

SCHEDULE 5

Regulation 7

Amendment of the Data Sharing Regulation

1. Commission Implementing Regulation (EU) 2016/9 on joint submission of data and data-sharing in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) is amended in accordance with this Schedule.

Commencement Information

I1 Sch. 5 para. 1 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

2.—(1) Article 2 is amended as follows.

(2) In paragraph 1, omit “or participants in a Substance Information Exchange Forum (SIEF)”.

(3) In paragraph 2—

(a) in the first subparagraph—

(i) for “already exists on the date of entry into force of this Regulation” substitute “existed before 25 January 2016”;

(ii) after “paragraph 1.” insert “ A waiver under Article 2(2) of the EU Implementing Regulation which is in effect immediately before [F1IP completion day] has effect on and after [F1IP completion day] as a waiver under this Article of this Regulation (and here “EU Implementing Regulation” means Commission Implementing Regulation (EU) 2016/9 as it has effect in EU law). ”;

(b) in the second subparagraph, for “Articles 27 and 30” substitute “ Article 27 ”;

(c) in the third subparagraph—

(i) in point (a), for “after the date of entry into force of this Regulation” substitute “ on or after 25 January 2016 ”;

(ii) in point (b), for the words from “the date” to the end substitute “ 25 January 2016, that is requested ”.

(4) In paragraph 3—

(a) in the third subparagraph, for “the entry into force of this Regulation” substitute “ 25 January 2016 ”;

(b) in the fourth subparagraph, after “of a study” insert “ (whether to ECHA or the Agency) ”;

(c) after the fourth subparagraph, insert—

“In this paragraph the term “ECHA” has the same meaning as in Regulation (EC) No 1907/2006.”.

F1 Words in Sch. 5 substituted (31.12.2020 immediately before IP completion day) by The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1313), regs. 1(3), 6(2)

Commencement Information

I2 Sch. 5 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

3. In Article 3—

Changes to legislation: There are currently no known outstanding effects for the The REACH etc. (Amendment etc.) (EU Exit) Regulations 2019, SCHEDULE 5. (See end of Document for details)

- (a) in paragraph 2, for “Articles 27(6) and 30(3)” substitute “ Article 27(6) ”;
- (b) in paragraph 3, for “Articles 26 or 29” substitute “ Article 26 ”.

Commencement Information

I3 Sch. 5 para. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

4. In Article 4—

- (a) in paragraph 1, for “Articles 27(3) and 30(1)” substitute “ Article 27(3) ”;
- (b) in paragraph 3, for “Articles 27 and 30” substitute “ Article 27 ”;
- (c) in paragraph 5, in the first subparagraph—
 - (i) for “already exists on the date of entry into force of this Regulation” substitute “ existed before 25 January 2016 ”;
 - (ii) after “model.” insert—

“A waiver under Article 4(5) of the EU Implementing Regulation which is in effect immediately before [^{F1}IP completion day] has effect on and after [^{F1}IP completion day] as a waiver under this Article of this Regulation (and here “EU Implementing Regulation” means Commission Implementing Regulation (EU) 2016/9 as it has effect in EU law).”.

F1 Words in **Sch. 5** substituted (31.12.2020 immediately before IP completion day) by **The Environment (Miscellaneous Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1313)**, **regs. 1(3), 6(2)**

Commencement Information

I4 Sch. 5 para. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

5. In Article 5—

- (a) in paragraph 1, for “Articles 27(5) and 30(3)” substitute “ Article 27(5) ”;
- (b) omit paragraph 2.

Commencement Information

I5 Sch. 5 para. 5 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

6. Omit Article 6.

Commencement Information

I6 Sch. 5 para. 6 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The REACH etc. (Amendment etc.) (EU Exit) Regulations 2019, SCHEDULE 5.