



CONSULTATION SPECIAL

Defra's technical consultation on the Alternative Transitional Registration model (ATRm) for UK REACH

Consultation closes 10 November 2026

UK REACH NEWS - AUTUMN 2026



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Summary and how to respond

This special edition of UK REACH NEWS explains Defra's technical consultation on the Alternative Transitional Registration model (ATRm) for UK REACH and sets out what businesses should do before it closes on **10 November 2026**.

On 29 September 2026 Defra published draft legal text for the ATRm. It is presented as a Keeling Schedule, which shows how UK REACH would read if the amending Statutory Instrument (SI) becomes law. The consultation asks whether that text clearly and accurately gives effect to the policy Government confirmed in March 2026. Defra is not asking for simple agreement or disagreement. It wants to know where the drafting is ambiguous, incomplete or likely to have unintended consequences, and why.

[Read and respond to Defra's ATRm consultation](#)

Draft proposals only. Nothing in the draft is law yet, and it may change after the consultation.

What the draft would do

- **Reduce the data submitted upfront.** Where a substance remains registered under EU REACH, a transitional registrant would submit a defined, smaller package (classification, safe-use guidance, specified chemical safety information and consistency statements) instead of full study summaries and testing proposals.
- **Give the HSE new evaluation powers.** In return, the HSE could require further information, including items already held by ECHA, through a draft decision, comment and final decision process (proposed Articles 127Q to 127U).
- **Require participation in a substance group.** Registrants and potential registrants of the same substance would have to take part in a substance group, with new data and cost-sharing rules (Articles 3(46), 25A and 127OA).
- **Leave use and exposure requirements as they are.** The additional use and exposure registration requirements floated in 2024 are no longer proposed.
- **Waive some fees.** No HSE fee would be payable for submitting the outstanding information for transferred (grandfathered) registrations and existing isolated intermediates.



How to respond

- **Online (preferred):** the Defra Smart Survey consultation hub, using the link above.
- **By email:** REACHdefra.gov.uk@defra.gov.uk
- **By post:** UK REACH Legislation and Policy team, Defra Ground Floor, Seacole Building, 2 Marsham Street, London SW1P 4DF. Postal responses must arrive by the closing date, and anything received after midnight on 10 November may not be considered.
- **You do not need to answer every question.** Answer only those relevant to your knowledge and experience, and give examples, evidence or practical scenarios wherever you can.
- **Confidentiality.** Question 1 asks whether you want your response kept confidential. If you say yes, state what and why. Defra may still be required to disclose information under access-to-information law. A summary of responses will be published, with an annex listing responding organisations but not personal names or contact details.

Key dates

The ATRm will be introduced by a Statutory Instrument (SI) amending UK REACH. The SI will follow the affirmative procedure, so it must be debated in both Houses and approved by Parliament before it can be made.

Date	What happens	What it means for you
29 September 2026	Consultation and draft legal text published	Read the draft and identify the provisions that affect your registrations
10 November 2026	Consultation closes (six weeks). Postal responses must arrive by this date	Submit your response, or give your points to your trade association or adviser in good time
After closure	Defra publishes a summary of responses and a Government response, and finalises the SI	Watch for changes to the draft that affect your position
Once the SI is approved	Final dossier requirements are confirmed	Confirm which route each registration follows and plan your dossier work
27 October 2029, 27 October 2030 and 27 October 2031	Transitional registration deadlines, phased by tonnage and hazard profile (SI 2026/849, in force 6 August 2026)	Agree a phased plan well before your deadline

Why this matters

Industry raised concerns that buying or accessing the EU hazard data needed for transitional registrations would cost around £2 billion by 2030, duplicating spending already incurred under EU REACH. There was also concern that some businesses might not register certain substances, leading to withdrawals from the GB market. The ATRm is Government's response. It keeps the principle of "no data, no market" but reduces what must be

