State serving a public interest) which can be considered as an interest group with an interest in the field of chemicals management shall not be appointed. Appointed members of the Committees of the Agency shall resign from the Committee before they enter into service in any such enterprise.
- b) Candidates being an active member or, or holding a position in a governing body or permanent<sup>3</sup> scientific advisory body of a commercial entity with an interest in the regulatory field of activity of the Agency or an association or other body (except a body established under public law of a Member State serving a public interest) which can be considered as an interest group with an interest in the field of chemicals management shall not be appointed. Appointed members shall resign from the Committee before they enter into service in any such association.
- c) Candidates who personally have contractual obligations to perform work for a commercial entity or interest group with an interest in the regulatory field of activity of the Agency after having been appointed as members, shall a) withdraw from current contracts and b) refrain from entering into any new contracts with such commercial entities or organisations.
- d) Candidates who currently hold investments above 10.000 EUR in a commercial entity manufacturing, importing or supplying substances or mixtures subject to the authority of the Agency, including holding stocks and shares, stock options, equity, bonds, partnership interest in the capital of such undertaking, one of its subsidiaries or a company in the capital of which it has a holding or entitling to a voting right of 5% or more in such commercial entity, shall not be appointed. This is without prejudice to financial interests held through an investment fund, pension fund and/or interests in non-nominal unit trusts or similar arrangements, provided that these investments are broadly diversified and the candidate has no influence on their financial management.
- e) Candidates who were within the past two years employed by (in a position of relevant importance), or held a position in a governing body or permanent scientific advisory body (whether paid or unpaid) of a commercial entity with an interest in the regulatory field of activity of the Agency or an association or other body (except a body established under public law of a Member State serving public interest) which can be considered as an interest group with an interest in the field of chemicals management

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<sup>3</sup> As opposed to ad hoc or temporary project boards

(or an active member thereof) shall not be appointed when the candidate has a potential conflict of interest of a general nature that would potentially lead to multiple exclusions of the individual from the meetings of the ECHA body, the decision making of the Agency or from rapporteurship.