

**MINUTES**

**Board of Appeal meeting**  
**Wednesday, 17 February 2016, 15.00 – 16.00**  
Teleconference

**Present:**

Chairman	<b>Herbert Ungerer</b>
Vice Chairman	<b>Jacques de Jong</b>
Member	<b>Mariano Bacigalupo Saggese</b>
Member	<b>Ignacio Perez-Arriaga</b>
Member	<b>Pippo Ranci Ortigosa</b>
Member	<b>Wolfgang Urbantschitsch</b>

## **1. Draft Agenda**

The Draft Agenda was approved.

Wolfgang Urbantschitsch informed the meeting that he has been appointed as one of the two Heads of e-control, the Austrian NRA. He will therefore submit shortly a letter of resignation from the Board of Appeal to the Administrative Board.

The Board congratulated Wolfgang Urbantschitsch on his new appointment and thanked him for his participation in the Board. The Chairman announced that once the resignation effective, Wolfgang Urbantschitsch will be replaced by the alternate next in line as member of the Board, in line with the Board's Rules of Procedure.

## **2. Proposal of the Agency for a future Registrar arrangement for the Board**

The Board of Appeal discussed the proposals of the Agency for the future Registrar arrangement for the Board. The Board approved the proposals subject to ensuring the independence of the legal officer to be appointed as regards his Registrar activities, as to be shown clearly in the respective job description. The Board also requested that the Board's Chairman and Vice chairman participate in the vetting of the multi-annual framework contract for specific legal advice for the Board to be issued by the Agency. Further the Board insists on the possibility of a negotiated procedure with a specialised law office in case of need, until the new arrangements are fully in place (as offered by the Agency).

## **3. Procedure for the appointment of the new Registrar**

As regards the candidate legal officer proposed by the Agency for Registrar, the Board broadly agrees his suitability. However, the Board requires that more information is made available about the selection procedure. The Board also asks that the short list established is made available to the Chairman and Vice-chairman.

Once the Agency issues a contract, the Board envisages appointing the legal officer as its Registrar by written procedure.

## **4. Any other business**

The chairman recalled that the term of the current Board of Appeal will end on 22 September. The European Commission has published a Call for the renewal of the Board, with deadline of 11 March 2016.

The chairman recalled the decision taken at the Board meeting of 1 December 2015 to amend the Rules of Procedure. It was decided that the amendments should include amendments resulting from the experience with past decisions. A proposal for an amendment of the Rules of Procedure should be submitted to the Board by written

procedure, once comments by the Agency on the amended Rules of Procedure have been obtained.

*For the Board of Appeal:*

*Herbert Ungerer  
Chairman*