

How to transfer your UK REACH registrations prior to the end of the transition period of the UK withdrawal from the EU

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1.1	Revised edition for the end of the transitional period Arrangements for Northern Ireland companies added	November 2020

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If you have questions or comments in relation to this document, please send them (quote the reference and issue date) using the information request form. The information request form can be accessed via the Contact ECHA page at:

<http://echa.europa.eu/contact>

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Introduction

As a registrant based in the UK, your REACH registrations and notifications will be void following the end of the transitional period of the UK's withdrawal from the EU on 31 December 2020 at 24:00 hours CET (11 p.m. UK time). This document explains how you can transfer them to a company or only representative based in the EU-27, EEA or United Kingdom (Northern Ireland), that will manufacture in or import the substances into the EU/EEA/UK(NI) after the UK's withdrawal. 'The UK' in this manual means the UK with respect to Great Britain, i.e. excluding Northern Ireland.

Registrants based in Northern Ireland (NI), see section 4.

1. Step-by-step approach for transferring your registrations

1. **Determine your strategy.** Decide what you will do with your registrations and notifications (e.g. PPORDs, inquiries, C&L notifications, DU notifications). When you transfer your registrations and notifications, the company in the EU-27/EEA/UK(NI) that you will transfer to is called your successor. Make sure that if you envisage a transfer, it is an allowed transfer. Allowed transfers (✓) are:

<div style="text-align: right;">Your successor</div> <div style="text-align: left;">You</div>	Manufacturer in EU-27 or EEA or UK (NI)	Importer in EU-27 or EEA or UK (NI)	Only representative in EU-27 or EEA or UK (NI)
Manufacturer in the UK	 Only if acquisition, relocation or intragroup transfer (see Q&A 1538) or manufacturing site is in NI and transfer to UK(NI)		 (see Q&A 1464)
Importer in the UK		 Only if the importing business is transferred (see Q&A 1539) or importing business is in NI and transfer to UK(NI)	 Only if you are also a formulator (see Q&A 1464)
Only representative in the UK			 (see Q&A 1417)

If you are an only representative, the decision on whom your successor will be needs to be made by the non-EU manufacturer you are representing, but you will need to carry it out in REACH-IT.

2. **Inform your downstream users** so they can plan their actions accordingly to avoid disruptions in the supply chains.

If you are a lead registrant, **inform your joint submission members**. The lead role is normally transferred together with the registration, but you can also reassign the lead role to a current member of your joint submission. If you are the lead registrant of a joint submission but will not transfer your registration to an EU27/EEA/UK(NI) company, you should reassign the lead registrant role to another member of the joint submission, before 31 December 2020.

If you decide to transfer your registrations and notifications:

3. **Decide who your successor will be.** You can transfer all your registrations together to your successor or you can choose a different successor for different registrations. Agree with your successor. Consider that in REACH-IT your successor cannot be someone else's successor, too: a successor can only be involved in one transfer at a time. Be aware that if your successor already has a registration for the substance, the transferred registration will be annulled, since a company can only have one registration for each substance.

Agree with your successor on the timelines for the transfer. Draw up the contractual arrangements and transfer agreement. If you need to stay registered in the UK until the end of the transition period – for example if you are a manufacturer or formulator appointing an only representative – include a suspensive conditional clause in your agreement.

4. Make sure **your successor is ready in REACH-IT**: they need to have or create an account in REACH-IT and share their legal entity UUID with you.

If your successor is a manufacturer or importer: your successor should validate before the transfer that they have indicated the correct company size in REACH-IT. Their size needs to reflect what the situation will be after the transfer, so they may need to update their size and documentation in REACH-IT.

If your successor is an only representative: ORs need to create a separate account for each UK/non-EU manufacturer or formulator they will be representing. Make sure that you share with your successor the information they need to correctly calculate the company size; ORs need to indicate the company size of the non-EU manufacturer they are representing for each account, regardless of their own company size.

5. **Don't submit updates to your registrations anymore.** Pending registrations – such as registrations undergoing completeness check – cannot be transferred, so if you want to be able to transfer all your registrations, you must make sure that none are pending. Pass on all current and new information you have on the substance to your successor, so they can update the registration after the transfer.
6. Finalise, gather and **convert your transfer agreement** - such as a letter of appointment as only representative - **into PDF**. You will need to upload it as supporting documents in REACH-IT.
7. Initiate the transfer in REACH-IT, using the 'Legal Entity Change' functionality. Follow the practical instructions described below. **Initiate the transfer before 31 December 2020**, as after that you will not have access to any of your REACH assets that have not been transferred from your existing UK account. We recommend you not to leave this to the last moment. ECHA guarantees **timely support until 15 December 2020**. The Agency will be closed between Christmas (24 December) 2020 and 1 January 2021 inclusive and will not be able to answer any questions received during the closure, before reopening on 4 January 2021.

