

## **MEMORANDUM OF UNDERSTANDING (MoU) BETWEEN HSE AND DEFRA REGARDING THE UK COMPETENT AUTHORITY (CA) FOR REACH: FOR FINANCIAL YEAR 2017/18**

1. This MoU sets out the agreement between the Health and Safety Executive (HSE) and Defra in relation to the funding and delivery of the function of UK Competent Authority (CA) for REACH (Registration, Evaluation, Authorisation and restriction of Chemicals). It is applicable to the financial year 2017/18 only.
2. The MoU is specific to the REACH CA role. It does not impinge on any other relationships, specific or more general, between HSE and Defra.

### **Funding**

3. The MoU covers the funds to be provided by Defra to HSE in relation to the staff and other resources to be committed by HSE to the UK REACH CA function. This funding is not intended to cover activity relating solely to the interests of Devolved Administrations, as distinct from UK-wide interests. This MoU does not cover the funds provided by Defra to the Environment Agency (EA), which contribute to supporting EA's Chemicals Assessment Unit's input to the UK REACH CA.
4. Defra will pay HSE £1.29 million for the UK REACH CA function quarterly over the course of the year, on receipt of invoices from HSE.
5. In the 2017/18 financial year, funding is provided for the Competent Authority to finalise a project focusing on ensuring that UK companies, in particular SMEs, are properly equipped to work through the REACH 2018 registration deadline.
6. HSE will report to Defra each quarter on overall spending and progress against the agreed UK REACH CA Business Plan on the functions covered by this MoU. Before HSE raise the invoice for the final quarterly payment (in January 2018), Defra will confirm the final budgets for the financial year.
7. In December 2017, a summary statement for the financial year 2017 - 18 will be presented to Defra by HSE of the resources expended to date on UK REACH CA activity.
8. Where it becomes apparent within a reporting period that Business Plan objectives or resource allocations may have to be varied, HSE will seek approval from Defra to vary. HSE will also advise Defra as soon as commitments approach 85% of the allocated budget.
9. Defra has the expectation that the £1.29 million allocation will be fully expended but, if by 28 February 2018 the funds are not fully committed for 2017/18, HSE will return the balance of unspent funds to Defra.

## Delivery

10. HSE will ensure that the UK REACH CA delivers the agreed Business Plan for 2017/18, in accordance with the agreed performance standards given therein. This plan was approved by the Chemicals Delivery Board on 25<sup>th</sup> January 2017 and is attached at Annex 1. It may be modified by mutual agreement during the course of the year, in the light of developments in REACH implementation and in preparation for the UK's exit from the EU.

11. In accordance with the last bullet point of Annex 1 to the Agreement between the Secretary of State for the Environment, Food, and Rural Affairs and the Health and Safety Commission relating to REACH, dated 30 August 2007, the HSE will provide Defra with socio-economic and economic advice as necessary for the effective delivery of the REACH function, and its evaluation, as set out in the exchange of letters attached at Annex 2 to this MoU.

12. Half-yearly meetings between appropriate representatives of HSE and Defra will review performance in this respect. Included in each review will be an indication of the expenditure and commitments to date of the Defra funding. The UK Chemicals Delivery Board will also consider the UK REACH CA's performance against the agreed resources, business plan and performance standards.

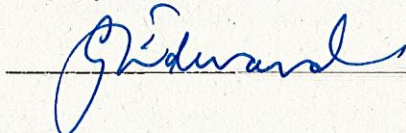
## Dispute resolution

15. In the event of a dispute arising between Defra and HSE on any matter relating to the use of Defra funds for UK REACH CA activities, then both organisations will use all reasonable means to resolve the problem.

16. This MoU will take effect when two original copies are signed and dated by both Defra and HSE. One copy will be retained by each organisation.

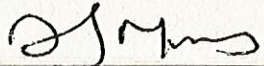
### For Defra:

Name: Gabrielle Edwards  
Position: Deputy Director, Chemicals, Pesticides and Hazardous Wastes

Signature:  Date: 10/1/18

### For HSE:

Name: David Murray  
Position: Director of Finance, Planning & Procurement

Signature:  Date: 15/1/17