

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE EUROPEAN CHEMICALS AGENCY
&
THE EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK**

COVER NOTE

Summary:

With a view to enhancing cooperation on issues of common interest, the European Chemicals Agency (ECHA) and the European Agency for Safety and Health at Work (EU-OSHA) are evaluating possible cooperation within their mandates. The purpose of this Memorandum of Understanding is to enhance the co-operation between ECHA and EU-OSHA on matters of mutual interest in particular through efforts at information exchange, better mutual understanding, increased cooperation and, when appropriate, joint projects.

The benefits to ECHA and EU-OSHA from this cooperation are in the areas of collecting, analysing and disseminating scientific-technical information on the safe use of chemical substances at work, including joint communication activities, in accordance with the agencies respective mandates under their Founding Regulations and other relevant legal acts.



**Memorandum of Understanding
between
the European Chemicals Agency (ECHA)
and the
European Agency for Safety and Health at Work (EU-OSHA)**

The European Chemicals Agency (ECHA) and the European Agency for Safety and Health at Work (EU-OSHA), each hereinafter referred to as an “Agency” or jointly as the “Agencies”,

Having regard, within their respective mandates as set out in their respective founding regulations (Regulation 1907/2006 for ECHA, Regulation 2062/1994 for EU-OSHA), to the joint need to further develop information exchange, cooperation and better mutual understanding between the Agencies and to avoid duplication of work.

Whereas:

- It is within the Agencies’ common interest as well as in the public interest to enhance their cooperation in contributing to the protection of public health and in particular the safety and health of workers.
- The Agencies take note with satisfaction of the on-going cooperation and progress achieved so far on the identification of possible areas of mutual interest and joint cooperation.
- It is important in the common interest of the Agencies to increase their cooperation in relation to different topics including the collection, analysis and dissemination of scientific-technical information on the safe use of chemical substances at work, in particular through joint communication activities.
- Established professional links between the Agencies should be strengthened

Have reached the following understanding:

1. Purpose of the Memorandum of Understanding

The purpose of this Memorandum of Understanding (“MoU”) is to enhance cooperation between the Agencies in order to develop synergies and share knowledge on matters of mutual interest through increased cooperation and, in particular, through active information exchange.

2. Scope

In accordance with their respective mandates, co-operation between the Agencies shall relate to the following areas:

- technical collaboration and information exchange, in particular with regard to the hazard and risk assessment of chemical substances used at the work place, exposure limits and safety data;
- joint communication activities, including risk communication, approaches to the media and information campaigns;
- active dissemination of public information and publications related to each others’ activities;
- information exchange on matters of common interest, including emerging risks from chemical substances or guidance development.

This MoU may be implemented through specific projects jointly agreed by the Agencies. With the consent of both Agencies, cooperation may be extended to any other matter falling within their mutual interest and mandate.

3. Mutual consultation

The Agencies undertake to, where possible and appropriate:

- (a) consult each other regularly and endeavour to keep each other informed on strategic matters of common interest for the purpose of achieving their respective objectives, and to ensure coordination in regard to matters falling within the mutual interest of the Agencies;
- (b) consult each other in the event of an emerging risk from chemical substances that may affect or concern health and safety at the workplace;
- (c) consult each other in the context of communication activities that concern the protection of the safety and health of workers from chemical hazards.

4. Formalisation of cooperation

In accordance with the principles set out in their respective founding regulations, the Agencies shall undertake to agree annually on specific cooperation arrangements. The Agencies shall exchange their annual and multi-annual work programmes at the earliest possible stage.

5. Exchange of information

Exchange of information between the Agencies may take place for the purpose of and in accordance with the provisions of this MoU. Both Agencies shall designate one staff member as a co-ordinator for the maintenance of close, direct and continuing contacts with a view to ensuring the application of the provisions of the present MoU. These main contact persons shall keep, and update as necessary, a list of additional contact persons for each main area of collaboration.

6. Confidentiality of information

Each Agency shall ensure that information received on the basis of this MoU will be treated in accordance with applicable legislation governing the processing and release of information. Sharing of information shall safeguard the legitimate rights of third parties, including their Intellectual Property Rights. When exchange of data that is not publicly available takes place, confidentiality requirements shall apply as foreseen in the Agencies' Founding Regulations or other relevant legislation and the Agencies shall respect each others confidentiality policies. Unauthorised use and processing of data provided by a third party for the benefit of another party shall not be allowed.

7. Divergences of interpretation or implementation

The Agencies undertake to make the best efforts with a view to resolving any divergence that may arise in the implementation of this MoU. The MoU shall not affect the Founding Regulations of the Agencies and is not intended to be legally binding.

8. Amendments

This MoU may be reviewed and subsequently amended by the mutual written consent of the Agencies at any time.

9. Termination

This MoU may be terminated by either of both Agencies giving at least three months written notice, or by mutual written agreement.

10. Entry into force

This MoU shall enter into force upon signature by both Agencies.

Signed at

in duplicate on

Geert Dancet
Executive Director

FOR THE EUROPEAN CHEMICALS
AGENCY

Jukka Takala
Director

FOR THE EUROPEAN AGENCY FOR
SAFETY AND HEALTH AT WORK