Title: UK REACH: Extending the data submission deadlines **IA No: Defra: ENV/051** **RPC Reference No: RPC-DEFRA-5210(2)** **Lead department or agency:** Department for Environment Food and Rural Affairs **Other departments or agencies:**	Impact Assessment (IA) **Date:** 1/03/2023 **Stage:** Final **Source of intervention:** Domestic **Type of measure:** Secondary Legislation **Contact for enquiries:** Rusty Odihiri (rusty.odihiri*@defra.gov.uk*)

Summary: Intervention and Options

RPC Opinion: Green

Cost of Preferred (or more likely) Option (in 2022 prices)			
Total Net Present Social Value £170m	**Business Net Present Value** £170m	**Net cost to business per year** -£20m	**Business Impact Target Status** Qualifying provision

What is the problem under consideration? Why is government action or intervention necessary?

The UK REACH[1] (the Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation is one of the main pieces of legislation relating to the regulation of chemicals in Great Britain. It sets out requirements relating to the registration, evaluation, authorisation and restriction of chemicals. UK REACH regulates the use of chemicals in Great Britain as EU REACH continues to apply in Northern Ireland under the Northern Ireland Protocol.UK REACH currently requires information on substances that are manufactured in, or imported into, GB to be registered with the UK Agency - the Health and Safety Executive (HSE). The current deadlines for completing this transitional registration process are 27 October 2023, 27 October 2025, and 27 October 2027 depending on the tonnage and hazard profile of the substance.

In response to concerns raised by stakeholders around the cost of acquiring the data required to complete their registrations, the government is working with stakeholders to explore an alternative transitional registration model. The aim of this model would be to reduce costs to businesses of transitioning from EU REACH to UK REACH whilst maintaining or improving existing environmental and health protections, in line with our international commitments. Developing a new model is highly technical and complex and time is needed to develop a firm proposal. If a suitable model is found, operational (e.g., IT development) and legislative changes would need to be made to implement it. The projected timeline for legislating for any new transitional registration model is 2024 at the earliest.

The first of the current registration submission deadlines is in October 2023. Government intervention is therefore necessary to extend the current transitional deadlines for data submission to ensure there is sufficient time to allow for substantive development of the policy, and to make operational and legislation changes for the model. Industry would also need time to prepare for compliance with it. Extending the deadlines would reduce the likelihood of companies making nugatory spend in complying with current deadlines and data requirements and would allow them to plan their business decisions in relation to the extended deadlines.

The current legislative timelines for the UK regulator to carry out the 20% compliance checks requirement under Article 41 of UK REACH[2] also need to be amended to match the new deadlines to ensure that HSE are able to make the relevant checks after the data has been submitted. This would not be possible if it continued to apply to the current deadlines, as no data would have been submitted to the HSE to check for compliance.

[1] Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (EUR 2006/1907).

[2] Article 41(5) - to check compliance of registration dossiers the Agency shall select, until 31 December 2023, a percentage of those dossiers no lower than 20 % of the total received by the Agency for registrations in tonnage bands of 100 tonnes or more per year. The Agency shall, until 31 December **2027**, also select a percentage no lower than 20 % of the total received by the Agency for registrations in tonnage bands of less than 100 tonnes per year.

What are the policy objectives of the action or intervention and the intended effects?

The key policy objective is to maintain the principles and objectives of the UK REACH chemical framework. The intended effect of the action under consideration is to ensure that there is sufficient time for substantive development of the alternative transitional registration model - to operationalise and legislate for it, and to allow time for industry to prepare and comply. This will involve extending the current UK REACH transitional submission deadlines by up to 3 years. The current submission deadlines[3] are phased between 27 October 2023, 27 October 2025 and 27 October 2027, depending on tonnage and hazard profile. See Table 1 (below).

The government's intention is to achieve this outcome by extending the current submission deadlines by 3 years. It will also help industry avoid making nugatory investments towards acquiring EU data from EU consortia to satisfy the requirements of the current submission deadlines.

Although a reduction in industry costs is one of the primary aims in developing an alternative registration approach, it is not one of the aims in extending the transitional deadlines. Any cost reductions set out in this impact assessment are incidental to the need to extend the deadlines.

Table 1: Current and proposed UK registration submission deadlines

Current Deadline	Option 1	Option 2	Tonnage	Hazardous Properties
27 Oct 2023	27 Oct 2026 (+3 years)	27 Oct 2026 (+3 years)	1,000 tonnes or more per year	Carcinogenic, mutagenic or toxic for reproduction (CMRs) - 1 tonne or more per year Very toxic to aquatic organisms (acute or chronic) - 100 tonnes or more per year Candidate list SVHC substances (as at 31 December 2020)
27 Oct 2025	27 Oct 2028 (+3 years)	27 Oct 2027 (+2 years)	100 tonnes or more per year	Candidate list SVHC substances as at (27 October 2023)
27 Oct 2027	27 Oct 2030 (+3 years)	27 Oct 2028 (+1 year)	1 tonne or more per year	

[3] The REACH etc. (Amendment etc.) (EU Exit) Regulations 2020

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

This IA is an update to the July 2022 Consultation Stage IA, which considered three options for extending the UK REACH submission deadlines, as well as an alternative to regulation. The consultation sought views and evidence on a range of issues relating to the options proposed.

The preferred option presented in this IA has been informed by these responses, as well as wider engagement with stakeholders. The government response[4] to consultation was published on 29 November 2022.

The changes envisaged require legislative intervention as the current deadlines are enshrined in law. The options being considered are:

- **Baseline** – Do Nothing – do not change the current submission deadlines. (27 October 2023, 27 October 2025, and 27 October 2027).
- **Option 1** – **(preferred option)** – Extend all the current submission deadlines for each tonnage band by three years (to October 2026, October 2028, and October 2030).
- **Option 2** – Extend the first submission deadline by 3 years to October 2026, the second by 2 years to 2027 and the third by 1 year to 2028.
- **Alternatives to regulation** – As the current transitional deadlines are a legislative requirement it is not possible to achieve the objectives without amending the existing regulations. Nevertheless, this IA considers alternatives to regulation such as the use of guidance and information, and applying EU risk management decisions during the extended period.

