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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Ad hoc Working Party on the ECHA Basic Regulation
Subject:	ECHA Basic Regulation: AHWP ECHA on 28 November 2025 (am only - Attachés only): Presidency steering note

With a view to the above AHWP on 28 November 2025, delegations will find attached the Presidency steering note.

Steering Note – ECHA Basic Regulation

Monday 28 November 2025 (am session)

The Ad-Hoc Working Party on 14 November showed great progress with only three topics to be further discussed. These were the use of the term ‘chemicals’, renewal of term of office for management board members and additional modifications to the simplified procedure.

Moreover, a few typos were identified and adjusted throughout the text which are only of linguistic nature.

The revised compromise text can be found in WK 14088/2025 REV 2.

The aim of this AHWP (for attachés only) on 28 November is therefore to address the final issues ahead of Coreper. The Presidency believes that the adjustments outlined below constitute the right balance between different opinions expressed by delegations.

Delegations will be invited to address the three issues below in one table round and limit interventions to where needed.

‘Chemicals’

The term ‘chemicals’ has been adjusted after careful deliberation between the Council Legal Services and the Commission to make sure it is legally sound. The approach also aligns with the approach taken in the One Substance, One Assessment package. Changes have been made to lines 22, 29, 62, 198 and 364.

Renewal of term of office for Management Board members

The renewal of term of office for Management Board members has been extended from “once” to “twice” in Article 6(5). It aims to find the balance between diverging positions to ensure that renewal of office cannot be done indefinitely, while providing Member States with sufficient flexibility.

Simplified procedure

The provision for Rules of Procedure of the Committees has been more clearly structured and specified in Article 15(5). In particular, it is specified that the Rules of Procedure should include a simplified procedure for adopting opinions. Article 15(5a) specifies that the Rules of Procedure for RAC should establish conditions for how its working groups can adopt opinions on behalf of RAC. With these changes and to ensure further clarity, Article 14(7a) has been added to spell out that only Members of Committees have voting rights.