

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)

[^{F1}TITLE 15A

IMPORTS FROM NORTHERN IRELAND

[^{F1}Article 139A

Protected NI imports

- 1 This Article applies in a case where there is a protected NI import of a substance.
- 2 There is a protected NI import of a substance if—
 - a a substance—
 - i has a relevant connection to Northern Ireland, and
 - ii is imported on its own, in a mixture or in an article,
 - b the substance, mixture or article is a qualifying Northern Ireland good, and
 - c the person who supplies the substance, mixture or article for the import is a registrant or a downstream user under EU REACH as respects the substance as it is imported.
- 3 A substance has a relevant connection to Northern Ireland if—
 - a it is—
 - i manufactured in Northern Ireland,
 - ii in a mixture that is manufactured or formulated in Northern Ireland, or
 - iii in an article that is manufactured or produced in Northern Ireland, and
 - b it is imported from a supplier established in Northern Ireland.
- 4 The importer of the substance (the “GB importer”) is to be treated for the purposes of this Regulation as a downstream user as respects any protected NI imports of the substance by them.
- 5 The provisions of this Regulation that apply to importers do not apply to the GB importer in relation to the protected NI import of the substance by the GB importer.
- 6 If the GB importer imports the substance in quantities of 1 to 10 tonnes per year they must, before they make a protected NI import—
 - a notify the Agency of their intention to make the protected NI import,
 - b supply the Agency with the information referred to in point (a)(i) of Article 10,
 - c supply the Agency with the information referred to in points (a)(ii) and (iv) of Article 10 to the extent that information is available to the GB importer,
 - d supply the Agency with the information referred to in points (a) to (d) of Article 32(1) and otherwise comply with Article 32,

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 139A. (See end of Document for details)

- e supply the Agency with the relevant registration number for the substance under EU REACH to the extent that information is available to the GB importer,
 - f supply the Agency with such other evidence as the Agency may require demonstrating that the information supplied in accordance with subparagraph (d) complies with the requirements of Articles 10, 12 and 14 (as they apply to the tonnage of the substance which the GB importer imports into Great Britain by protected NI imports).
- 7 If the GB importer imports the substance in quantities of 10 tonnes or more per year they must, before they make a protected NI import—
- a notify the Agency of their intention to make the protected NI import,
 - b supply the Agency with the information referred to in point (a)(i) of Article 10,
 - c supply the Agency with the information referred to in points (a)(ii) and (iv) of Article 10 to the extent that information is available to the GB importer,
 - d supply the Agency with the information referred to in—
 - i Article 14(6) to the extent that information is available to the GB importer,
 - ii Article 31, and
 - iii Article 32(1)(a) to (d),
 - e otherwise comply with Articles 14(6), 31 and 32,
 - f supply the Agency with the relevant registration number for the substance under EU REACH to the extent that information is available to the GB importer,
 - g supply the Agency with such other evidence as the Agency may require demonstrating that the information supplied in accordance with subparagraph (d) complies with the requirements of Articles 10, 12 and 14 (as they apply to the tonnage of the substance which the GB importer imports into Great Britain by protected NI imports).
- 8 The GB importer must update the information provided to the Agency under paragraph 6 or 7 with any relevant new information and submit it to the Agency.
- 1 9. Paragraphs 6, 7 and 8 are subject to paragraph 6 of Article 139B.]

Textual Amendments

- F1** Title 15A inserted (31.12.2020) by S.I. 2019/758, reg. 1(1), **Sch. 2A** (as inserted by **The REACH etc. (Amendment etc.) (EU Exit) Regulations 2020** (S.I. 2020/1577), regs. 1(1)(b), **6**; 2020 c. 1, **Sch. 5 para. 1(1)**)

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 139A.