Will the policy be reviewed? Yes **If applicable, set review date: January 2025**				
Is this measure likely to impact on international trade and investment?		No		
Are any of these organisations in scope?	**Micro** Yes	**Small** Yes	**Medium** Yes	**Large** Yes
What is the CO_2 equivalent change in greenhouse gas emissions? (Million tonnes CO_2 equivalent)		**Traded:** N/A	**Non-traded:** N/A	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible: Minister Rebecca Pow Date: 19 April 2023

[4] Summary of Responses and the government response

Summary: Analysis & Evidence Policy Option 1(Preferred Option)

Description: Extend all the current submission deadlines for each tonnage band by three years

FULL ECONOMIC ASSESSMENT

Price Base Year 2022	PV Base Year 2022	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: 110	**High:** 290	**Best Estimate:** 170

COSTS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	0.0015		0	**0.0015**
High	0.0030		0	**0.0030**
Best Estimate	0.0023		0	**0.0023**

Description and scale of key monetised costs by 'main affected groups'

Familiarisation costs will apply to firms in the chemical sector.

Other key non-monetised costs by 'main affected groups'

Regulatory actions such as authorisations and restrictions can still be carried out effectively; however, a delay in UK specific data may affect how the regulator targets or prioritises its actions. Under EU REACH, evidence beyond registration dossiers is also sought to help determine regulatory priorities and it is considered unlikely that changing the deadlines will lead to real-life consequences in Great Britain.

BENEFITS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	0		0	**110**
High	0		0	**290**
Best Estimate	0		0	**170**

Description and scale of key monetised benefits by 'main affected groups'

The key monetised benefit is the reduced net present cost to business of UK REACH transitional registration. This benefit only arises when measured in present-value terms, as only the timings of the policy change.

Other key non-monetised benefits by 'main affected groups'

The key non-monetised benefit is that the requirement for firms to submit information based on criteria that are likely to subsequently change is avoided. This benefit is not quantifiable because it depends on the impacts of an alternative registration model, which is currently under development.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5

It is assumed that all substances that have been grandfathered or notified by a downstream user to UK REACH will be registered. It is assumed that costs per substance will be similar to those seen in EU REACH, once a cost reduction factor is taken into account.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: 0	**Benefits:** 20	**Net:** -20	-20

Summary: Analysis & Evidence

Policy Option 2

Description: Extend the first submission deadline by 3 years to October 2026, the second by 2 years to 2027 and the third by 1 year to 2028

FULL ECONOMIC ASSESSMENT

Price Base Year 2022	PV Base Year 2022	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: 60	**High:** 120	**Best Estimate:** 90

COSTS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	0.0015		0	**0.0015**
High	0.0030		0	**0.0030**
Best Estimate	0.0023		0	**0.0023**

Description and scale of key monetised costs by 'main affected groups'

Familiarisation costs will apply to firms in the chemical sector.

Other key non-monetised costs by 'main affected groups'

Any human health, environmental or public sector impacts would be similar to those described under Option 1, but moderated due to the smaller amendments to submission dates under this option.

BENEFITS (£m)	Total Transition (Constant Price)	Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	0		0	**60**
High	0		0	**120**
Best Estimate	0		0	**90**

Description and scale of key monetised benefits by 'main affected groups'

The monetised benefits are similar to those described under Option 1, but moderated due to the smaller amendments to submission dates under this option.

Other key non-monetised benefits by 'main affected groups'

The key non-monetised benefit is that the requirement for firms to submit information based on criteria that are likely to subsequently change is avoided. This benefit is not quantifiable because it depends on the impacts of an alternative registration model, which is currently under development.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5

As Option 1.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: 0	**Benefits:** 10	**Net:** -10	-10

Evidence Base

Problem under consideration and rationale for intervention

Background

1. UK REACH[5] (the Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation). is one of the main pieces of legislation for the regulation of chemicals in Great Britain. UK REACH applies to Great Britain only, as EU REACH continues to apply in Northern Ireland[6]. The Registration process is key to UK REACH. It requires safety information on substances (data) that are manufactured in, or imported into Great Britain, to be compiled in a dossier and submitted (registered) to the Agency for UK REACH, the Health and Safety Executive (HSE). The data include information on the hazards, use and exposure, and risk assessments and is needed for effective chemicals regulation for protection of human health and the environment.

2. Registration is designed to provide public assurance that industry has met its obligations to understand the properties of the substances they manufacture or import and then to use this information to assess and manage the risks related to these substances. UK REACH also provides a regulatory framework to control or restrict the use of hazardous substances.

3. The government introduced transitional provisions in UK REACH pursuant to the European Union (Withdrawal) Act 2018 to reduce the disruption to industry as the UK moved to the new system (UK REACH). These provisions allow companies to submit initial 'notification' data in order to continue trading and then provide the full registration data after a further 2, 4 or 6 years from 28 October 2021 depending on the tonnage and hazard profile. The registration data requirements under UK REACH at present are identical to those that applied under EU REACH. This satisfies the no data, no market access principle of REACH[7].

   The UK chemicals industry and environmental and health NGOs broadly support an EU REACH-type approach in the UK and have advocated for maintaining close alignment with it. However, exiting the EU resulted in the UK losing its access to the data submitted by EU companies (including UK companies), to the EU central database. There are potentially significant cost implications associated with acquiring or gaining access to the data necessary for the transition to UK REACH. This is because firms operating in GB do not necessarily own, or have the right to use, EU REACH chemical registration data.

4. Defra, HSE, and the Environment Agency (EA) are working collaboratively with industry and NGOs to devise, develop and deliver an alternative transitional registration model within the framework of REACH that can both deliver the high levels of protections for human health and the environment while reducing the costs to industry of acquiring the data.

Problem under consideration

5. The main problem is that companies will incur significant nugatory costs complying with redundant registration requirements unless government intervenes. In 2021, the government committed to exploring options to amend the transitional registration requirements, in order to reduce costs to industry while ensuring high levels of protection of human health and the environment. This work is ongoing. However, the current registration deadlines do not provide sufficient time for legislation to be developed and for companies to comply. If the deadlines are not extended, companies would be legally obliged to comply with the current legal requirements, and by doing so, incur costs. They would incur costs through negotiating access to data packages owned by EU industry consortia. At present, firms in GB do not necessarily own the required data, despite having been compliant with EU REACH. This is because they were either joint data owners or because they

[5] EU REACH (the Registration, Evaluation, Authorisation and Restriction of Chemicals) Regulation formed part of retained EU law by virtue of the European Union (Withdrawal) Act 2018. The retained version of the EU REACH Regulation is referred to as the UK REACH Regulation

[6] Protocol on Ireland / Northern Ireland to the Withdrawal Agreement

[7] Article 5: No data, no market

were “downstream users” of firms that registered on their behalf. This spending on data packages risks being nugatory if data submission requirements are subsequently amended under the alternative transitional registration model. To avoid this nugatory spend, it is necessary to extend the current submission deadlines.

