



CASE 9: Legal Risk Analysis

Customer:

The customer belongs to a group of several large non-EU manufacturers providing gas and other hydrocarbons to the EU market.

Problem:

At the entry into force of REACH, the legal implications of appointing an only representative were unclear. The customer needed assistance in understanding the legal status of the only representative, the obligations and liabilities following an only representative appointment in order to choose a suitable strategy of implementing REACH.

Solution:

- REACHLaw delivered a detailed and comprehensive risk analysis to the customer on the liabilities and responsibilities which arise from being appointed as the only representative in relation to all concerned parties, including the relevant manufacturers and downstream users, as well as steps to be taken to mitigate the risks identified.
- The service was delivered, firstly, by gathering the relevant background information from customer. Thereafter, the information was analysed and documented in the light of the legal framework of REACH. Possible legal risks were identified, and steps to mitigate the risks were recommended. As a final recommendation, an overall REACH implementation strategy was suggested to the customer.

Benefit

The risk analysis enabled customer to understand the liabilities and responsibilities involved in appointing an only representative under REACH, minimize the identified

legal risks, and take the right steps in setting up a framework for implementing REACH throughout its related companies in EU and outside EU.