

Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (Text with EEA relevance)

## [<sup>X1</sup>TITLE VI

### EVALUATION

#### CHAPTER 4

#### Common provisions

#### [<sup>X1</sup>Article 53

#### **Cost sharing for tests without an agreement between registrants and/or downstream users**

1 Where registrants or downstream users are required to perform a test as a result of a decision taken under this Title, those registrants or downstream users shall make every effort to reach an agreement as to who is to carry it out on behalf of the other registrants or downstream users and to inform the Agency accordingly within 90 days. If the Agency is not informed of such agreement within such 90 days, it shall designate one of the registrants or downstream users to perform the test on behalf of all of them.

2 If a registrant or downstream user performs a test on behalf of others, they shall all share the cost of that study equally.

3 In the case referred to in paragraph 1, the registrant or downstream user who performs the test shall provide each of the others concerned with a copy of the full study report.

4 The person performing and submitting the study shall have a claim against the others accordingly. Any person concerned shall be able to make a claim in order to prohibit another person from manufacturing, importing or placing the substance on the market if that other person either fails to pay his share of the cost or to provide security for that amount or fails to hand over a copy of the full study report of the study performed. All claims shall be enforceable in the national courts. Any person may choose to submit their claims for remuneration to an arbitration board and accept the arbitration order.]

#### **Editorial Information**

- X1 Substituted by [Corrigendum to Regulation \(EC\) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals \(REACH\), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation \(EEC\) No 793/93 and Commission Regulation \(EC\) No 1488/94 as](#)

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**Status:** Point in time view as at 12/10/2008.

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1907/2006 of the European Parliament and of the Council, Article 53. (See end of Document for details)

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well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (Official Journal of the European Union L 396 of 30 December 2006).

**Status:**

Point in time view as at 12/10/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1907/2006 of the European Parliament and of the Council, Article 53.