6. Although the risk that companies will start to make investments in securing data packages over the next few months is considered low[8], government action is necessary to minimise any risk of companies making nugatory investment towards acquiring information which is necessary for the existing registration model while the alternative transitional registration model, for which that information may no longer be necessary, is under development. Moving the current dates for data submission will mitigate this risk.

7. A further problem under consideration relates to Article 41(5) of the UK REACH[9] Regulation, which places a duty on HSE to carry out compliance checks by 31 December 2023 and 2027 on no less than 20% of the registration dossiers received, according to tonnage. The current compliance checking deadlines fall before the relevant submission deadlines, so it would not be possible for this regulatory process to be applied in an effective manner. Therefore, these deadlines need to be changed to reflect the amended information submission deadlines.

Rationale for intervention

8. The government is currently developing an alternative transitional registration model which seeks to ensure a high level of protection of human health and environment. The new approach aims to reduce costs to industry by removing the need for expensive data negotiations with EU consortia. Ultimately, the new system should lead to a re-evaluation of the type of information that industry would need to submit to the regulator (HSE). The current provisions under UK REACH require industry to provide complete registration data by specific dates, based on the registrant's tonnage band or substance hazard profile.

9. The first of these deadlines for full registration fall on 27 October 2023, therefore the government needs to move the deadlines to avoid industry nugatory investments in complying with the existing submission requirements which may change under the alternative model. It is also necessary to build in sufficient time for companies to plan their business decision in relation to complying with the new model. The government also needs to defer the current deadlines to provide sufficient time to develop and consult on new legislation, and make operational changes (e.g., IT development) to introduce the alternative transitional registration model

10. Government intervention is also necessary to move the dates currently mandated in UK REACH for HSE to complete the 20% compliance checks to ensure the checks are made after the data is submitted.

Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

11. The issue under consideration in this IA is simply to assess any costs, benefits or risks associated with moving the current UK REACH submission dates. This IA does not consider the alternative transitional registration model itself, which is still at under development. That model will involve a much wider range of issues which will be examined in its own IA in due course.

12. Broadly, the main driver of costs to industry in the creation of a chemical registration database will be the number of distinct substances registered. Evidence suggests that the number of distinct substances registered under UK REACH could be similar to that under EU REACH. Therefore, the aggregate cost to industry of the creation of the database can be expected to be similar. Under EU REACH, this cost was shared amongst chemical sector firms in the EU28. Under UK REACH,

[8] HMG published its plans to consult on its proposal to extend the deadlines on 6 December 2021

[9] Article 41(5) of UK REACH

it is likely that the costs would largely fall to firms operating in GB. There are several factors which suggest that it is likely that the aggregate cost of creation of the database in the GB context would be lower than under EU REACH. These factors are set out in paragraph 14 below. The cost analysis in this impact assessment uses two main data sources. Forecast registration numbers are based on UK REACH Service data on grandfathered registrations and Downstream User Import Notifications. Unit costs are derived from three EU REACH evaluations[10], one covering each of the three EU REACH registration deadlines. The EU REACH registration costs are a reasonable proxy for UK REACH registration costs under present regulations because the data requirements are identical. The rationale for using UK REACH data is that it is clearly the best available predictor of firms' UK REACH registration intentions, as registering with the UK REACH Service is a legally obligatory step in the transitional registration process. A weakness of this dataset is that actual registration behaviour, with respect to full registration data requirements, may differ considerably from the preliminary registration behaviour recorded so far, as companies keep their market strategies under review. It is not possible to resolve this uncertainty before registration activity completes. The use of this data is therefore appropriate.

13. The rationale for the use of EU REACH cost assessments is that they are the best available data source. The data requirements under EU REACH are identical to the current UK REACH data requirements, so EU REACH costs are a suitable guide to UK REACH costs. However, the EU costs were linked to the generation of new data sets, including new tests. The UK REACH costs would be related to UK companies buying access to that data, rather than repeating tests to generate the same data.

14. A weakness of this dataset is that there are several reasons to believe that unit costs under UK REACH could be lower: the required data already exists, and some firms operating in GB will either own data already or have trading relationships with data owners, so they are likely to be able to access data on relatively favourable terms. For example, some trade bodies in the EU and UK have published advice that companies should not be charged a second time for data they have already accessed for the purposes of EU REACH.

15. The evidence base for this IA was also drawn from a formal eight week public consultation launched in July 2022. The purpose of the consultation was to seek views on the practical implications of the options for amending the deadlines rather than the costs of registration. The information we gathered from this consultation helped strengthen the quality of the initial analysis on the options.

Consultation

16. Defra launched a formal consultation in July 2022 which sought views from stakeholders on extending the first submission deadline by three years to 2026, with two further options. Option 1 would continue the 2-year gaps which are currently part of UK REACH, giving submission dates of 27 *October 2026*, 27 *October 2028* and 27 *October 2030*. Option 2 would reduce each of the gaps to 1 year, giving submission dates of 27 *October 2026*, 27 *October 2027* and 27 *October 2028*.

17. The Department also sought views on moving the dates for compliance checking under Article 41(5) of UK REACH, which places a duty on HSE to complete 20% compliance checks on registration dossiers at 100 tonnes or more by December 2023 and for less than 100 tonnes by December 2027. This move is needed in order to align the current compliance check timelines with the proposed submission deadlines.

Responses to consultation

[10] Study on the impacts of the 2018 REACH registration deadline - Publications Office of the EU (europa.eu) ; Table 4.5, p46 (and two earlier studies referred to in that document)

18. There were 289 responses to this consultation. There was a strong overall preference (82%) in the responses for Option 1 (from industry in particular as the NGOs preferred Option 2, or no change). Our analysis of the responses suggests that, on balance, Option 1 is more likely to reduce burdens on industry, especially the small and micro businesses (SMBs) and downstream users, without compromising levels of protection of human health and the environment.

