

## EPMF Board-PMC Management Committee

*Combined meeting - Draft minutes, Brussels  
24 April 2018 (10:30-15:00 CET)*

*President: Wilfried Held (FVE, Germany), Vice-President: Cédric Léger (ASFCMP, Switzerland)  
Chair: Guy Ethier (Umicore, Belgium), Co-Chair: Heinz-Günter Schenzel (C. Hafner, Germany)*

Actions	Who?	When?	Status
Add to the memo to be sent to companies who will not join EPMF or have not yet replied a paragraph regarding the LoA costs	FC/K&L Gates	End of April 2018	
Contact Pamp et C&M	C. Léger	May 2018	
To sign investment papers from the bank	New EPMF President	Summer 2018	
Send the memo to the PMC contacts and to the CEO of the company, ensuring that the key messages are included in the email	FC	End of April 2018	
Send to the Management Committee final memo sent to companies not joining EPMF	FC	May 2018	
Check with Saxonia their willingness to be in the EPMF Board	WH	4th May 2018	
Check again with Martin Kopp his willingness to remain Financial Controller	FC	May 2018	
Check again with KGHM their willingness to be in the EPMF Board	FC	End of April 2018	ONGOING
Inform the Secretariat with the name of FVE Board candidate.	WH	4th May 2018	
After knowing the exact number of candidates at the Board, a communication must be sent to these candidates to confirm again their willingness to be in the Board. If the 10 candidates confirmed their interest to be in the Board, an election will be organized on 6th June.	FC	May 2018	
Prepare a simulation of the use of reserves for 2019 fee	FC	May 2018	

Check again if we have less than 3 members in platforms Ir, Ir compounds and Ru and propose a way forward	FC	October 2018	
KMS: statistics to be made available	AR	May 2018	
ESTF - Update the LtU contract accordingly	K&L Gates	End of April 2018	
Inform ESTF on LtU proposal	FC	End of April 2018	

## 1. Welcome and Introduction

Wilfried Held (FVE, President of EPMF) welcomed the participants reminding the anti-trust guidelines. The meeting started by a tour de table (see Annex 1). The quorum was checked and reached for the EPMF Board and the PMC Management Committee.

The main aim of the combined meeting between EPMF Board and PMC Management Committee is the preparation of the EPMF and PMC Assembly meetings of June 2018 and the finalization of the restructuration of EPMF.

**The agenda of the meeting was reviewed and approved** by the EPMF Board and the PMC Management Committee.

The actions of the previous meeting of the PMC Management Committee and of the previous conference call of the EPMF Board have been reviewed (all conducted on time excepted the action on the MISA which is delayed) and **the minutes of the meetings have been approved by the EPMF Board and the PMC Management Committee.**

An agreed action was to draft a memo with EPMF/PMC legal counsel to inform about the consequences of not joining EPMF. This document will be reviewed and discussed under point 2(b) of the agenda.

Regarding the finalization of the investment of a part of the reserves to protect the capital and manage the inflation, this will be postponed to June 2018 when the new Board will be in place.

### ACTIONS:

- **New EPMF President to sign investment papers from the bank (summer 2018)**
- **Cédric Léger to contact PAMP and Cendres + Métaux with the memo on the consequences of not joining the EPMF (May 2018)**

## 2. Preparation of the PMC and EPMF GA

### a. EPMF-PMC 2017 audited accounts

France Capon presented the 2017 audited accounts (slides 10-11). The EPMF-PMC 2017 audited accounts are under review by the Treasurer and the Financial Controller. **The PMC Management Committee recommends to the PMC Assembly to recommend to the EPMF Assembly the approval of the PMC 2017 audited accounts. The EPMF Board recommends to the EPMF Assembly the approval of the EPMF/PMC 2017 accounts.**

- b. Restructuration status and process during the Assemblies meetings
- New EPMF members

France Capon presented the status of the replies from PMC members regarding their willingness to move to EPMF membership. 9 replies are still pending and 3 companies (Cendres+Méraux, Montanwerke and Recylex) confirmed that they prefer to switch to the LoA system (cf. slide 12). A memo has been prepared by K&L Gates to outline the consequences of not joining EPMF (see preparatory document n°8). K&L Gates confirmed that the consequences outlined are in line with the PMC agreement. **The EPMF Board and the PMC Management Committee approved the letter and the deadline of 15th October 2018 to make a final decision under the current conditions.**

**The EPMF Board reviewed the EPMF member candidates and recommends to the EPMF Assembly to approve the EPMF membership of the candidates as listed on slide 13.**

**ACTIONS:**

- **Add to the memo to be sent to companies who will not join EPMF or have not yet replied a paragraph regarding the LoA costs. (FC/K&L Gates, end of April 2018).**
- **Send a copy of this updated memo to the PMC Mgt Ctte (FC, May 2018)**
- **Send the memo (together with an annex of the LoA agreement) to the PMC contacts and to the CEO of the companies who hesitate to join or don't want to join the new EPMF structure, ensuring that the key messages are included in the email (FC, end of April 2018).**
  - EPMF Board members and Financial controller

