



The Scottish Parliament
Pàrlamaid na h-Alba

Mark Roberts
Chief Executive Officer
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By email only

Net Zero, Energy and Transport Committee
c/o Clerk to the Committee
Room T3.40
The Scottish Parliament
Edinburgh
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21 March 2023

Dear Mark,

**THE REACH (AMENDMENT) REGULATIONS 2023
EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT**

At its meeting this morning, the Net Zero, Energy and Transport Committee of the Scottish Parliament considered a Scottish Government type 1 notification of its intention to consent to UK secondary legislation affecting devolved areas arising from EU Exit. The public paper for this item including the formal notification itself is available here:

[Clerk's note - The REACH \(Amendment\) Regulations 2023 \(Scottish Parliament\)](#)

As you may know, the Committee's role in relation to such notifications is, in essence, to express a view on whether it agrees to consent being given.

The Committee's discussion is available at the following clip on scottishparliament.tv. An Official Report of the meeting will also become available by the end of the week.

- [Net Zero, Energy and Transport Committee | Scottish Parliament TV](#)
- [Official Report - Scottish Parliament](#)

The REACH (Amendment) Regulations 2023 extend the deadlines (by 3 years for each category of chemical) by which manufacturers or suppliers of chemical substances must register these with the UK scheme replacing the EU REACH (regulations relating to the Registration, Evaluation, Authorisation and Restriction of Chemicals). The deadlines for compliance checks by HSE are also proposed to be extended by 3 years.

The Committee has various questions about the implications of these regulations which it agreed today to ask the Minister for Environment and Land Reform at our meeting on 28 March.

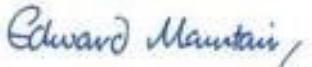
In advance of that evidence session, the Committee would welcome your views on these regulations and the implications of the extensions of the deadlines for Scotland. In particular, the Committee seeks views and information on—

- How is ESS monitoring the progress with the development of UK REACH and does it have any concerns about the proposals to extend deadlines for registration and compliance-checking as set out in the above-mentioned SI notification?
- Does ESS have any concerns about the proposals outlined in the SI notification to develop an alternative registration model for UK REACH?
- Have any concerns been raised about chemicals regulation in Scotland with ESS by stakeholders?

A very compressed timetable applies in relation to this notification process. In order for any response to help inform our evidence session with the Minister, it must reach us by the **morning of Monday 27 March**. I do apologise for the inconvenience.

Please be aware the Committee has also written to the Department for Environment, Food and Rural Affairs, the Health and Safety Executive, and the Scottish Environment Protection Agency regarding the statutory instrument proposals.

Yours sincerely,



Edward Mountain MSP
Convener
Net Zero, Energy and Transport Committee