

Structure and Organisation of LOA REACH Consortium

Public Meeting

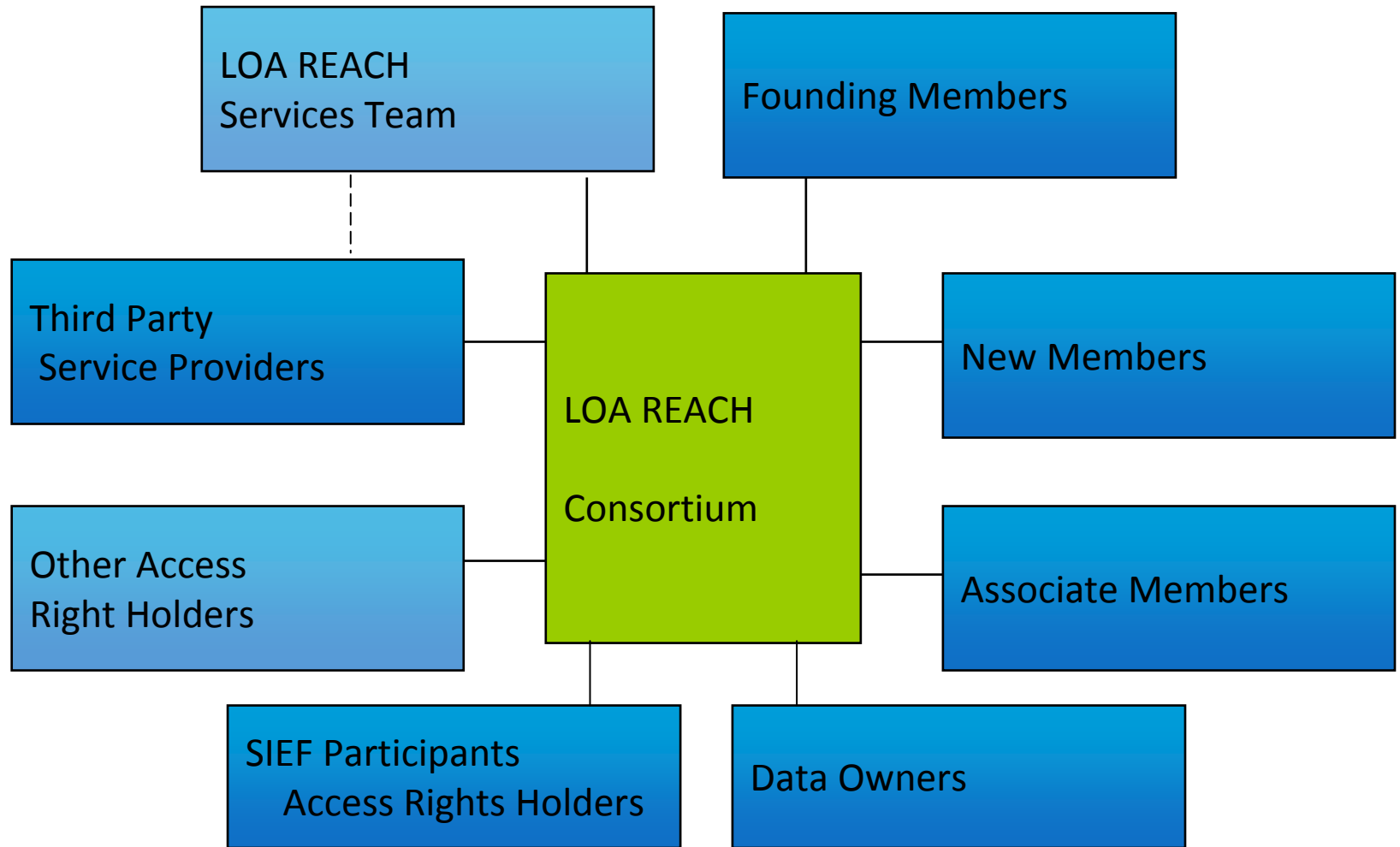
Brussels, 22nd October 2008

Roadmap

- 1. Scope of LOA REACH Consortium**
- 2. LOA REACH Consortium's Governance Structure/Bodies**
- 3. Allocation of Authorities**
- 4. Data Rights Management**
- 5. Procedure for Admission of New Members**

