

# **House of Lords Debate on Draft REACH etc. (Amendment etc.) (EU Exit) Regulations 2019**

**Briefing on proposals to transfer additional responsibilities  
to the Health and Safety Executive in the event of no deal**

## **Summary**

## Harmonising the scientific evidence base for decision-making

**Scientific research collaborations are at the heart of effective and harmonised chemicals regulation, which is critical for frictionless trade in the chemicals sector**

**We ask that the government clarify if and how the UK will seek to aid harmonisation in decision-making rather than divergence from the EU when it leaves RAC and SEAC, specifically:**

**Will the HSE aim to harmonise UK decisions with EU decisions**

**How will the HSE prioritise substance review and what proportion of dossiers would the HSE expect to review in full?**

## APPENDIX A: Decision-making principles for chemicals regulation

### Precautionary principle

*This principle requires significant discussion by governments as to how it is implemented in practice and in particular in relation to the full interpretation stated in the Communication from the EU Commission<sup>2</sup> (EC) on the precautionary principle in 2000. An important point made by the EC is that 'The implementation of an approach based on the precautionary principle should start with a scientific evaluation, as complete as possible, and where possible identifying at each stage the degree of scientific uncertainty.' Full scientific certainty is rarely achieved, even with a large amount of scientific evidence, and uncertainty is often complex to communicate. The scientific community is integral to the implementation of the precautionary principle and assessing risk. The ultimate risk management decisions for chemicals and products are taken by policymakers based not only on the science but on societal acceptability of the degree of precaution desired in a given situation and should involve all relevant stakeholders, with experienced high calibre scientists as key contributors to decision-making.*

### Risk & impact principle

*principle through which to do this, is via scientifically informed integrated risk and impact assessments. See also principles of risk assessment and risk management from the Health and Safety Executive<sup>3]</sup>*

### **Mutual Recognition principle**

*The principle of mutual recognition stems from Regulation (EC) No 764/2008<sup>4</sup>. In the EU context it defines the rights and obligations for public authorities and enterprises that wish to market their products in another EU member state country. A similar principle could be developed to consider harmonisation in matters relating to environmental issues of mutual importance between collaborative partners in other parts of the*