19. Overall, a large majority of stakeholders who responded to the consultation supported the government's assessment that moving the submission deadlines, either under Option 1 or Option 2 does not amount to a discernible reduction in human health and environmental protections. They agreed that there were sufficient controls within UK REACH to provide the necessary safeguards within the extended three-year period.

20. There was widespread agreement with the government's assessment on the impacts of the proposed extension on human health and environmental protections, especially in relation to paragraph 51 of the IA. That paragraph (below) outlines how the UK REACH regime will continue to ensure a high level of protection for human health and the environment during the extended period. The consultation responses showed general agreement with the government's proposal to move and align the current compliance check timelines with the proposed submission deadlines. Details of the consultation and stakeholder responses are published on the GOV.UK website[11].

21. In March, ahead of the public consultation, the Defra held a series of informal meetings to take soundings from stakeholders drawn from industry, NGOs and academia. Some NGOs voiced their concern over the impact that further delays to submitting registration data might have on human health and environment protections. Both the industry and NGOs stakeholders emphasised the uncertainty surrounding the timing and eventual shape of the new registration approach. There was a common view that the appropriate spacing between submission deadlines is likely to depend on the requirements finally placed on companies by the alternative registration approach. These views were tested at consultation stage and 82% of respondents were of the opinion that a three-year spacing between submission deadlines would suffice.

Policy objective

22. The primary aim of the government's intervention is to defer the current submission deadlines in UK REACH. The intended outcomes are twofold:

- **Outcome 1**, to provide sufficient time for the government to develop and introduce the new transitional registration model and any legislative changes to the current registration model before industry would otherwise have had to comply with the existing requirement. This would have the effect of allowing the new transitional measures for submission of data come into force in 2024, before the revised submission dates.
- **Outcome 2** - to defer the current submission deadlines to provide industry with sufficient time to prepare for and adhere to any new information requirements in the alternative transitional registration model that is being devised. Extending the deadlines would reduce the likelihood of companies making nugatory spend in complying with current deadlines and data requirements and allow them to plan their business decisions in relation to the extended deadlines.

Description of options considered

[11] https://www.gov.uk/government/consultations/uk-reach-extending-submission-deadlines-for-transitional-registrations

23. The options considered in this IA were determined by undertaking an options analysis underpinned by the need to ensure a balance between providing adequate time for the development and introduction of an alternative transitional registration model and ensuring that any extended timelines were consistent with upholding high levels of protection of human health and the environment. A timeframe in line with Option 1 would provide: sufficient time for the development of the alternative transitional registration model; the subsequent legislative changes and industry compliance without impacting significantly on high levels of protection of human health and the environment. A timeframe of less than three years would be insufficient for both the development of the model and the subsequent legislative changes. The list of options considered, including the alternative options, are set out below.

Baseline (Do Nothing) – do not change the current submission deadlines (27 October 2023, 27 October 2025, and 27 October 2027).

24. Defra is currently working with industry, NGOs and key stakeholders to develop an alternative registration model which looks to reduce the burdens associated with the submission of information under the current model, while improving the understanding by industry and regulators of the risks connected with use and exposure to chemicals in Great Britain. There are impending deadlines for the submission of information under the current legislation to which industry are legally bound. Moving to a new alternative transitional registration model is likely to change the information industry would have to provide under the current legislation (see paragraph 8).

25. With a 'do nothing option' the first deadline of 27 October 2023 will fall before the government has had time to develop and legislate for an alternative model. This will cause considerable uncertainty about what companies' duties are and what steps they should be taking to meet them. There is also a risk that industry could start making nugatory investment towards acquiring data that may not be necessary under the criteria set out in the alternative transitional registration model being devised. Only 3% of the 289 responses to the consultation were in favour of the 'do nothing' option compared to 82% and 13% of respondents who were in favour of Options 1 and Options 2 respectively.[12]

Option 1 - Extend all the current submission deadlines for each tonnage band by 3 years. (October 2026, October 2028, and October 2030).

26. Option 1 would have the effect of amending the current legislative provisions by moving the current submission deadlines for each tonnage band in UK REACH by 3 years to 27 October 2026, 27 October 2028, and 27 October 2030 - as illustrated in *Table 2* below.

Table 2: UK registration submission deadlines under Option 1

Current Deadline	Option 1	Tonnage	Hazardous Properties

[12] 2% of respondents to the consultation had no preferred option

27 Oct 2023	27 Oct 2026 (+3 years)	1,000 tonnes or more per year	• Carcinogenic, mutagenic or toxic for reproduction (CMRs) - 1 tonne or more per year • Very toxic to aquatic organisms (acute or chronic) - 100 tonnes or more per year • Candidate list SVHC[13] substances (as at 27 October 2024).
27 Oct 2025	27 Oct 2028 (+3 years)	100 tonnes or more per year	• Candidate list SVHC substances as at (27 October 2026)
27 Oct 2027	27 Oct 2030 (+3 years)	1 tonne or more per year	

27. Option 1 would mean that industry would only have to submit registration information once conclusions have been reached on an alternative model and it has been legislated for. The projected timeline for legislating for any new transitional registration model is 2024 at the earliest. Extending the first submission deadline by 3 years to 27 October 2026 would give the government time to introduce the alternative model.

28. Extending the remaining deadlines by 3 years for each tonnage band would have the desired effect of deferring the impending obligations on industry to provide information to HSE, giving them, sufficient time to adopt and adhere to any new requirement under the new alternative model. Small and micro businesses, which generally market lower quantities of chemicals, can be expected to benefit in greater proportion than larger firms from the choice of Option 1 over Option 2, as they will have the longest period of time to prepare. Following the public consultation, Option 1 is the government's preferred option.

29. **Option 2** - <u>Move the first submission deadline by 3 years to October 2026, the second by 2 years to October 2027, and the third by 1 year to October 2028</u>.

    Option 2 would move the first submission deadline back by 3 years, the second by two years and the final deadline by just one year as illustrated in Table 3 below.

