

**DECISION OF THE MANAGEMENT BOARD
ON THE APPOINTMENT OF AN ACTING EXECUTIVE DIRECTOR**

THE MANAGEMENT BOARD OF THE EUROPEAN CHEMICALS AGENCY,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, and in particular Article 84 thereof;

Having regard to Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants (CEOS) of the European Economic Community and the European Atomic Energy Community, and in particular Article 7(2) of the Staff Regulations and Article 10 of the CEOS;

Having regard to the Financial Regulation of the European Chemicals Agency of 20 June 2019 (Management Board Decision 30/2019);

Having regard to the Agency's Implementing Rules as regards temporary occupation of management posts (Management Board Decision 01/2018), hereinafter referred to as 'Implementing Rules';

WHEREAS:

Following the resignation of Mr Bjorn HANSEN, the current Executive Director, notified to the Management Board on 16 June 2021, the post of Executive Director will become vacant with effect from 1 April 2022,

According to Article 84 of Regulation (EC) No 1907/2006, the Management Board will appoint a new Executive Director on the basis of a list of candidates proposed by the Commission following a call for expressions of interest published in the Official Journal of the European Union and in other periodicals or on Internet sites. Pending the appointment of a new Executive Director following the procedure described above, it is necessary to provide an interim solution through the appointment of an Acting Executive Director,

The Management Board has considered that the designated person should be a member of the senior management in ECHA and able to perform essential duties as legal representative of ECHA, the duties under the Financial and Staff Regulations, and ensure the continuity of all the Agency's tasks and operations until the moment where the open competition for the position is completed,

Article 7(2) of the Staff Regulations provides that the Appointing Authority may call upon officials to occupy a post in their function group in a grade which is higher than their own grade,

The Management Board considers the longest serving senior manager, Shay O'MALLEY, Director of Resources, as the most suitable staff member for being appointed as Acting Executive Director, until a new Executive Director is formally appointed in accordance with the procedure of Article 84 of Regulation (EC) No 1907/2006,

According to the caretaking nature and expected short duration of the appointment, the Management Board invites the Acting Executive Director to focus on providing stability for ECHA, ensuring the effective implementation of the 2022 Work Programme and to consult the Board with respect to decisions on policies, initiatives and appointments with long-term impact,

The objectives for the interim period will be defined by the Executive Director Reporting Officers, in line with the guidance provided by the Management Board in its extraordinary meeting of 19 January 2022,

HAS DECIDED:

Article 1

As of 1 April 2022, Shay O'MALLEY shall be temporarily assigned the duties of Acting Executive Director, with all prerogatives, rights and obligations entrusted to or incumbent upon the Executive Director of the European Chemicals Agency by law.

Article 2

The Decision shall be implemented by Bjorn HANSEN, the current Executive Director, in full compliance with Article 7(2) of the Staff Regulations and the Implementing Rules.

Article 3

The temporary assignment shall take effect on 1 April 2022 and shall be in force until a new Executive Director, appointed in accordance with the procedure foreseen in Article 84 of Regulation (EC) No 1907/2006, takes up their duties.

Done at Helsinki, 19 January 2022

signed

Paul Krajnik
Chair of the Management Board