Review your list of registrations and notifications to be transferred and **confirm the transfer to the successor** in REACH-IT before 31 December 2020 at 24:00 hours CET (11 p.m. UK time).

8. If you use a suspensive conditional clause, make sure that **your successor reviews the transfer but does not proceed to accept it yet**. If you or they notice that you forgot to include some registrations, your successor can ask you to “update” the transfer. In this case, make sure to update and confirm again before 31 December 2020 at 24:00 CET.

If you do not need to stay registered in the UK until the end of the transition period, your successor can accept the transfer already now.

9. After the **end of the transition period**, you will no longer have access to your registrations and notifications in REACH-IT, therefore will not be able to initiate any new transfer. You will maintain access to your message box, where you will receive messages on the status of the transfer.
10. **After the end of the transition period**, make sure that **your successor accepts the transfer** in REACH-IT as soon as possible, and within 3 months. This should in any case take place **no later than 31 March 2021**. If the transfer does not include any registrations, the transfer will be complete as soon as your successor accepts it.
11. If the transfer includes registrations, your successor will receive an invoice in REACH-IT. **Your successor will need to pay the invoice for the transfer before the extended due date**. The due date will be 14 days after they accepted the transfer, followed by an extended period of 30 days after the initial due date. If the invoice is not paid on time, the transfer in REACH-IT will automatically be undone and your registrations and notifications will be returned to your account, where after the end of the transition period they will be void.

2. Follow-up needed by the successor after the transfer

As a successor, you will need to confirm in REACH-IT that you accept to receive the assets being transferred to you (see step 10 above). Remember that for transfers involving registrations, the process will only be completed, once the invoice is paid (see step 11 above).

During the transfer, as a successor, you will need to review the contact persons assigned to each registration and notification, so ECHA can contact you in case of questions on a registration or notification.

Following the transfer, you also have to review all the registrations transferred to you, and update them to add any new information on the substance, and to reflect the changes after the transfer – for example a change in the registered tonnage band, your role, the composition of the substances, the uses, the information to be kept confidential, etc.

Also be aware that, as a successor, you become responsible for complying with any decisions addressed to your predecessor and keeping the registration up to date. With the transfer of a registration, any potential role within the joint submission is also transferred to the successor. Therefore, in case of a transfer of a lead registration, the successor will receive the lead registrant's role within the joint submission, while in case of a member registration, the successor will become a member of the joint submission.

3. Cancelling your transfer

If you want to cancel your transfer, you will need to arrange this with your successor. Your successor will need to ask you in REACH-IT to 'update' the transfer (see step 8 of the practical instructions below). When you receive the request for update, choose to 'delete' the transfer. This will cancel the transfer and restore all your registrations and notifications in your account in REACH-IT.

If your successor has already accepted the transfer, and if the transfer included registrations, your successor must not pay the invoice (see step 12). This will cancel the transfer and restore all your registrations and notifications in your account in REACH-IT.

Be aware of the timelines: if your successor requests you to update after 31 December 2020, the assets contained in the legal entity change will be returned to your account, where they will become void.

4. Advice for companies in Northern Ireland

Based on the Protocol on Ireland and Northern Ireland, companies manufacturing, importing or using chemicals in Northern Ireland must continue to fulfil their obligations under REACH after the end of the transition period.

During November 2020, ECHA contacts those having registrations and notifications (i.e. PPORDs, inquiries, C&L notifications, DU notifications) with instructions on how they can ensure continuity in their compliance under REACH.

If your company is based Northern Ireland and has not been contacted, please inform us via the contact forms at <https://echa.europa.eu/contact> before 15 December 2020.

Companies currently headquartered in the United Kingdom with a site (e.g. a manufacturing site) in Northern Ireland, who will not be transferring their registrations to a company in the EU-27/EEA, should consider how to ensure that their manufacture, import and use in Northern Ireland remains compliant under REACH after the end of the transition period.

5. Practical instructions for transferring your registrations in REACH-IT

The following step-by-step instructions explain how to use the wizard of the legal entity change functionality in REACH-IT to transfer UK REACH registrations and notifications in view of the UK withdrawal from the EU.

Still have questions? Read the new [manual on legal entity change](#), our [Brexit pages](#) or contact ECHA through the [contact forms](#).

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