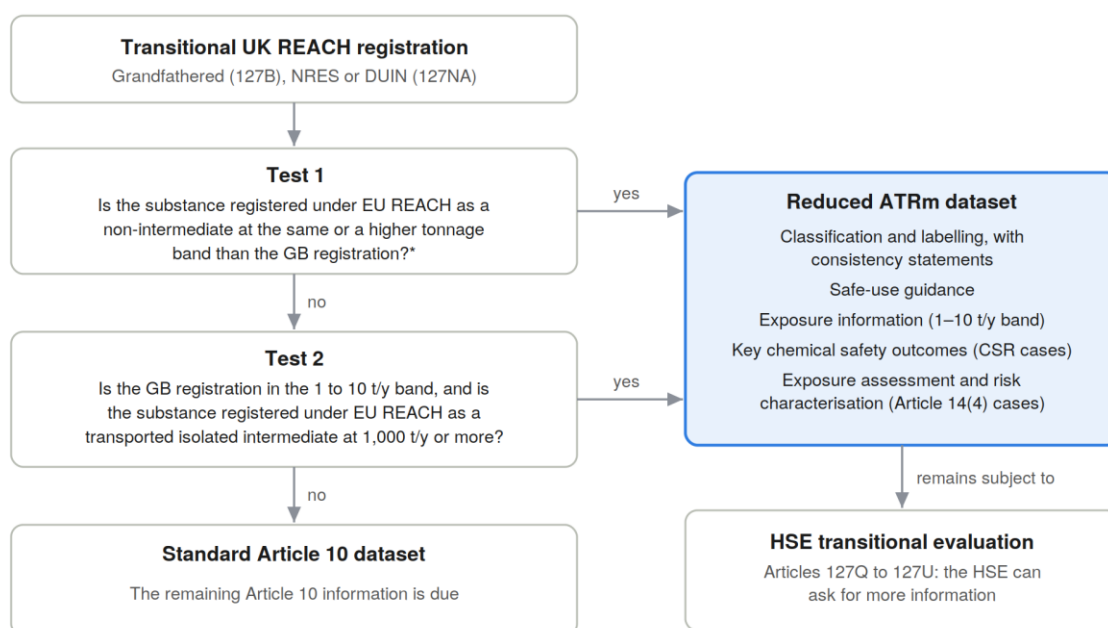
registered upfront for transitional substances, while giving the HSE powers to ask for more where needed.

The wider 2024 proposals on reporting, restrictions and animal testing have been removed from this package. Government may consider them as part of a broader UK REACH reform in future.

The ATRm at a glance

The reduced ATRm dataset depends on the EU REACH registration

DRAFT PROPOSAL – NOT YET LAW



* Test 1 leaves open whose EU registration and tonnage count, and what happens if that registration is later withdrawn or downgraded.

Isolated intermediates (Articles 127L, 127M and 127NB) have their own tests. Article 18(3) information is not required where the EU registration is as a transported isolated intermediate at 1,000 t/y or more, or as a non-intermediate at any tonnage.

Source: Defra, Technical Consultation on the ATRm for UK REACH, 29 September 2026. Draft provisions, subject to change.

ATRm eligibility: two qualifying tests and two possible dossier routes (full registrations, not intermediates).

A registration that meets either qualifying test may use the proposed reduced ATRm dataset. A registration that meets neither must submit the standard Article 10 dataset. Isolated intermediates follow their own tests, described below.

What the draft would require

The reduced route is drafted for three groups of registrations: grandfathered (transferred GB) registrations under **Article 127B**; new registrations of existing substances (**NRES**) and registrations following a Downstream User Import Notification (**DUIN**) under **Article 127NA**; and isolated intermediates under **Articles 127L, 127M and 127NB**. An NRES registrant is a person who starts or restarts manufacture or import after IP completion day of a substance that already has an existing EU registration. A DUIN registration is made by a GB downstream user or distributor importing a substance under the protected transitional import arrangements in Article 127E.

Step 1: eligibility

Under Articles 127B(4B) and 127NA(4), a registrant may use the reduced dataset if **either** of these conditions is met:

- the substance is registered under EU REACH, other than as an intermediate, at the same or a higher tonnage band; **or**
- the GB registration is in the 1 to 10 tonnes per year band and the substance is registered under EU REACH as a transported isolated intermediate at 1,000 tonnes or more per year.

