

# Contents

Foreword .....	5
Technical notice .....	8
Introduction to the Model agreements .....	10
Data Sharing according to REACH as a Framework of Contractual Forms of Data Sharing (Annex A I) .....	39
Consideration of European competition law (Annex A II) .....	62
Model Agreement on the Preliminary Phase (Annex B) .....	77
Model Agreement on the Formation of a Consortium pursuant to REACH Requirements (Annex C) .....	91
Model Preliminary Agreement on the Communication in the SIEF (Annex D) .....	137
Model Agreement on Rights to use individual Studies for the Registration pursuant to REACH (Annex E) .....	147
Model Agreement on Joint Submission of Core Data pursuant Articles 11 and 19 REACH (Annex F) .....	154
Model Agreement on Granting a Right to refer to Registered Data (Annex G) .....	163
Members of the Project Group .....	171

# Introduction to the Model Agreements

## Contents

<b>I. Adaptation of the Cesio proposals of December 2005 to the final version of the REACH Regulation December 2006 and newer findings</b> .....	12
1. The Cesio proposals of December 2005 .....	12
2. Order for the adaptation of the Cesio proposals to the final version of REACH and to newer findings .....	13
3. Connection with RIP 3.4 (data sharing) .....	13
<b>II. Legal framework conditions for contracts on data sharing according to REACH.</b> .....	14
1. Legal data sharing according to REACH. ....	14
2. Consideration of European competition law. ....	15
<b>III. The contract models for consortia and other forms of data sharing according to REACH (Appendices B–G).</b> .....	16
1. Model Agreement on the Preliminary Phase (Preliminary Agreement) for Negotiations on the Formation of a Consortium pursuant to REACH Requirements (Appendix B) .....	20
a) Possible scenarios for the use of the model .....	20
b) Structure of the model. ....	21
c) Compliance of the model with the REACH Reg. ....	21
d) Compliance of the model with competition law .....	21
2. Model Agreement on the Formation of a Consortium pursuant to REACH Requirements (Appendix C) .....	22
a) Possible scenarios for the use of the model .....	22
b) Structure of the model. ....	24
c) Compliance of the model with the REACH Reg. ....	24
d) Compliance of the model with competition law .....	27
3. Model Preliminary Agreement on the Communication in the SIEF (Appendix D) .....	29
a) Possible scenarios .....	29
b) Structure of the model. ....	31
c) Compliance of the model with the REACH Reg. ....	31
d) Compliance of the model with competition law .....	31
4. Model Agreement on rights to use individual studies for the registration pursuant to REACH Reg. (Appendix E) .....	32

a) Possible scenarios for the use of the model .....	32
b) Structure of the model.....	32
c) Compliance of the model with the REACH Reg. ....	32
d) Compliance of the model with competition law .....	33
5. Model Agreement on joint submission of core data for registration pursuant to Articles 11 and 19 REACH Reg. (Appendix F) .....	33
a) Possible scenarios for the use of the model .....	33
b) Structure of the model.....	34
c) Compliance of the model with the REACH Reg. ....	35
d) Compliance of the model with competition law .....	35
6. Model Agreement on granting a right to refer to registered data (Appendix G).....	36
a) Possible scenarios for the use of the model .....	36
b) Structure of the model.....	37
c) Compliance of the model with the REACH Reg. ....	37
d) Compliance of the model with competition law .....	38
 <b>Appendix A I: Legal data sharing according to REACH .....</b>	 39
 <b>Appendix A II: Consideration of European competition law.....</b>	 62
 <b>Appendix B: Model Agreement on the Preliminary Phase (Preliminary Agreement) for Negotiations on the Formation of a Consortium pursuant to REACH Requirements .....</b>	  77
 <b>Appendix C: Model Agreement on the Formation of a Consortium pursuant to REACH Requirements (Consortium Agreement).....</b>	 91
 <b>Appendix D: Model Preliminary Agreement on the Communication in the SIEF .....</b>	 137
 <b>Appendix E: Model Agreement on rights to use individual studies for the registration pursuant to REACH Reg.....</b>	 147
 <b>Appendix F: Model Agreement on joint submission of core data pursuant Articles 11 and 19 REACH Reg. ....</b>	 154
 <b>Appendix G: Model Agreement on granting a right to refer to registered data .....</b>	 163