PART 1.
SCOPE OF LOA REACH CONSORTIUM

LOA REACH Consortium's Interactions



Current Members (19)

- **Arsol**
- **BASF**
- **Borealis**
- **BP**
- **CEPSA**
- **Dow**
- **Evonik**
- **ExxonMobil**
- **Hellenic Petroleum**
- **Ineos**
- **LyndellBasell**
- **OMV**
- **Petrofina**
- **Petrogal**
- **Polimeri**
- **Repsol**
- **Rütgers**
- **Sabic**
- **Shell**

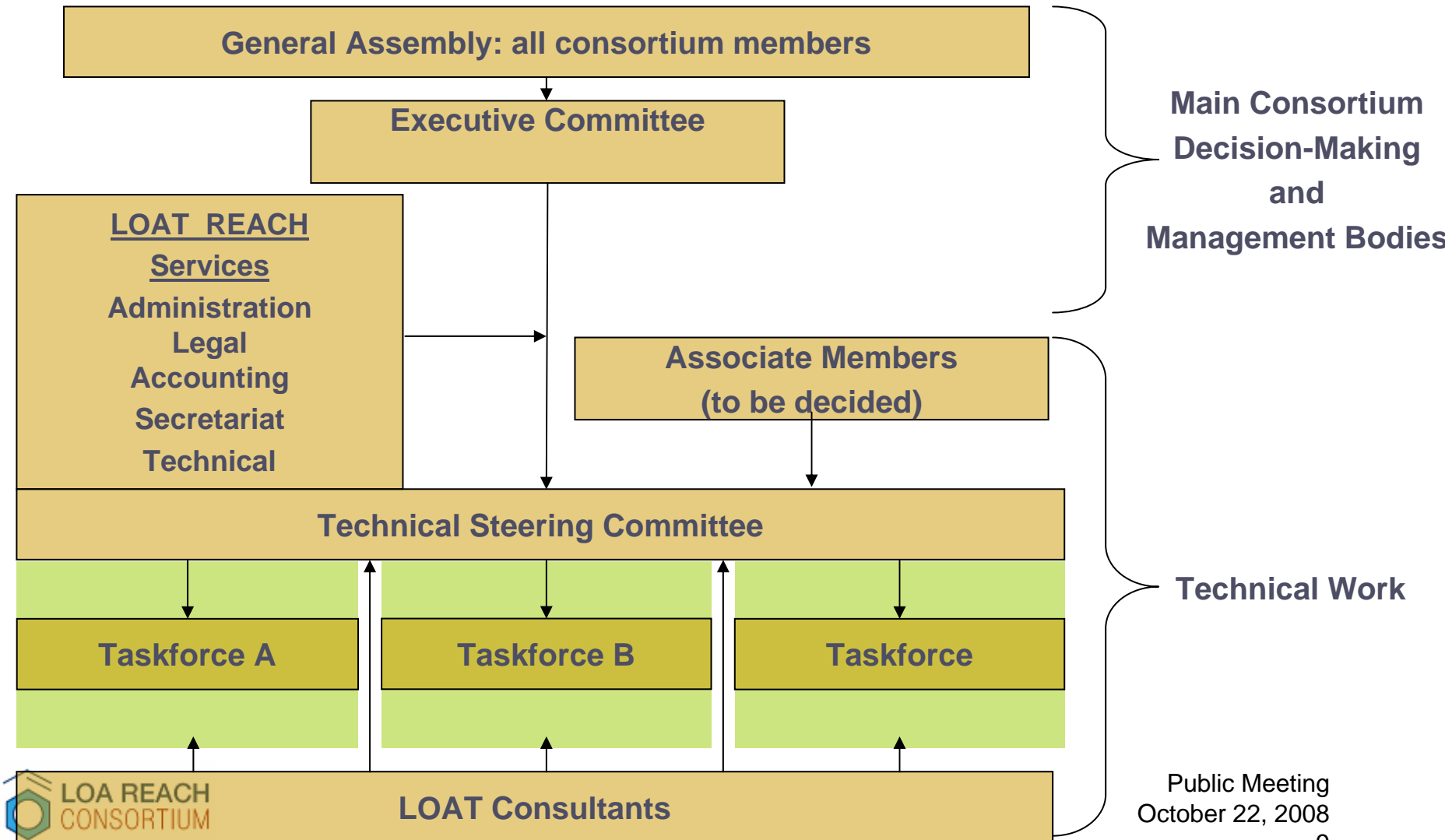
- **Aromatics and Olefins listed in Annex 1**
 - Single Substances
 - Categories
- **Annex to be finalized shortly**
- **New Members can file requests to add substances**
 - Executive Committee may decide to amend Annex 1