If neither condition is met, the standard Article 10 information must be submitted.

Step 2: the reduced dataset

A registrant on the reduced route must submit the following in place of full study summaries and testing proposals, subject to HSE transitional evaluation:

- **Classification and labelling**, with a statement that, for each hazard class or differentiation not covered by a GB mandatory classification, the registrant's classification is consistent with the EU CLP harmonised classification or, where none exists, the classification submitted by the EU lead registrant and published by ECHA. Any inconsistency must be explained, as must any case where no classification can be given.
- **Guidance on safe use**, and exposure information for the 1 to 10 tonne band where relevant.
- **For substances at 10 tonnes or more that need a chemical safety report**: the human health, physicochemical and environmental hazard classifications, DNELs, DMELs and PNECs, and the PBT/vPvB conclusion, each with a consistency statement or an explanation.

- **For substances meeting the Article 14(4) hazard criteria, or assessed as PBT/vPvB:** the exposure assessment and risk characterisation for the registrant's identified uses, plus the following Annex VII information: state of the substance at 20°C and 101.3 kPa, melting/freezing point, boiling point, vapour pressure, water solubility, n-octanol/water partition coefficient, and ready biodegradability.

Any relevant assessor indications under Article 10(a)(viii) must also be provided. Unlike the classification and consistency elements, the Article 14(4) endpoints are data that the registrant must supply, not statements.

The chemical safety assessment must still be carried out. The draft would remove the requirement to document each assessment step in the chemical safety report, but the specified classifications, derived values, conclusions, exposure assessment and risk characterisation must still be produced (Articles 127B(4E) and 127NA(7)).

Isolated intermediates

Articles 127L and 127M (existing on-site and transported isolated intermediates) and 127NB (new registrations) apply a similar approach with their own tests. For transported isolated intermediates, the Article 18(3) dataset is not required where the substance is registered under EU REACH either as a transported isolated intermediate at 1,000 tonnes or more per year, or as a non-intermediate at any tonnage band. If neither applies, the Article 18(3) dataset must be submitted irrespective of the GB tonnage. For both on-site and transported intermediates, a consistency statement is needed for each hazard class or differentiation not on the GB mandatory classification and labelling list.

Joint submission: who submits what

Joint submission under Articles 11 and 19 continues, adapted for each transitional route. For NRES and DUIN registrations, Article 127NA(8) splits the information as follows:

Information or activity	Lead registrant	Individual registrant
Classification information and the classification consistency statement	Submits jointly for the group, with the agreement of the other registrants	Reviews its own position. May submit separately on the grounds below
Registrant identity, substance identity, manufacture and use information, and exposure information (1 to 10 t/y)	Provides and submits its own, as any registrant	Provides and submits its own
Guidance on safe use and chemical safety information, including the Article 14(4) package and its consistency statements	May submit on behalf of the others if the registrants agree	Provides the information for its own registration, and either submits it separately or agrees for one registrant to submit it for the group

The other transitional routes apply adapted versions of the same rules. A registrant may submit the jointly submitted information separately if joint submission would be disproportionately costly, would disclose commercially sensitive information and be likely to cause substantial commercial detriment, or if the registrant disagrees with the lead registrant on the selection of the information. The registrant must then explain its reasons to the HSE. Note that separately submitted classification or intermediate information is one of the factors the HSE may use to prioritise dossiers for evaluation.

Fees and what does not change

No HSE fee would be payable for submitting the outstanding information for transferred (grandfathered) registrations and existing isolated intermediates. The draft text of Article 127NA contains no equivalent exemption, so normal fees continue to apply to NRES and DUIN registrations on the current draft.

The use and exposure information already required under UK REACH stays as it is: information on manufacture and identified uses under Article 10(a)(iii), and exposure information for substances in the 1 to 10 tonne band. Where a chemical safety report is required, the exposure assessment, exposure scenarios and risk characterisation still apply to substances meeting the Article 14(4) criteria.