Table 3: UK registration submission deadlines under Option 2

[13] Substances of Very High Concern

Current Deadline	Option 2	Tonnage	Hazardous Properties
27 Oct 2023	27 Oct 2026 (+3 years)	1,000 tonnes or more per year	• Carcinogenic, mutagenic or toxic for reproduction (CMRs) - 1 tonne or more per year • Very toxic to aquatic organisms (acute or chronic) - 100 tonnes or more per year • Candidate list SVHC substances as at 27 October 2024
27 Oct 2025	27 Oct 2027 (+2 years)	100 tonnes or more per year	• Candidate list SVHC substances as at 27 October 2025
27 Oct 2027	27 Oct 2028 (+1 year)	1 tonne or more per year	

30. Moving the first submission deadline back by 3 years should give the government time to introduce the alternative transitional registration model and those subject to that deadline time to comply with it. Option 2 has the advantage of the transitional registration data being received by HSE earlier than under Option 1. Under this option, those subject to the second two submission deadlines would have less time to take account of what those subject to earlier submission deadlines did.

31. The government favoured Option 2 in its consultation stage IA because it allowed for quicker receipt of the data compared to Option 1, allowing HSE access to UK specific data sooner. However, following evidence received in response to the consultation, the government has balanced the impact of extending the submission deadlines on human health and environmental protections against the potential impacts that the changes could have on businesses, especially the small and micro businesses (SMBs). The general view among respondents who chose Option 1 was that it would provide more time to prepare registration documents and that the longer timeframe would reduce burdens and maximise the opportunity for businesses to submit high quality dossiers.

32. There are several factors that make Option 1 favourable to Option 2. These include: that Option 1 would allow a smoother distribution of resources over time, that it would provide more time for planning, recruitment and training, and that it would give the best chance of completing registrations in time, and so avoiding any risk to the continuity of chemical supply.

33. While we would have liked to see the data submitted in the shorter deadline provided under Option 2, we believe that the extra time under Option 1 could lessen potential burdens on businesses - especially SMBs and downstream users - without significantly impacting on human health and environmental protections, as provided in the Article 1 consistency statement[14]. We also recognise the potential for better quality data and maximising chances of compliance under Option 1. Even though Option 1 is expected to bring about a greater saving to industry than Option 2, in net present

[14] Article 1 Consistency Statement

value terms, it is not for this reason that Option 1 is now the preferred option. The deciding factors are the reasons described qualitatively in the preceding paragraph.

34. As set out in the *Article 1 Consistency Statement*[15], the government considers both options would be consistent with Article 1 of the UK REACH Regulation[16]. In particular, with the purpose of ensuring a high level of protection for human health and the environment and the free circulation of substances.

Alternative options considered

Information and guidance

35. Information to industry, in the form of a government publication, was considered early on in the options development stages. However, the existing submission deadlines are legal requirements and information or guidance about progress on an alternative registration model could not override the duty on companies to comply with the existing law.

EU risk management decisions

36. It would not be appropriate to adopt future EU decisions under UK REACH in order to implement further risk management while there are gaps in the information held by the HSE. This is because the EU no longer consider the impact of their decisions on GB. Nevertheless, the UK will continue to monitor EU decisions and consider, in each case, whether they are right for GB. The current legislation does not allow the UK to adopt EU decisions without following the scrutiny requirements of UK REACH. Adopting EU risk management decisions would have no effect on the current deadlines which will continue to have legal effect, as industry would still be under a legal obligation to provide information by 27 October 2023, 27 October 2025 and 27 October 2027 (depending on tonnage and hazard profile).

Summary and preferred option with description of implementation plan

37. The preferred option (Option 1) will be given effect through secondary legislation using the UK REACH amending powers in the Environment Act 2021[17]. It will apply to England, Scotland and Wales with the measures coming into effect immediately. The measures, when implemented, will extend the current submission deadlines and provide government sufficient time to develop and implement an alternative registration model and industry with sufficient time to comply with revised obligations.

38. Government intervention will ensure industry is no longer under a legal obligation to provide information in 2023, 2025 and 2027 (depending on tonnage and hazard profile). Instead, they would be required to provide it at a later date when the data requirements under the alternative transitional registration model would have been determined. Government intervention will also obviate the potential for industry to engage in negotiations with EU consortia for expensive data that might not be required under the alternative registration model currently being developed.

39. HSE is the Agency for UK REACH and has responsibility for most regulatory functions including operation and enforcement of the proposed measures.

Monetised and non-monetised costs and benefits of each option (including administrative burden)

40. The only impact of these policy options that has been monetised is the change to the net present value of registration costs to firms. This arises as a result of changing the submission deadlines.

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[15] Paragraph 1(1) of Schedule 21 to the Environment Act 2021 gives the Secretary of State the power to amend the UK REACH Regulation. The Secretary of State can only do so if the amendments are consistent with Article 1 of the UK REACH Regulation, which sets out its aim and scope. The Secretary of State must publish a statement to explain how this condition is met. A statement has been published alongside the consultation on the govern proposals to extend the submission deadlines.

[16] Article 1 UK REACH

[17] *The Environment Act 2021*

Changing registration timelines only affects the point in time at which costs occur, rather than the actual scale of the costs. However, because of the potential scale of the costs involved, and the extent of the proposed changes to the timelines, the impact of changing timelines is still significant.

41. The basis for the analysis of changing timelines is an assessment of the total cost of UK REACH transitional registrations as would be required under UK REACH as it stands. The total cost of transitional registration under UK REACH as it stands has been calculated by multiplying the forecast number of substances to be registered by the cost of registering a substance. The forecast number of substances registered is 22,400, which is an estimate of the number of distinct substances by EC number that have been grandfathered or notified to UK REACH. The cost per substance is derived from an EU evaluation of costs per substance, broken down by tonnage band[18].

42. The cost is made up of the costs of preparing a dossier, study costs (physico-chemical, toxicological, ecotoxicological), training/familiarisation and legal costs, as reported in the preceding footnote. Substances that have been reported in multiple tonnage bands are counted only once, in the highest reported tonnage band. Substances for which no tonnage band has been reported are allocated to tonnage bands in proportion to substances for which tonnage is reported.