The secretariat received a list of candidates to the EPMF Board (see slide 14). Two candidatures have to be confirmed: Saxonia and KGHM. 10 candidates have been confirmed for 9 places in the Board. Two options are possible: the EPMF Board recommends to the EPMF Assembly only 9 candidates or a vote on the 10 candidates can be organized at the Assembly meeting. It was agreed to wait for the FVE Assembly meeting in May to know the name of the FVE candidate. After that, and depending if 10 candidates still remain, a communication must be sent to these candidates to confirm again their willingness to be in the Board. If the 10 candidates confirmed their interest to be in the Board, an election will be organized on 6<sup>th</sup> June.

**The EPMF Board recommends (depending on the outcome of the Board election) the election of Philipp Reisert (C. Hafner) as EPMF President and Wouter Ghyoot (Umicore) as EPMF Vice-President.**

*Post-meeting information: the Secretariat received from C.Hafner the request to replace Philipp Reisert by Heinz-Günter Schenzel as candidate for the EPMF Presidency.*

Holger Zitt (BASF) has been proposed as Treasurer and will come back to the secretariat to confirm his willingness to act as EPMF Treasurer.

Martin Kopp (Heraeus) has been invited to candidate again as Financial Controller.

**ACTIONS:**

- **Wilfried Held will check with Saxonia their willingness to be in the EPMF Board (4<sup>th</sup> May 2018)**
- **FC will check again with KGHM (end of April 2018)**

- **Wilfried Held will come back to the secretariat after 4<sup>th</sup> May with the name of FVE candidate.**
- **Check again with Martin Kopp his willingness to remain Financial Controller**
- **After knowing the exact number of candidates at the Board, a communication must be sent to these candidates to confirm again their willingness to be in the Board. If the 10 candidates confirmed their interest to be in the Board, an election will be organized on 6th June.**

c. EPMF-PMC 2019 draft workplan

France Capon reminded the process to develop budget and workplan:

- March: staff discussion and presentation to the relevant WG
- April: discussion at Management Committee level
- June: first draft presented to the Assembly
- Over summer: refinement of the workplan by the staff
- October: discussion at WG level
- December: final approval of the WP and budget for the next year.

She highlighted the new format proposed to facilitate the understanding of the EPMF WP. The EPMF Board and PMC Management Committee welcomed this new format (see preparatory document 4). **The EPMF Board and PMC Management Committee agreed with the first draft to be presented to the Assembly in June 2018.**

The following issues have been highlighted:

- 1 FTE will still be needed for silver due to the follow-up on the EOGRTs and CLH of silver and silver compounds
- The replacement of Marie Görkem is not foreseen. It is recommended to wait for a 1<sup>st</sup> year of running the new structure before deciding to increase the resources and with which type of profile. Therefore, the proposal is to handle the current workplan with the available human resources.
- It is worth to note that 3,2 FTE are on the EPMF pay roll and 3 FTE are consultants. This will give the flexibility needed in case of changes in the workload during the course of the year.

France Capon draw the attention of the participants on the fact that some platforms (Ir, Ir compounds and Ru) have less than 3 participants. This is not yet fixed since we are still waiting for some replies concerning the membership. If this is still the case after October 2018, we will have to be creative to ensure from one hand to be in line with our by-laws but ensure also that these substances can be kept in EPMF portfolio. The EPMF Board and PMC Management committee agreed to wait for more information on the future membership before making a decision.

**ACTIONS:**

- **Prepare a simulation of the use of reserves for 2019 fee (FC, May 2018)**
- **Check again if we have less than 3 members in platforms Ir, Ir compounds and Ru and propose a way forward (FC, October 2018)**

### 3. 2018 Workplan status

#### a. Status of 2018 EPMF and PMC Accounts

France Capon presented the 2018 EPMF PMC financial quarterly report. Nothing to highlight for Q1 2018.

#### b. Silver EOGRTs TPs

France Capon updated the participants on the status of the EOGRTs TPs for silver. The update of the TP has been submitted in April 2018 and the draft decision should be available soon.

#### c. Pt genotox testing program

France Capon updated the participants on the status of the genotox TPs for Pt compounds. The different TPs are processed by ECHA in a grouping manner to ensure consistency but also resource efficiency. The testing program should start Q2 2019. IPA will not contribute at this stage but will be kept informed.

In summary, the learnings from the Silver and Pt projects are:

- Open dialog with ECHA
- Efficient technical advocacy
- Efficient on a resource, time and content point of view
- Important to maintain openness and good relationship to defend PMC registration strategy

=> MISA is the way to do so!

