

Proactive Alliance

28 February 2019 – rev. 12.11.2019

This document sets out the terms of reference for the Proactive Alliance group. The terms of reference define the purpose and the structures of the Proactive Alliance group.

At the fourth meeting of the Proactive Alliance (17 December 2018) participants agreed on the need to develop a Terms of Reference for the Group to support implementation of the Programme.

Terms of reference for the Proactive Alliance Group

1. Proactive Alliance (PA) Group background and objectives

1.1 The Proactive Alliance Steering Group was established during the Chemical Watch Global Business Meeting Conference in March 2018 with representatives from Industry and trade.

1.2 The objective of the PA group is to contribute to the development of a global cross-sector standard for the communication on Substances in Articles (SiA; as defined by REACH but extendable globally). The full Mission Statement (charter) of the PA is accessible at www.proactive-alliance.info.

1.3 The PA is open to any industry and trade association that can contribute to the SiA objective.

1.4 The PA Steering group is requesting sofia (Society for Institutional Analysis, Haardtring 100, 64295 Darmstadt) subject to the availability of resources, to continue to lead the Proactive Alliance group in an open, transparent and inclusive manner, in compliance with applicable law, including being the contact point for any third party requests, to promote and facilitate implementation activities, with input from stakeholders, to coordinate periodic updates as necessary.

2. Definitions of actors and their status

2.1 Steering Group: Companies and associations participating in the constitutive meeting of the Proactive Alliance March 2018 in Amsterdam and therefore recognized as originators of the Proactive Alliance group. The Steering Group safeguards the Proactive Alliance objectives.

2.2 Chair: The Chair either may be an additional position, or may be chosen from the standing membership of the Group. The Group will confirm the Chair subject to the procedure set out in para. 6. The Chair will serve for a two-year term, with the possibility of reconfirmation.

2.3 Full Member: Full members are members having voting rights and are included in the mailing list.

2.4 Observer: Observers are members of the group without voting rights. Observers are included in the mailing list.

Proactive Alliance



2.5 Guest: Guests are not members of the group and have no voting rights. Guests are entitled to participate in working group meetings. Para. 6.2 applies.

3. Responsibilities

Group members are expected to:

- be active in the discussions and in providing feedback to documents and issues before the Group meeting
- be proactive within their constituencies in promoting awareness of, and engaging and participating in the implementation of the SiA project
- provide advice and approve updates on the Proactive Alliance work on SiA

4. Membership and representativeness

4.1 Membership is generally limited to European based associations. It is established following these criteria:

- a) PA members belong to European trade or industry associations, or have been designated or mandated by such associations
- b) PA members may belong to local/national associations if such association is not represented at the European level.
- c) PA members may belong to individual companies if such a company is not represented by any aforementioned associations.
- d) Companies and associations recognized as originators of the PA (Steering Group) are regular members.

The industrial sectors represented in the Group may vary with time but any sector (in the PA defined scope) could apply for membership.

Appendix A contains the list of members of the PA.

4.2 PA Members identify their representatives: at least one main representative or one main and one alternate representative.

4.3 A probation phase of 6 months is implemented for new members.

4.4 Lack of commitment regarding participation in the group's meetings can result in the exclusion from the group. Should a member not attend two successive meetings without proper justification, the Chair will inform the individual and the Steering Group to assess further involvement in the group. A member who is unable to attend a meeting, may nominate an alternate member (para. 5.2) for replacement up to three times. After three replacements, the Chair will inform the individual and the Steering Group to

Proactive Alliance



assess further involvement in the group. Any absences and/or replacements should be communicated ahead of time to Chair.

4.5 The Group will choose a Chair, whose duties include to promote effective support of the Group in view of its objectives and to coordinate within the Group to address relevant issues as they will arise.

4.6 There is no membership fee.

4.7 Members of the Group when involved in PA activities (e.g. WG activities or networking activities), or activities related to the PA, are acting on their own accounts. The PA does not provide for any reimbursement of costs, or any other expenses, such activities might incur.

5. Admission of members

5.1 Organisations meeting the criteria in Art. 4.1 may be approved by the Steering Group keeping in mind the goal to maintain a balance of stakeholder interests and bring expertise to the Group as needed to achieve effective and efficient fulfilment of the Proactive Alliance objectives.

Consensus agreement to confirm a nominated member will be sought. Should consensus not be possible, then a two-thirds majority of the group in favour would confirm the nominee as a member of the Group. Derogations from consensus seeking will be notified to the group in advance. This may include a “silent approval” decision mode.

5.2 Group members, including the Chair, are encouraged to nominate an alternate member of similar rank and expertise from their organization.

Alternates can participate as Group members in the absence of the member. Group members should ensure that alternates are kept up to date of developments in the Proactive Alliance and particularly as relevant for their constituency.

5.3. Members, including the Chair, are expected to participate in the Proactive Alliance for a minimum of 2 years. After serving for three years members will have their position reaffirmed through the Steering Group. Outgoing members are encouraged to participate in the hand-over to their incoming replacement.

5.4. Incoming replacement members will be approved by the Proactive Alliance Steering group.

6. Meetings / Communication

6.1. The Group will meet when deemed necessary and with clear meeting objectives. Preference will be given to hold meetings by electronic means. Face-to-face meetings will be held annually, resources permitting. The Group will aim to convene minimum a conference call on a quarterly basis to exchange information on ongoing SiA efforts.

Proactive Alliance



6.2 Group members participating at meetings are requested to cover their own costs of the meetings (e.g: travel cost, cost for the room, refreshment etc.). The hosting of the meeting can rotate between members.

6.3 Full reports of the meetings will be made available to all members. Progress reports deduced from the full reports will be published at www.proactive-alliance.info.

6.4 The Group will internally organize in working groups. Working groups each focus on a specific issue to meet the Group's objective. Each working group (WG) is coordinated by a volunteer group lead who sets up the WG meetings. WGs usually meet using electronic means. Subject to the available capacities during these meetings, WGs are open to anyone including non-members from other organisations or companies. Active WGs are listed under <https://www.reach-helpdesk.info/reach/unternehmen/proactive-alliance>. Parties interested in WG participation are invited to contact sofia.

6.5 PA outputs are agreed by the Group. Para. 5.1 applies. Agreed outputs are authored by the PA, with sofia as corresponding authors. All members are granted the non-exclusive right to use and disseminate such outputs. Amendments of the outputs require prior consent by the group.

7. Amendments

An amendment to these TOR can be proposed to the Group if it has the support of at least three Group members. The Group shall make every effort that adoption of amendments to the TOR is by consensus. If all efforts by the Group to arrive at consensus on the proposed amendment have been exhausted and no agreement has been reached, the decision may, as a last resort, be taken by a vote of the Steering Group members, provided a minimum of two-thirds of the members are participating at the time of the vote. The amendment is adopted if at least a two-thirds majority of members vote in favour.