



What happens under REACH if there is a no-deal Brexit?

A summary of the current timetable in case of a no-deal Brexit is shown in the table below. Timelines are taken from guidance issued by the UK HSE (<http://www.hse.gov.uk/brexit/brexit-chemical-regulation.htm>) and ECHA (<https://echa.europa.eu/uk-withdrawal-from-the-eu>).

Deadline		Responsibility	Requirements	Action
When		Who	Why	What
Before Brexit		UK-based Only Representatives for EU-REACH	Access the EU market	Appoint new EU-based Only Representative
29 March 2018	Brexit day	UK-based importer or distributor of substances from outside the EU which have been registered under EU-REACH	Access the EU market	Non-EU manufacturers/formulators to appoint EU-based Only Representative <u>OR</u> EU-based customers to register as importers
		UK-based downstream user or a distributor of an EU REACH registered substance	Procure substances or mixtures (directly or in articles) from a UK-based entity	Take no further action yourself, but ensure your supplier complies with UK-REACH
		UK-based manufacturer and EU REACH registration holder	Access the EU market	Transfer your registration(s) to an EU-based entity (e.g. Only Representative) <u>OR</u> support your EU-based importers to comply with EU REACH <u>OR</u> transfer your manufacture to an EU-based entity (e.g. an affiliate).
		UK-based manufacturer holding EU-REACH authorisation	Maintain authorisation for EU-based downstream users	Transfer existing EU-REACH authorisation to an EU-based Only Representative
		EU-based legal entity importing an EU REACH registered substance from the UK	Maintain your use or supply for a use in the EU	UK-based manufacturer to transfer EU-REACH registration to EU-based legal entity (affiliate or Only Representative) <u>OR</u> EU-based receiver to register under EU-REACH as an importer
		EU-based legal entity relying on authorisation granted to UK-based manufacturer	Maintain your use or supply for a use in the EU	Ensure UK-based manufacturer transfers authorisation to an EU-based Only Representative <u>OR</u> change to supplier with valid authorisation in EU <u>OR</u> apply for authorisation
Before placing products on the market		UK-based manufacturer or importer	Awaiting an ECHA or EU Commission decision for a registration	Resubmit your application to the HSE



Deadline		Responsibility	Requirements	Action
Before the sunset date		UK applicant for EU-REACH authorisation	Awaiting an ECHA or EU Commission decision for an authorisation application where ECHA has not made a final decision granting or refusing the application	Resubmit your application to the HSE.
To continue using the substance after the sunset date		UK-based downstream user awaiting a decision for an EU authorisation application	Awaiting an ECHA or EU Commission decision for an authorisation application where ECHA has not made a final decision granting or refusing the application	Apply for a UK-REACH authorisation as no longer benefit from EU-REACH authorisation. Contact the HSE to discuss the best way of achieving compliance.
29 May 2019	Day 60	UK-based EU REACH registration holder	Access the UK market	Open UK REACH IT account and enter basic information
		UK importer or distributor of substances from outside the EU	Access the UK market	Open UK REACH IT account and enter basic information
		UK-based REACH authorisation holder	Maintain your use or supply for a use in the UK	Provide HSE with the technical information relating to the authorisation
		UK downstream user of a REACH authorisation held by an EU-based company	Maintain your use or supply for a use in the UK	Confirm you are an existing authorised DU and notify HSE of: the existing EU authorisation; any conditions set out in the existing EU authorisation; and the identity of the supplier of the substance.
		UK applicant for exemption from REACH registration through a PPORD (product and process orientated research and development)	Continue R&D use in the UK	Comply with the standard information requirement; notify HSE of the number and notification date assigned by ECHA; supply HSE with copies of any additional necessary information given to ECHA.
26 September 2019	Day 180	UK-based downstream user or a distributor of an EU REACH registered substance	Import substances or mixtures (directly or in articles) from an EU-based entity	Notify HSE by opening an account on UK REACH IT and entering basic info on UK REACH IT <u>OR</u> EU supplier to appoint a UK-based Only Representative <u>OR</u> change source to a UK registered supplier



Deadline		Responsibility	Requirements	Action
		EU-based legal entity exporting an EU REACH registered substance to the UK	Sell substances or mixtures (directly or in articles) to a UK-based entity	EU supplier to appoint a UK-based Only Representative <u>OR</u> UK customer to register under UK-REACH as an importer. Registering company to notify HSE by opening an account on UK REACH IT and entering basic info on UK REACH IT
		UK applicant	Awaiting an ECHA or EU Commission decision for an authorisation application where ECHA has adopted its final decisions	Notify the Defra Secretary of State of the application; supply the Secretary of State with copies of the application, the information included in it, and any other information provided to ECHA by the applicant for the authorisation which was material to the formation of ECHA's opinion; and give the Secretary of State copies of the opinions ECHA sent to the applicant.
29 March 2021	Year 2	UK-based EU REACH registration holder	Access the UK market	Provide HSE with technical information required under UK REACH
		UK-based downstream user or a distributor of an EU REACH registered substance	Access the UK market for substances or mixtures (directly or in articles) imported from an EU-based entity	Register substance as importer under UK-REACH by providing HSE with required technical information <u>OR</u> EU-based supplier to register under UK-REACH using an Only Representative by providing HSE with required technical information (timescale is currently under review by HSE/Defra)
		UK importer or distributor of substances from outside the EU	Access the UK market	Provide HSE with technical information required under UK REACH
		EU-based legal entity exporting an EU REACH registered substance to the UK	Sell substances or mixtures (directly or in articles) to a UK-based entity	Provide HSE with technical information required under UK REACH