



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

16 September 2010
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Adopted

Revised procedure for the appointment of the Executive Director

Extraordinary Management Board meeting 5 May 2011

Background note

The original document on the procedure for the appointment of the Executive Director was originally adopted by the Management Board at its meeting on 7 October 2010.

Matters for consideration

The proposed revisions take into account the actual number of candidates on the shortlist presented to the Board; the revised order of items 2 and 5; the revised description of events surrounding European Parliament hearing; and the subsequent procedure for formal offer of employment in accordance with the Staff Regulation.

In addition, a statement has been added regarding the Andreas Pott's continued role as the Acting Executive Director until the new person actually takes office himself.



Procedure for the appointment of the Executive Director

Proposed revision to original document adopted 7 October 2010

Role of the Management Board

As a reminder of the background to the Board's role in the appointment, Article 64 (1) of Regulation (EC) 726/2004 states that, *"The Executive Director shall be appointed by the Management Board, on a proposal from the Commission, for a period of five years 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."*

Before appointment, the candidate nominated by the Management Board shall be invited forthwith to make a statement to the European Parliament and to answer any questions put by its Members.

His mandate may be renewed once."

Shortlist of candidates

The shortlist of candidates is presented by the European Commission.

The Management Board appointed Kent Woods on 10 December 2009 as an observer to the Commission's pre-selection panel.

Running of the meeting

The Extraordinary Meeting of the Board is convened solely for the purpose of the appointment of the Executive Director. There shall be no other matters considered during the meeting.

Members will meet in room 4A, the usual meeting room of the Board. The meeting will have no interpretation. The meeting starts at 09:00 with an introduction of the programme of the day and a brief report from Kent Woods.

Only the Members of the Board and the officially appointed observers from EEA-EFTA countries (Iceland, Liechtenstein and Norway) shall be invited to the extraordinary meeting. In the case where the Member or the observer cannot attend, their Alternate will be invited instead. There shall be no additional representatives allowed at the meeting.

Where neither the Member nor the Alternate is available to attend, a proxy shall be provided to another Member of the Board in accordance with the MB Rules of procedure (EMA/MB/115339/2004/en/Rev.2). The Chair will announce all proxies notified to him at the beginning of the meeting.

From the Agency, there will be in the meeting room the current Acting Executive Director, the Head of Legal Services, the Heads of Unit, the Head of the Office of the Executive Director, Nerimantas Steikunas taking the minutes of the meeting, and Zuzana O'Callaghan assisting the vote.

The selection process

- Phase 1 (interviews) Candidates will be heard by the Board in alphabetical order.
- Approximately 45 minutes will be allocated per candidate. Each candidate will be invited to make a statement to the Board of a maximum 10 minutes, followed by up to 30 minutes of questions and answers. Each candidate will be invited to make a closing statement of up to 5 minutes.
- A buffer time of up to 15 minutes is provided between candidates to allow for extra questions or discussions.
- Phase 2 (discussion) Following all interviews, the Board may discuss the candidates. A maximum of 1 hour is provided for this discussion.
- Phase 3 (vote) While provisions will be put in place to vote on the candidates on the day, the Board may require more time to fully consider the information presented and postpone its vote to a subsequent meeting.
- The voting regime is described in the attached Annex.

The appointment process

The Board

Following the formal announcement of the successful candidate by the Chair at the end of the meeting, the Chair will inform the candidates of the outcome of the election in person and in writing.

The Executive Director-designate will be contacted by the Agency's secretariat to meet the Agency's management team and to make arrangements necessary for the subsequent Parliamentary hearing.

The European Parliament

In accordance with Article 64(1) of Regulation (EC) 726/2004, the Board's designated candidate is formally appointed only after his hearing before the European Parliament.

The hearing with the European Parliament Committee on the Environment, Public Health and Food Safety has been fixed for Tuesday 24 May 2011.

Following the hearing, and after consultation of the European Parliament's Conference of Presidents, the President of the European Parliament will write to the Commission and to the Agency. On receipt of this letter the Executive Director-designate will undertake a medical exam, only after which the Agency can make a formal offer of employment in accordance with the Staff Regulations.

Pending agreement on the day on which the individual officially takes up his responsibilities as Executive Director, Andreas Pott continues as Acting Executive Director.

Annex

Step-by-step instruction on the voting regime and programme of the day:

1. Outline of the programme of the day: from 09:00 – 17:30 (subject to events on the day)
2. Chair announces all proxies notified ahead of the meeting
3. Two tellers are appointed at the start of the meeting from among the members or observers to count the votes
4. Chair announces the candidates
5. Report from the Management Board observer to the Commission pre-selection panel
6. Candidates are interviewed by the Management Board in alphabetical order

Estimated time frame is as follow

<i>09:00 – 09:30 Procedure as outlined above in steps 2 to 5</i>				
Candidate	Presentation time	Q&A time	Closing statement	Additional buffer time
1	09:30 – 09:40	09:40 – 10:10	10:10 – 10:15	10:15 – 10:30
2	10:30 – 10:40	10:40 – 11:10	11:10 – 11:15	11:15 – 11:30
<i>Tea/Coffee 11:30 – 12:00 (Outside Room 4A)</i>				
3	12:00 – 12:10	12:10 – 12:40	12:40 – 12:45	12:45 – 13:00
<i>Lunch break 13:00 – 14:00 (Function Room reserved for sole use of Management Board)</i>				
4	14:00 – 14:10	14:10 – 14:40	14:40 – 14:45	14:45 – 15:00
<i>Tea/Coffee 15:00 – 15:30</i>				
<i>15:30 – onwards Procedure as outlined below in steps 7 to 17</i>				

7. The Board discusses the candidates and decides to proceed to a vote
8. Ballot papers are distributed
9. Each member (or alternate) gets one ballot paper. Members with proxies will receive the appropriate number of additional ballot papers (no more than two)
10. Members write the name of the candidate on the ballot paper
11. Ballot box is circulated
12. Tellers count votes
13. Successful candidate needs two-thirds majority of the members of the Board (i.e. 24 votes out of total Board composition of 35 members)
14. If majority is not achieved then the candidate with the lowest number of votes is eliminated and an additional voting round is held as described above

15. Process continues until a candidate achieves the required majority
16. If the successful candidate fails to secure a two-thirds majority then there will be a further round with the single candidate to confirm the vote
17. Chair formally declares the number of votes cast, the results of the votes and the name of successful candidate
18. The Executive Director-designate is informed in person and in writing by the Chair of the outcome of the voting