43. The EU cost evaluations broadly reported that costs tend to be higher for higher-tonnage substances, however, this was not the case for all tonnage bands[19]. Using those costs per substances directly would fail to take into account several factors which suggest that unit costs under UK REACH would be lower: the required data already exists, and some firms operating in GB will either own data already or have trading relationships with data owners, so they are likely to be able to access data on relatively favourable terms. In addition to this, some trade bodies in the EU and UK have published advice that companies should not be charged a second time for data they have already accessed for the purposes of EU REACH. It has not been possible to quantify these factors in disaggregated terms. For this reason, a cost reduction factor of 0.67, based on analytical judgement[20], is applied across unit costs to reflect this combination of factors. Registration fees have been set to zero for grandfathered registrations, in line with UK REACH fee policy.

44. Taking into account all of the factors described above generates a total undiscounted cost of transitional registrations under UK REACH as it stands of £2.0bn (this figure is highly uncertain, but it might be expected to fall within the range £1.3bn- £3.5bn[21], although this depends heavily on how industry behaves in practice). In the central estimate, with 22,400 distinct substances, this implies an average cost per substance of £91,000. In present value terms, a central cost estimate of £1.7bn for transitional registration under UK REACH as it stands is found (range: £1.1bn to £3.0bn). The undiscounted costs apply under all three of the options: Do Nothing, Option 1, and Option 2. It is only when discounting is applied that the quantified impacts of the options vary. The impact of Option 1 corresponds to the difference, in discounted terms, between the costs of UK REACH transitional registration under Option 1 and under the Do Nothing option. The equivalent applies for Option 2.

45. The monetisable effect of the policy is the change to the points in time at which costs arise. There are expected to be additional beneficial effects for firms of extending submission deadlines further, under Option 1, relative to Option 2. These include allowing firms, especially small and

[18] Study on the impacts of the 2018 REACH registration deadline - Publications Office of the EU (europa.eu), Table 4.5, p46 for totals and Table 4.8, p53 for composition (see "Final Report" file, not "Executive Summary"); https://op.europa.eu/en/publication-detail/-/publication/bbf2a250-c996-11eb-84ce-01aa75ed71a1/language-en; Monitoring the Impacts of REACH on Innovation, Competitiveness and SMEs, Table 3.3.6; https://ec.europa.eu/docsroom/documents/14581/attachments/1/translations/en/renditions/pdf;

[19] Costs for the 10-100 tonnes per year tonnage band were found to be higher than costs in higher tonnage categories.

[20] The value of the cost reduction factor was identified as a significant evidence gap. Paragraph 46 describes the approach that sought to address this evidence gap.

[21] The sensitivity analysis used to generate the range around the central estimate is described in the Assumptions section below.

micro businesses (SMBs), more time to implement any lessons that transpire from the first wave of submissions. This effect may manifest as cost savings to firms. However, we have been unable to monetise this.

46. The consultation-stage IA document noted that a key evidence gap was the extent to which data prices would be reduced under UK REACH relative to those experienced in EU REACH. This issue was expected to be addressed by Q19[22] and Q20[23] of the consultation, with those questions asking about pricing behaviour in the case of joint data ownership and data non-ownership respectively. However, the findings were not conclusive. Of those who answered Q19, over 50% said "Don't know". For Q20, responses were similarly highly uncertain. This plan to address a key evidence gap was not conclusive. It confirmed that this is an area of high uncertainty. The strength of evidence received did not justify amending the quantitative assumption on pricing made in the consultation-stage IA.

Baseline (Do Nothing) – do not change the current submission deadlines. (27 October 2023, 27 October 2025, and 27 October 2027).

47. This means maintaining the status quo by keeping the existing submission dates. In line with the IA guidance, the 'do nothing' is the baseline against which all other policy options are appraised and as such, the costs and benefits are zero. The baseline assumes that leaving the deadlines unchanged would result in industry making nugatory investments towards acquiring data for a registration approach which is likely to change.

Option 1 - Move all the current submission deadlines for each tonnage band by 3 years. (October 2026, October 2028, and October 2030).

48. This option will have the benefit of providing sufficient time for the government to devise an alternative registration model. There are also benefits to industry as they will not now need to make nugatory investment towards acquiring EU data. The extension of the current deadlines will provide some economic benefits to businesses as a result of delaying their obligations.

Human Health and Environmental impacts

49. The scientific data yielded from the registration process contributes to ensuring high levels of protection of human health and environmental through underpinning REACH regulatory processes such as compliance checks and the prioritisation of substances for evaluation. Extending the current transitional deadlines means gaps in information held by the Agency would remain on the highest tonnage and most hazardous substances for a further three years beyond the current deadline of October 2023. The gaps in information held on other substances would either also be extended by three years (Option 1) or by two years and one year (Option 2).

50. The absence of this data means that there could be impacts on the ability of HSE to carry out some regulatory processes - such as compliance checks and prioritisation of substances for evaluation. This could lead to reduced regulatory oversight and regulatory delays, because of the additional time needed to acquire the requisite data from other external sources.

51. However, we are confident that these impacts will not be direct or significant, even under Option 1, and that the UK REACH regime will still be able to ensure a high level of protection for human health and the environment because of:

[22] For substances that your company or companies you act on behalf of have joint data ownership of under EU REACH: on average, what percentage of the price of generating a full dataset do you expect your company or companies you act on behalf of to be charged by the EU consortium? For example, if you expect the consortium to charge full price, then please answer "100%". If you expect them to charge half of that amount, then please answer "50%". If you do not know please state "Do not know".

[23] For substances that your company or the companies you act on behalf of does not own data under EU REACH: on average, what percentage of the price of generating a full dataset do you expect your company / the companies you act on behalf of to be charged by the EU consortium?

- The information and knowledge on chemicals registered under EU REACH that is available to both HSE and GB registrants. As well as the information publicly available on the EU REACH database, those involved in EU REACH registrations will be familiar with information relating to hazards, uses and exposure. It is expected that the value of some of this information may diminish over time, but that it will still be useful over the period of the extended submission deadlines.

- Importers from the EU will continue to receive EU REACH-compliant Safety Data Sheets from their EU suppliers which will enable them to identify and apply appropriate risk management measures.

- HSE's ability to seek risk management data from other sources, if necessary, as they did when acting as a Competent Authority under EU REACH. This could include calls for evidence and using data from EU REACH and other relevant sources that can provide GB-specific hazard and exposure information (such as academic journals). They can also draw on their own considerable experience and expertise from their previous work under EU REACH, and external expertise as provided for under UK REACH.