- **LOA REACH Consortium focuses on REACH Registration**
 - Purpose: “The Members undertake to cooperate and share human and financial resources in order to comply with the requirements of the REACH Regulation”
 - Facilitate Registration of Substances by Members
 - Will remain active at least until December 2010
 - May handle evaluation/authorization – subject to further agreement

PART 2.

LOA REACH Consortium's Governance Structure/Bodies

LOA REACH Consortium Governance Structure



Composition of LOA REACH Consortium Bodies

- **General Assembly: All Members**
- **Executive Committee:**
 - 8 Members appointed by General Assembly for 3 years
 - 4 Observers (from Cefic, Secretariat and 2 technical experts)
- **Technical Steering Committee:**
 - Appointed by Executive Committee
 - Minimum 3 members
 - Currently 13 members

Composition of Consortium's Bodies

- **Task Force**

- Establishment to be decided by Executive Committee on proposal from Technical Steering Committee
- Currently:
 - Task Force on Exposure
 - Task Force on Categories

- **Secretariat**

- Appointed by Executive Committee
- LOA REACH Services Team
- Performs series of Secretarial functions under Consortium Agreement

PART 3.

Allocation of Authorities

Allocation of Authority: Overview

- **General Assembly**
 - Major decisions defining critical Member obligations
- **Executive Committee**
 - Executive Decisions
 - Decisions requiring expertise and/or urgency
- **Technical Steering Committee**
 - Technical work
- **Secretariat**
 - Daily management

- **General Assembly**
 - Approves budget for Financial Year
 - Approves Core Data (joint dossier)
 - Appoints Executive Committee
 - Decides on exclusion of Member
 - Arbitration in case of conflict within the Executive Committee
 - Appoints independent auditor

- **Executive Committee**
 - **Approves Limited (10%) Budget Increase If Necessary**
 - **Proposes Core Data to General Assembly**
 - **Decides on testing proposals**
 - **Coordinates activities of Consortium**
 - **Appoints Secretariat/LOAT and Technical Steering Committee**
 - **Signs agreements with Secretariat/LOAT**

Executive Committee is allowed to adopt rules and procedures concerning, inter alia:

