

EXPLANATORY MEMORANDUM TO
THE REACH (APPOINTMENT OF COMPETENT AUTHORITIES)
REGULATIONS 2007

2007 No. 1742

- 1.** This explanatory memorandum has been prepared by the Department for Environment, Food and Rural Affairs (Defra) and is laid before Parliament by Command of Her Majesty.

- 2. Description**

2.1 These Regulations appoint the competent authorities, except in Scotland, for the purposes of Regulation (EC) No. 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (O.J. No. L396, 30.12.06, p. 1). In relation to matters falling outside the competence of a devolved administration the Secretary of State is appointed as the competent authority.

- 3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

- 4. Legislative Background**

4.1 Article 121 of the REACH Regulation requires Member States to appoint competent authorities responsible for performing the tasks allocated to them under the Regulation and for cooperating with the Commission and the Agency in the implementation of the Regulation.

- 5. Territorial Extent and Application**

5.1 This instrument applies to England, Wales and Northern Ireland, and to Scotland for reserved matters.

- 6. European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The REACH (Registration, Evaluation, and Authorisation of Chemicals) Regulation was adopted in December 2006, and entered into force on 1 June 2007. It will be progressively implemented over the next 13 years.

7.2 It is a strong, effective, and workable regulation that will deliver a major improvement in our understanding of the impact of chemicals, deliver tough new controls on the most harmful chemicals, providing a clear framework for their substitution with safer alternatives, it will be a major step forward in protecting human health and the environment. It will also be a stimulus to innovation in industry. It will replace over 40 pieces of existing chemicals legislation with a single regulatory framework.

8. Impact

8.1 No impact assessment has been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.

9. Contact

9.1 Kate Perry at the Department for Environment, Food and Rural Affairs Tel: 0207 238 1584 or email: kate.perry@defra.gsi.gov.uk can answer any queries regarding the instrument.