#### d. Knowledge Management Tool

The Knowledge Management Tool will be lived soon, the passwords will be circulated to the members end of May 2018. The completion of the tool with all the studies is foreseen by end of 2018. The maintenance will be ensured thanks to the agreement to keep Cathy Martin resources in the coming years.

ACTION:

- **Ensure statistics are available from KMS (AR, May 2018)**

#### e. EPMF Risk Register development

The aim of the project is to help the association to define their priorities in the future and ensure a good tracking of the future regulatory challenges. Hanover Communication is in charge of this project and organized it in 3 steps:



A workshop will be organized on 5<sup>th</sup> June 2018 (AM) to present the outcome of the first step and agreed on the content for step 2.

The final deliverable will be a comprehensive risk tracking system consisting of interactive issue sheets for each priority initiative.

## 4. Data sharing status

### a. LoA status

France Capon presented the overall status of LoA since 2010. Peaks during the registration periods are clearly identified. However, overall the number of LoA sold are lower than expected (e.g.: for silver 4% of pre-registrants while usually, 40% is the average).

### b. ESTF request regarding sub-licensing

France Capon presented the background on the data sharing of bioaccessibility testing with ESTF. **The PMC Management Committee approved the proposal to use option 1B in the LtU agreed process:** sharing a study with sub-licensing rights but without royalties (1B): 50% of the costs of the study + 25% admin costs. In this case, this means that ESTF will be charged of 25.000€ and will have the sub-licensing rights.

#### **ACTIONS:**

- **Update the LtU contract accordingly (K&L Gates, end of April 2018)**
- **Inform ESTF (FC, End of April 2018)**

## 5. Eurometaux structure: ongoing review

France Capon presented the outcome of a meeting at EM aiming at:

- Reflecting about and design the most appropriate post 2018 EHS & REACH structure
- Preparing a proposal that could be discussed in the different relevant EM committees

#### **The EPMF Board supports:**

- **The project to review the needs of EM members and how this will influence the overall EM structure but also cost sharing formula.**
- **The need to reinforce EM bringing back the REACH activities within EM but allowing to maintain the contribution of the consortia or DUs associations currently members of the REACH forum**
- **Amongst the options presented option 2 is the preferred one but again ensuring a review of the allocation of the costs to ensure that the areas of interests received the support needed.**

This issue will be discussed at the next Eurometaux ExCom meeting on 26<sup>th</sup> April 2018.

## 6. A.O.B. and closure of the meeting

- a. Summary reports regarding Responsible Sourcing: advocacy is continuing to remove the threshold for gold. It is worth to note that this issue is now included in the new German government treaty and will be defended by Germany at European level. In April 2018, FVE met with Marten Westrup in charge of the dossier at the European Commission to reiterate our position.
- b. NSFR: NSFR created by the European Commission and European banking authorities. For securing financing of PM business, a bank must keep 85% of this business. This is new and detrimental to what PM industry is used to do. Need now to support the 0%: FVE continued to conduct activities in Germany and Brussels. Assomet is handling Italian representatives. Umicore is handling Belgian representatives. The ECON committee will vote on 24th May and will be an important milestone in the process. The Trialog is expected to start second ½ 2018.
- c. December 2018 GA and 2019 GA meetings

The EPMF Board and PMC Management Committee welcomed the idea to change the format of the Assembly meeting of December and the willingness to profile EPMF on the European scene. **Overall, the proposal for December 2018 is approved** but the title and content must be reviewed to ensure an obvious link with the precious metals industry and EPMF. The EPMF Board will play the role of organization committee for this event.

2019-2020 GA meetings:

- June 2019: Bordeaux
- December 2019: Brussels
- June 2020: Switzerland
- December 2020: Brussels.

List of annexes:

Annex 1 – List of participants

Annex 2 – Slides presented at the meeting

## Annex 1: Participants

### **EPMF Board:**

Wilfried Held, Fachvereinigung Edelmetalle (Germany)

Cédric Léger, ASFCMP (Switzerland)

Egbert Lox, Umicore (Belgium)

### Apologies

Mark Bedford, Johnson Matthey (UK)

### **PMC Management Committee:**

Francisco Boo, Metalor (Switzerland)

Wouter Ghyoot, Umicore (Belgium) (*replacing Guy Ethier*)

Heinz-Günter Schenzel, C. Hafner (Germany)

Dorothea Annette Steiger, Heraeus (Germany)

Holger Zitt, BASF (Germany)

### Apologies

Guy Ethier, Umicore (Belgium)

Joern Muehlenfeld, Aurubis (Germany)

Juha Parkkinen, Norilsk Nickel (Finland)

Nissanka Rajapakse, Johnson Matthey (UK)

### **EPMF/PMC Legal counsel**

Sonia Ali, K&L Gates (Belgium)

### **EPMF/PMC Secretariat:**

France Capon, EPMF (Belgium)

Audrey Rondepierre, EPMF (Belgium)