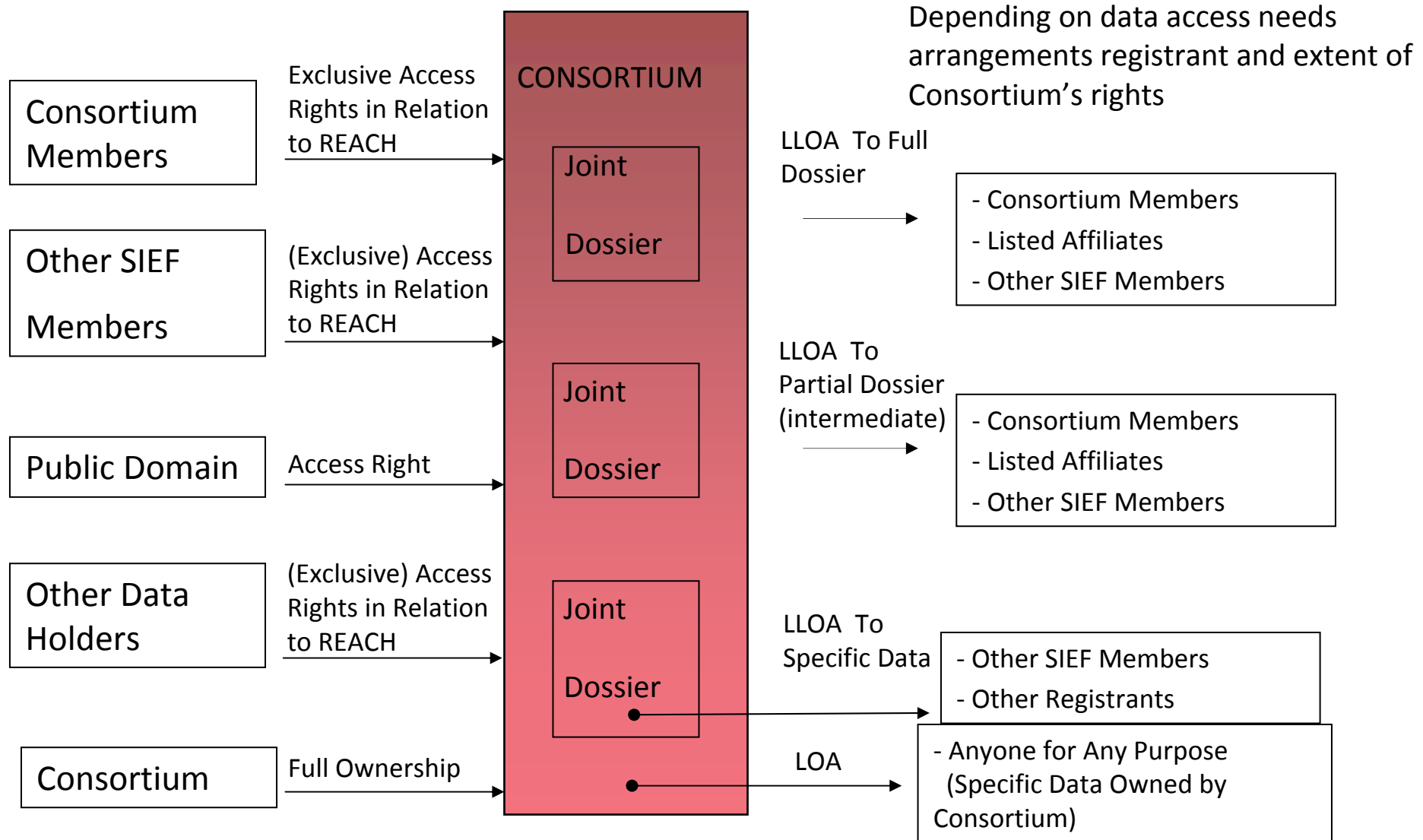
- Intake of New Members
- Procurement for Testing Services
- Competition Law
- CBI/Data Protection
 - Confidentiality Agreement
 - Technical Measures
 - Secured Website
 - Organisational measures, such as Trustee
- SIEF Management
- Dispute Resolution

- **Technical Steering Committee**
 - Liaises with Executive Committee and submits work plans and testing proposals
 - Data-related work
 - Proposes Core Data to Executive Committee
 - Propose establishment of Task Forces
- **Secretariat**
 - Daily management of Consortium (general, legal, accounting)
 - Serves as Trustee
 - Technical support, including preparation of Core Data