HSE transitional evaluation powers

Because less data goes in upfront, the draft gives the HSE a targeted power to obtain more. It applies wherever the reduced requirements for grandfathered substances, existing intermediates, NRES and DUIN registrations are used. Where the evaluation involves relevant environmental issues, the HSE must obtain advice from the Environment Agency, which in turn must work with Natural Resources Wales and the Scottish Environment Protection Agency (Article 2B).

What the HSE could ask for

Under Article 127Q, the HSE could require one or more registrants to provide any item that would ordinarily be required under Articles 10, 12, 17 or 18 but has not yet been submitted to it, even if that information has already been provided to ECHA under EU REACH. Where the request concerns study summaries, robust study summaries or testing proposals, it could also require a further chemical safety assessment to the extent necessary, with the assessment steps documented in the chemical safety report.

In choosing which dossiers to examine, the HSE would give priority, though not exclusively, to cases where classification or intermediate information was submitted separately, where the substance is on the rolling action plan, or where it appears likely to meet the criteria for substance evaluation.

The process

1. **Draft decision (Article 127R).** The HSE identifies the information required and sets reasonable deadlines. Affected registrants have **30 days** from the day notification is made to comment.
2. **Final decision (Article 127S).** After considering any comments, the HSE adopts a final decision specifying the information required and the deadlines.
3. **Response and review (Article 127T).** Registrants must provide the information by the deadline. The HSE then examines it and has discretion to issue further decisions using the same draft, comment and final decision process. It must complete its evaluation within **12 months** of the requested information being submitted. If that deadline is exceeded, the evaluation is treated as finished.
4. **Appeal (Article 127U).** Decisions can be appealed under the existing Articles 91 to 93. The SI would also amend the REACH Enforcement Regulations 2008 so that failure to comply with a decision is enforceable.

Cessation and recommencement

Under Article 127R(4) to (6), a registrant that ceases manufacture or import, before or after receiving a draft decision, must notify the HSE. The registered volume is then reduced to zero and the HSE can no longer request information. The power can be applied again if manufacture or import recommences.



Substance groups, data access and costs

Article 3(46) defines a “substance group” as the forum through which registrants and potential registrants of the same substance exchange information and aim to agree classification and labelling. Article 25A requires relevant registrants and potential registrants to take part. The aim is to support registration and evaluation while avoiding unnecessary duplication of work and testing. Exchange is limited to technical information: Article 25(2) continues to forbid sharing commercially sensitive information such as production capacity, sales volumes, import volumes or market share.

New **Article 127OA** governs how information needed for a transitional registration, or to respond to an HSE decision, is obtained and paid for. It replaces the Article 27 process for registrants affected (Article 127B(8B) and Article 127NA(10)), and Article 26 inquiries are adapted so that available studies are shared in accordance with Article 127OA. In summary:

- **Enquiries.** Before submitting information, a registrant must ask the other participants in its substance group whether that information is available.
- **Cost sharing.** Where a participant owns the information, it must provide evidence of the cost, and the owner and relevant registrants must make every effort to agree a fair, transparent and non-discriminatory split in line with Agency guidance. A registrant contributes only to information it must submit for its own registration, or in response to an evaluation decision relevant to its tonnage band.
- **Information outside the group.** Relevant registrants must make every effort to agree access with the owner on terms acceptable to the group and to divide the cost fairly.
- **New studies as a last resort.** Where information does not exist or its owner will not provide access or evidence of cost, registrants must generate it. Only one new study should be carried out for each information requirement. If registrants cannot agree who does it, the HSE may designate the registrant or registrants (this can be appealed under Articles 91 to 93). The others must contribute equally and are entitled to the information within two weeks of payment.
- **Older studies.** Under amended Article 25(3), study summaries and robust study summaries may be used by another manufacturer or importer where they were submitted under UK REACH, or were owned by a registrant and submitted under EU REACH before IP completion day at least 12 years previously. They may support a registration or a response to a transitional evaluation decision.

Study access is not usually triggered when the reduced dossier is first submitted, because study summaries and testing proposals are not required on that route. The data and cost-sharing rules bite when the HSE asks for more, or where the standard dataset is required.