- Amending Article 41 of the UK REACH Regulation does not prevent HSE from carrying out compliance checks on dossiers that they receive before the submission deadlines and does not on its own have a significant impact on the protection of human health and the environment.

- Other requirements that will continue to apply to manufacturers and users of chemicals such as the Control of Substances Hazardous to Health Regulations 2002 and the CLP Regulation[24]

Public sector impacts

52. As described in the above section on environmental impacts, changes to timings of data availability due to amended submission dates may change the timings or approach used by HSE to perform its activities, but the real-life implications of this, such as import and distribution of chemicals to the public sector are expected to be negligible.

Business and consumer impacts

53. The concerns raised by NGOs in paragraph 21 on the impacts of the delays in submitting registration data are addressed in paragraph 51. The monetisable business impact of this policy is the change to the present value of registration costs that arises as a result of changing the timelines. Changing registration timelines only affects the point in time at which costs occur, rather than the actual scale of the costs. Because this policy would shift the costs back in time, when considered in present value terms, it generates a saving to business. The estimated present value of the cost of registration declines from £1.73bn to £1.56bn. The difference between these two figures is £170m, which is the saving, in present-value terms, associated with Option 1 compared to the baseline. The range around this central estimate is £110m-£290m. Familiarisation costs for this policy are estimated at £1,500-£3,000 (central estimate: £2,250). This is calculated on the basis of one employee on a wage of £25[25] from each registered

[24] Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures (EUR 2008/1272).

[25] Derived from EARN02: Average weekly earnings by sector - Office for National Statistics (ons.gov.uk)

business[26] in the chemical sector reading 100 words of technical text at a rate of 50-100 words per minute[27].

54. The monetised impact presented here is a direct impact. The impact is direct because the policy changes a regulation which imposes immediate and unavoidable requirements on business, and the impact falls on those businesses subject to the regulation. The indirect impact of firms not registering substances has not been monetised, for the reason outlined in the first bullet of the Assumptions section (paragraph 61).

55. It can be expected that the direct cost saving to businesses will lead to a degree of pass-through cost-reduction in prices faced by consumers, relative to prices under the Do-Nothing Option. It has not been possible to assess the extent to which the reduced costs will be absorbed by firms through increased profits rather than passed through to customers as an indirect benefit, in the form of lower prices.

Option 2 – Move the submission deadline by 3 years for the highest registration tonnages band (1000 tonnes and more), to 2028, two years for 100 tonnes or more, 2027 and 1 year for the 1 tonne or more, 2028 more by 2 years and 1 tonne or more by 1 year.

56. The impacts of this option are similar to Option 1. However, Option 2 has the advantage that the transitional registration data will still be received as early as possible, while allowing industry sufficient time to comply. Regulatory actions such as authorisations and restrictions can still be carried out effectively, although a delay in UK specific data may affect how the regulator targets or prioritises its actions. Option 2 may reduce the length of time that this effect might apply.

Human Health and Environmental impacts

57. Any human health or environmental impacts would be similar to those described under Option 1, but moderated due to the smaller amendments to submission dates under this option.

Public sector impacts

58. Any public sector impacts would be similar to those described under Option 1, but moderated due to the smaller amendments to submission dates under this option.

Business and consumer impacts

59. No direct consumer impacts have been identified, but – as set out in paragraph 54 – some portion of the benefit to business can be expected to accrue indirectly to consumers in the form of lower prices. As described under the business impacts section of Option 1, the main monetisable business impact of this policy is the change to the net present value of registration costs that arises as a result of changing the timelines. Changing registration timelines only affects the point in time at which costs occur, rather than the actual scale of the costs. Because this policy would shift the costs back in time less than under Option 1, when considered in present value terms, it generates a saving to business that is smaller than that under Option 1. The costs of registration under Option 2, in present value terms, is found to be £1.64bn. Relative to the baseline of £1.73bn, this would lead to a saving, in PV terms, of £90m, with a range of £60m-£120m. Familiarisation costs are expected to have the same small impact as under Option 1.

Risks and assumptions

60. **Risks**

- The absence of the transitional registration data could impact HSE's ability to carry out some regulatory processes - such as compliance checks and prioritisation of substances for evaluation.

[26] 3,475 in SIC Code 20 at Business population estimates 2022 - GOV.UK (www.gov.uk)

[27] Time spent reading guidance, Table 1, Business Impact Target: appraisal of guidance - assessments for regulator-issued guidance (publishing.service.gov.uk)

- There is a risk of reduced regulatory oversight and regulatory delays, because of the additional time needed to acquire the requisite data from other external sources

61. **Assumptions**

- It is assumed that all substances that have been grandfathered or notified by a downstream user to UK REACH will be registered. In reality, it is likely that firms will decide not to fully register a portion of substances. The indirect industry cost impact of these decisions not to fully register would vary by substance, but the direct impact of registration is the most suitable proxy available for these impacts. Therefore, this assumption enables a proportionate approach to representing the true impacts of the policy on industry costs. The effects of substances dropping off the market for HSE and EA workload, and for human and environmental health, have not been fully assessed in this IA, as the policy under consideration here does not have a substantive effect on those outcomes. They will be subject to detailed scrutiny in the IA supporting the alternative transitional registration policy.
- It is assumed that the tonnage profile of substances for which no tonnage has been reported reflects the tonnage profile of those for which tonnage has been reported.
- It is assumed that EU REACH registration costs, as evaluated, are a reasonable predictor of UK REACH registration costs. This is because under current EU and UK Regulations the data requirements are identical.
- There is no evidence of widespread nugatory investment towards meeting the current submission deadlines. Although one consultation respondent did suggest that their firm and others are progressing their registration dossiers ahead of the existing deadlines, there was no evidence that this type of activity is prevalent. Also, the government published its intention to extend the deadlines in December 2021. This was partly to ensure businesses would not make nugatory investments to comply with the present policy. However, a company remains free to submit their registration dossier in advance of the statutory deadline if that is their business choice.
- It is assumed, in the central scenario, that each substance is registered only once. This is a simplifying assumption – in reality, multiple firms will separately register their usages and tonnages and will then co-ordinate on the submission of full data packages. For substances which have been reported in multiple tonnage bands, only the instance with the highest tonnage band is used. Substances for which no tonnage was reported were apportioned to tonnage bands in line with the distribution of substances for which tonnage is known.
- It is assumed that a cost reduction factor of 0.67 provides an appropriate proxy for the otherwise unquantified factors likely to lead to lower costs than those seen under EU REACH (data pre-existence, data ownership, trading relationships with data owners, and an industry statement called for consortia to refrain from charging data owners).

