



PRECIOUS METALS CONSORTIUM
MANAGEMENT COMMITTEE, LEGAL WORK GROUP AND
COST-SHARING WORK GROUP JOINT *AD HOC* TELECONFERENCE
Chair: *Jeff Levison (Vale Inco)*
Secretariat: *Caroline Braibant (EPMF)*

26 March 2008, 15:00 - 15:45

Please dial + 32 2 600 78 84 to join (no pin code required)

ATTENDANCE

Christine Bourda	Metalor
Caroline Braibant	EPMF
Wilfried Held	Fachvereinigung Edelmetalle
Jeff Levison	Vale INCO
Mark Mistry	Norddeutsche Affinerie
Alain Palmers	Umicore
Mark Raffray	Johnson Matthey

EXCUSED

Nawal Aït Hocine	Metalor
Mark Bedford	Johnson Matthey
Ron Davies	Ames Goldsmith
Ralf Drieselmann	Umicore
Andrew Griffiths	Umicore
Gerhard Gutekunst	Wieland Dental + Technik
Aur�lie Normand	Metalor
Wolfram Sinnwell	C. Hafner

MINUTES

1. INTRODUCTION

- 1.1. **Confidentiality and European Competition Law provisions.** The attendees were reminded on their commitment to comply with Confidentiality and Competition Law provisions.
- 1.2. **Approval of the Agenda.** The objective of the meeting is to approve the draft minutes of the last teleconference (13th of March 2008) as per Article 4.2.4 of the Agreement and in particular, to review Articles 5.2.1, 7.2.1 and 8.3.3 as well as Appendix 9 of the updated Consortium Agreement.

2. DRAFT MINUTES 13TH MARCH 2008. The Draft Minutes were approved (Annex 1).

3. CONSORTIUM AGREEMENT (Annex 2).

- 3.1. **Article 5.2.1.** The new proposed wording (as kindly prepared by R. Coleman, Johnson Matthey) is: *“Members and their Affiliates shall have the right to use such Information for the purpose of discharging any regulatory obligations (which for the avoidance of doubt shall not be confined to obligations under the REACH Regulation) provided that the Secretariat is promptly notified of the purpose for which the Information is to be used by the Member(s) or its Affiliate(s). In the event a Member or its Affiliate(s) wishes to use such Information for any other purpose, the concerned (Sub-)Assembly shall be promptly informed (and be given full details of the proposed use) and invited to vote on the acceptability of such proposal in accordance with Article 4.1.6.”*¹
- 3.2. **Article 7.2.1.** Item e) has been kindly reworded by M. Raffray, Johnson Matthey and accepted by all attendees. The Secretariat indicated that due to the changes in Appendix 9, the cost of compiling the Registration Dossier should be included as a specific part of the metal-specific costs. It was suggested to include it in Article 7.2.1 (b): *“remuneration of the consultants, e.g.: the reports on data gap analysis, compilation of Registration Dossiers, and other activities for which they have been contracted;”*

¹ **Post-meeting note:** in order to be consistent with Article 5.2.2 of the Consortium Agreement, the original proposal was slightly adjusted: instead of the (Sub-)Assembly, it is the Management Committee who will be informed and invited to vote.



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3.3. Article 8.3.3. The cost of the Trustee's insurance are included in the Generic costs of the Consortium and hence, equally shared by all Members of the Consortium. It was proposed to specify that the cost of an eventual "deductible" resulting from the application of the Insurance should also be included in the Generic costs of the Consortium as follows: *"The Trustee is encouraged to acquire professional liability insurance, whose cost and eventual deductible shall be added to the Generic costs of the budget of the Consortium."*

3.4. Appendix 9.

It was agreed to:

- Keep the mathematical representation of the cost-sharing formula to its original version and to include both substances in the lowest tonnage band and transported isolated intermediates in the highest tonnage band in the same symbol ($X_{i(t1)}$).
- Remove article 3.4 (a) I (*"data gathering and analysis;"*) as it is implicit in 3.4. (a) ii (*"Registration Dossier compilation; and"*).
- Include a provision 3.5 stating that *"An indicative approximate of the potential cost of compiling the Registration Dossier for an Other Isolated Intermediate shall be available on request to the Secretariat."*

It was agreed that "intermediates only-companies" (IOC) would have to pay an equal share of the costs required to produce the Registration Dossier for that intermediate. In the event the same intermediate is also registered as a substance, involving higher Dossier costs, the calculation of the share of the IOC should be based on the cost of the Registration Dossier of an intermediate².

4. NEXT MEETINGS, AOB AND CONCLUSION.

4.1. Next meetings:

- 3rd of April 2008, 10:30 CET: Management Committee teleconference.
- 10th of April 2008, (time to be confirmed): Precious Metals Refiners teleconference.
- 18th of April 2008, 11:30 CET: Technical Advisory Panel teleconference.
- 22-23rd of April 2008: EPMF Trade & Competitiveness Workshop (Brussels)
- 30th of April 2008, 10:30 CET: Face-to-face technical (TAP + Work Groups) meeting (Brussels).
- 20-21st May 2008: Eurométaux REACH Seminar on Pre-registration (Brussels).

4.2. Update on Silver Project. EBRC and Euras have both confirmed to be able to report on Phase IIa of the Silver Project (in-depth data gap analysis) by May 2008. The progress of Phase IIb depends on how quick and information-rich the several silver and silver compounds samples are sent to the consultancies, and on how the discussions on the insurance evolves in the coming days (especially with EBRC). Both consultancies have proposed to draft adjusted quotations considering the new scope proposed by the TAP and the timeframe confirmed by the experimental institutes. *The Secretariat will send a reminder to both consultancies*³.

² **Post-meeting note:** an additional provision (3.5) has been included in Appendix 9 to reflect this.

³ **Post-meeting note:** done by e-mail on the 27th of March.