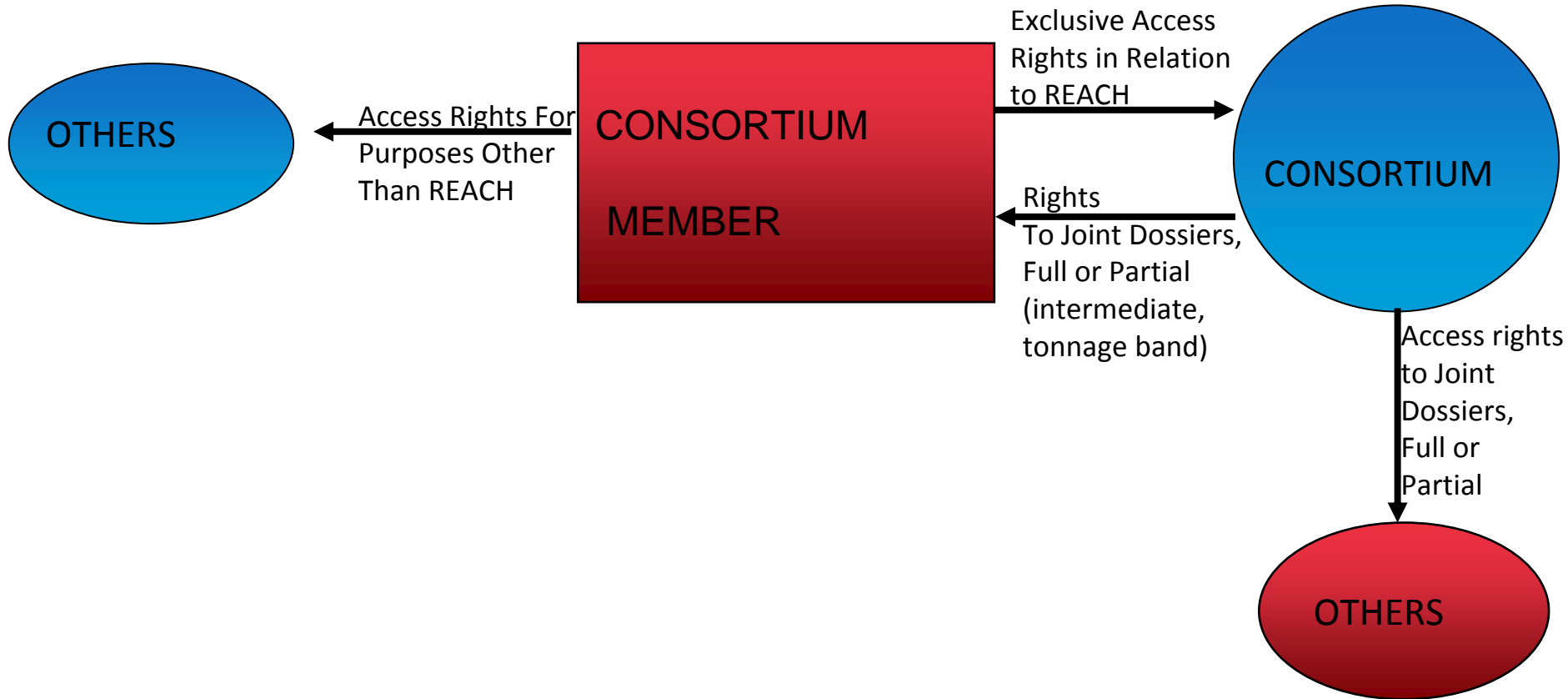
PART 5.

Data Rights Management

Data Rights Management



Data Rights Management



Data Rights Management

- **Copyright**
- **“Right to refer” under REACH**
- **Right to grant access to Members and Affiliates**
- **Right to grant access to SIEF participants pursuant to Data Access Agreement**

Part 5

Procedure for Admission of New Members

New Membership

- **Objective Eligibility Criteria**

- EU manufacturers of aromatics and lower olefins subject to REACH
- EU importers of aromatics and lower olefins subject to REACH
- Non-EU manufacturers of aromatics and lower olefins represented by an Only Representative subject to REACH

- **Requirements**

- Compliance with Consortium Agreement
- Share in the costs of the Consortium as if it joined on June 20, 2008
- No application fee

Procedure

- 1. Applicant submits application form, Confidentiality Agreement and corporate documents**
- 2. LOA provides application package, including Accession Agreement, Services Agreement, Consortium Agreement and information on budget and costs**
- 3. Applicant confirms interest in joining Consortium**
- 4. Executive Committee decides whether or not to accept candidate Member**
- 5. Membership is effective upon payment of amounts due**
- 6. In case of rejection, applicant may request Executive Committee to reconsider**

Thank you for your attention!

Hunton & Williams LLP

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