

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a) to (d) and (g)) arising from the withdrawal of the United Kingdom (“UK”) from the European Union.

These Regulations amend the REACH etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/758) (the “Exit Regulations”). The Exit Regulations amend Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency (“Regulation (EC) No 1907/2006”).

Regulation 3(2), (3) and (6) amends deadlines that operate by reference to a fixed date so that they are, instead, relative to exit day. Regulations 3(4), (5) and 5(3) amend cross-references to the Medical Devices Regulations 2002 (S.I. 2002/618) to specify which Part of those Regulations are referred to in each case.

Regulation 4(2) and (4) amend the criteria in the transitional provisions for a registration to have a relevant past connection with the UK. Regulation 4(3) inserts a new transitional provision that extends the last application and sunset dates for certain substances in relation to certain users. The last application date for a substance must fall before, or within 18 months of, exit day for this provision to apply.

Regulation 5(2), (4) and (5) corrects deficiencies in amendments made to Regulation (EC) No 1907/2006 by Commission Regulation (EU) 2018/1513 and Commission Regulation (EU) 2018/2005.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

**Changes to legislation:**

There are currently no known outstanding effects for the The REACH etc. (Amendment etc.) (EU Exit) (No. 3) Regulations 2019.