

Note to the Management Board

Outcome of the Management Board consultation on the draft document "Rules of Procedure of the Management Board of the European Food Safety Authority"

Introduction

On 1 September 2022, EFSA presented to the Management Board the proposal of the Executive Director on the "DRAFT Rules of Procedure of the Management Board of EFSA". Following the initial exchange of views based on that presentation, the draft Rules of Procedure were subject to written comments from the Management Board until 9 September 2022.

This note aims at summarising the comments received from the Management Board.

Comments

1. Reference to the length of the term of office of the Management Board members and alternate members.

Action: It is proposed to add a second paragraph to Article 1, which reflects the provision in Article 25(2) of Regulation No 178/2002: "*In accordance with Article 25(2) of Regulation (EC) No 178/2002, the term of office of members and alternate members shall be four years and may be renewed. However, the term of office of members and alternate members representing civil society and food chain interests may be renewed only once.*"

The title of the Article would be updated in: "Composition and term of office".

2. Eligibility to the position of Chair and Vice-Chair of the Management Board.

Action: The second sentence of Article 2(1) is proposed to be amended as follows: "*Management Board members without the right to vote and representatives of civil society and food chain interests ~~the industry and farmers organisations~~ are not eligible for the position of Chair and Vice-Chair.*"

3. Identification of the Management Board members with and/or without voting right.

Action: It is proposed to leave this aspect outside the Management Board Rules of Procedure. Relevant legislative framework applies.

4. Voting right.

Action: It is proposed to add a sentence at the beginning of Article 7(2): "*Each member of the Management Board with voting right is assigned with one vote.*"

5. Proxy.

Action: It is proposed to add Annex II with the template of proxy.

6. Attendance of Management Board meetings by alternate members.

Action: Article 25(5), second sub-paragraph, applies: "*Alternate members shall represent the members in their absence and vote on their behalf.*"

It is proposed to add a fourth paragraph to Article 15: "*Interested people may observe public meetings upon registration as advertised on EFSA's website. Management Board alternate*"

members who do not represent their respective members may observe the Management Board meetings without registration.

7. Register of activities undertaken by former members of its Management Board (provision in the [EFSA Policy on Independence](#).

Action: Article 13(7) of the Management Board Rules of Procedure is proposed to be amended as follows: "Paragraph 6 applies in relation to the representatives of the European Commission and of the EFTA Surveillance Authority only in case their employment at the European Commission or at the EFTA Surveillance Authority ceases within the following two years from the expiry of their term of office as Board members or alternate members".

8. Failure to attend three consecutive meetings.

Action: Article 14(7) of the Management Board Rules of Procedure is proposed to be amended as follows: "In case Management Board members fail to attend three consecutive meetings without being replaced by their alternate for at least one of these meetings, the Chair shall send a formal letter to the Member States, EFTA Countries, ~~or~~ Institutions or bodies concerned to remind them the importance of being present at the Management Board meetings".

Next step

Upon revision of the "DRAFT Rules of Procedure of the Management Board of EFSA", the document is submitted to the Management Board for possible adoption.

The document is presented in track-changes in order to make the identification of changes easier.