

UK MINISTERS ACTING IN DEVOLVED AREAS

135 - The Reach etc. (Amendment etc.) (EU Exit) (No. 3) Regulations 2019 *Laid in the UK Parliament: 19 June 2019*

Sifting

Subject to sifting in UK Parliament?	Yes
Procedure:	Proposed negative
Date of consideration by the House of Commons European Statutory Instruments Committee	2 July 2019
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	2 July 2019
Date sifting period ends in UK Parliament	8 July 2019
Written statement under SO 30C:	Paper 10
SICM under SO 30A (because amends primary legislation)	N/A

Scrutiny procedure

Outcome of sifting	Not known
Procedure	Negative or affirmative
Date of consideration by the Joint Committee on Statutory Instruments	Not known
Date of consideration by the House of Commons Statutory Instruments Committee	Not known
Date of consideration by the House of Lords Secondary Legislation Scrutiny Committee	Not known

Commentary

These Regulations are proposed to be made by the UK Government pursuant to section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018.

These Regulations amend the REACH etc. (Amendment etc.) (EU Exit) Regulations 2019 (the "REACH SI"). It inserts a new transitional provision relating to applications for authorisations to use chemical substances of very high concern - which gives UK companies a window of opportunity to apply for authorisations after exit day to ensure the chemicals industry and supply chain is not disrupted.

The REACH SI applies some provisions by means of fixed dates or in other cases through "floating" timings tied to exit day. The extensions to Article 50 have implications for these timings, which in some cases will affect the regulator's duties or stop some businesses from benefitting from a provision. These Regulations also make some minor amendments relating

to dates, cross-references and recent amendments to the EU REACH regulation.

Legal Advisers agree with the statement laid by the Welsh Government dated 24 June 2019 regarding the effect of these Regulations.

The above summary and the content of the Explanatory Memorandum to these Regulations confirm their effect.