Points to consider raising in your response

The following are areas where the draft text, or Defra's explainer, may leave room for doubt. They are prompts rather than a settled position. Check each against the Keeling Schedule and your own circumstances, and support your comments with examples. Question numbers are as printed in Defra's consultation document. The actual question numbers in the on-line version differ from question 15 onwards.

1. **Whose EU registration counts? (Questions 9, 13).** The eligibility conditions refer to the substance being registered under EU REACH at "the same or a higher tonnage band". It is not clear whose EU registration or tonnage is the comparator, the same as what, or what happens if the EU registration is later withdrawn or downgraded.
2. **Classification consistency (Question 10).** The statement applies by hazard class for classes not on the GB mandatory list. Consider whether the comparator is the current EU Annex VI entry or the one at IP completion day, and what a registrant should do if it cannot see or verify the EU lead registrant's published data. The draft provides for explaining inconsistency or inability to provide a classification, DNEL, DMEL or PNEC, but not inability to verify consistency.
3. **The Article 14(4) package (Question 12).** The draft requires "the information referred to in" specified Annex VII provisions. It is not clear whether endpoint values are enough or study summaries are needed, which could bring back much of the dataset the ATRm is meant to reduce. Defra's explainer also describes these items differently from the draft text, which lists six physicochemical endpoints and ready biodegradability.
4. **Links to transitional evaluation (Questions 11, 18, 19).** Consider whether the reduced route and Articles 127Q to 127U fit together without gaps, and whether treating separately submitted classification information as a prioritisation factor could discourage registrants from using their legitimate right to submit separately.
5. **Time limits (Questions 20, 22).** A 30-day comment window leaves little time to consult a manufacturer, consortium or non-UK principal. Consider whether it is workable, and whether the 12-month deadline, after which an evaluation is treated as finished, works for both regulator and registrants.
6. **Cessation and restart (Question 21).** The draft refers to a registrant ceasing manufacture or import. Consider how this applies where an Only Representative's registered volume is aggregated across several importers, so that one importer stopping reduces tonnage but is not a cessation by the registrant, and how restart interacts with tonnage bands.



7. **Substance groups and cost sharing (Questions 23 to 25).** Consider who must participate and when, how enquiry duties work in practice, and the use of 12-year-old studies: whether the 12 years applies to UK and EU studies alike, and the difference between the right to use a study and actually having access to it. Government says the requirements do not vary by company size, yet substance-group work and cost negotiation may fall hardest on small registrants, a concern industry has raised.
8. **Joint and separate submission (Question 24).** Consider whether Articles 11 and 19, as modified for each route, are clear on what is submitted jointly, separately or by agreement.
9. **Fees (Question 26).** The exemption is drafted for transferred registrations and existing intermediates. Article 127NA contains no equivalent. Consider whether that is intended, and whether the position for new intermediate registrations under Article 127NB needs to be stated.
10. **Anything else (Question 27).** Any practical, legal or operational consequence not covered above.

Preparing now

Whether or not you respond, the draft points to information you will need to have to hand. Registrants should:

1. gather your EU REACH registration numbers and tonnage bands, and your current classifications;
2. identify the EU lead registrant for each substance and confirm who holds your letters of access, consortium agreements or data-sharing agreements;
3. establish what hazard, physicochemical and biodegradability data you hold for any substance that may meet the Article 14(4) criteria;
4. name a primary contact and a deputy who can respond within days to an HSE request, given the 30-day comment window;
5. confirm who holds the underlying studies and what access rights you have, before any HSE request arrives;
6. tell your Only Representative or technical adviser promptly of any planned withdrawal, tonnage change, downgrade of your EU registration or interruption to GB supply; and
7. agree in advance who will be authorised to take part in the substance group and discuss costs, and within what limit.

Source: Defra, Technical Consultation on the Alternative Transitional Registration (ATRm) for UK REACH, 29 September 2026, including the draft provisions (Keeling Schedule). Draft provisions are subject to change. This newsletter is general information, not legal advice. Prepared by Bounds Consulting Ltd · stephen@ukreachor.com · www.ukreachor.com