Sensitivity

62. These uncertainties are addressed through the presentation of a sensitivity analysis which assesses the costs of UK REACH as it stands under “high-cost” and “low-cost” scenarios (generating the range of £1.1bn to £3.0bn given in paragraph 44 above). In the “low-cost” scenario, grandfathered registrations and notifications for which no tonnage band was reported are left out of the costings. This also applies in the “high-cost” scenario[28]. In addition to this change, the “high-cost” scenario incorporates multiple registrations per substance, including all grandfathered registrations and downstream user impact notifications for which a tonnage is

[28] This assumption has been used in the high-cost scenario because it allows a plausible data-driven high-cost scenario to be generated while relying on a concise and transparent list of assumptions.

reported. This scenario applies per-registration costs, rather than per-substance costs, as reported in the EU REACH evaluation. Both of these scenarios apply the same cost reduction factor as the central scenario.

Impact on micro, small and medium-sized industry

63. There are 3,475 registered businesses in the chemical sector, of which 3,095 (89%) are small and micro businesses, and 350 (10%) are medium-sized[29]. Of the 98,000 employed directly in the sector, small and micro businesses employ 20,000 (20%), and medium-sized businesses employ 47,000 (48%). Of the £37bn turnover in the sector, £4bn, or 12%, is generated by small and micro businesses, and £16bn (45%) by medium-sized businesses. No disproportionate impacts on micro, small or medium sized businesses are foreseen, in line with the broader assessment made above that the policy is not expected to have a negative effect on businesses of any size.

64. This assessment is supported by the consultation response: of those small and micro businesses which expressed a preference between the options, 87% preferred Option 1. Similarly, for medium-sized businesses, 89% preferred Option 1. It is expected that savings, in discounted terms, would accrue to small and micro businesses in at least a proportional way relative to larger businesses. Several respondents noted that small firms would struggle disproportionately with shorter timelines, and therefore preferred longer extensions to deadlines. This suggests that the benefits of extending timelines, as reflected in the government response to the consultation, could accrue in greater proportion to small and micro businesses than to larger firms. Similarly, it is expected that benefits would accrue to medium-sized firms in at least a proportionate way, relative to larger businesses.

Wider Impacts

65. This policy has no impact on HSE's ability to assess the safety of new chemicals. The phased deadlines and the extensions to those deadlines only apply to substances that are already on the market. New substances are not subject to these deadlines and must continue to be registered before they can be placed on the market. The key point that had to be addressed is whether the proposed delays for the submission of the data are likely to compromise HSE's ability to carry out its regulatory obligations in providing high levels of protections of human health and the environment with regard to chemicals which are already on the market.

66. While the extensions may result in a slight reduction of the protections in part caused by delays in HSE accessing data, our assessment is that overall, such reductions would not impair the ability to continue providing high levels of protection of human health and the environment within the extended period. HSE will still have the capability and capacity to carry out its regulatory obligations and make decisions, and industry will continue to understand and manage risk based on the current knowledge of the hazards and associated risks.

67. Extending the current transitional deadlines means that information gaps will remain on the highest tonnage and most hazardous substances for a further three years for each tonnage band. However, the mitigation actions highlighted in paragraph 51 are proportionate to minimise the potential risk within the three-year extended period, as HSE will still be capable of undertaking those processes which ensure a high level of protection of human health and the environment.

68. The extension of the submission deadlines does not directly impact on innovation, trade or competition. However, in response to the public consultation, industry associations noted that most of their member companies that operate globally would have to deal with competing

[29] Business population estimates 2022 - GOV.UK (www.gov.uk), Detailed Tables, Table 6, SIC Code 20

deadlines due to the combination of the upcoming regulatory commitments such as EU polymer registration, Turkey REACH (KKDIK), Korea REACH (K-REACH) and other global regulations. They described the wider demands and constraints faced by industry beyond the requirements of UK REACH. They noted that businesses were facing challenges with increased energy, logistics and related raw material costs and availability, and challenges associated with wider society's transition to Net Zero. They noted that Option 2 could exacerbate these existing constraints. Neither policy option affects EU trade, as EU export requirements are independent of UK REACH data requirements.

A summary of the potential trade implications of measure

69. There are not expected to be any trade impacts as a result of this policy that are distinct from the more general impacts discussed above. However, extending the deadlines will help ensure that the free circulation of chemicals can continue within Great Britain, and avoid potential negative impacts resulting from interruptions in supply. It will also enable dutyholders to reflect the development of an alternative transitional registration model in their business decisions, reducing the risk that they will simply exit the market and reduce the availability of these substances.

Monitoring and Evaluation

70. There is already a monitoring and evaluation strategy in place for the transition from EU REACH to UK REACH, which is a seven-year plan incorporating process, impact and value for money evaluations. The evaluation methodology includes management information, trade data, interviews and surveys with industry, and interviews with authorities and NGOs. The changes to the deadlines can be readily incorporated into the strategy and will be monitored and evaluated as part of this. This will include an evaluation of HSE's ability to undertake its duties effectively due to delays in data.

71. The evaluation of UK REACH uses a theory-based approach due to the lack of ability to measure impacts on human health and the environment (at this current time). As such, data will be collected on HSE's compliance checks and prioritisation of substances for evaluation, as well as data to assess the impact on regulatory oversight and regulatory delays, with the original deadlines as the counterfactual. Evaluation against the mitigations to these risks outlined in the IA will also be undertaken. The data will be a combination of management information and other secondary sources as well as interviews with stakeholders. Possible unintended consequences will be evaluated using similar methods.

72. The evaluation of the first year of the transition to UK REACH is near complete. This has included interviews with industry and a survey to chemical businesses, which has received over 550 responses. At this point we have been evaluating emerging impacts on industry of the current data requirements, as well as gathering opinion on the government's review of these. The evaluation will provide a useful baseline to benchmark future years against.