



**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 (EC) 1907/2006 for ECHA, Regulation (EU) 2019/126 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;

Having regard to the Joint Statement and the Common Approach on decentralised agencies, signed by the European Parliament, the Council of the EU and the European Commission in July 2012, and various initiatives under the framework of the EU Agencies Network with a view to create efficiencies and synergies between the agencies

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, and in supporting the European Union’s priorities on sustainable development, worker safety and health and the identification of emerging risks.
- The Agencies take note with satisfaction of the on-going cooperation and progress achieved so far on the identification of 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 and joint communication activities.

The Agencies welcome the professional links established so far and recognise the importance of further strengthening their cooperation.

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, cooperation between the Agencies shall relate to the following areas:

- exchange of information regarding authorisation and restriction of chemicals under Regulation (EC) No 1907/2006 as well as on classification, labelling and packaging of substances and mixtures under Regulation (EC) No 1272/2008 and other legislation under ECHA's current or future mandate, as relevant for the activities of EU-OSHA;
- exchange of information regarding aspects of safety and health at work and the protection of the safety and health of workers under EU-OSHA's current or future mandate, as relevant for the activities of ECHA
- scientific and 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, as well as on other tasks within their mutual interest and mandate;
- joint communication activities on relevant activities and/or publications, including risk communication, approaches to the media, stakeholder engagement and information campaigns;
- active dissemination of public information and publications on relevant and/or joint activities;
- information exchange on matters of common interest, including emerging risks from chemical substances or guidance development;
- cooperation on other matters, such as training, capacity building, and staff events for both Agencies, as appropriate.

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. Further aspects and details of the cooperation may be developed in the framework of the MoU, including the respective roles and responsibilities of involved staff.

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 safety and health 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.

The Agencies shall exchange their Single Programming Documents at the earliest possible stage.

4. *Coordination*

Both Agencies shall designate one staff member as a coordinator for the maintenance of close, direct and regular contacts with a view to ensuring the application of the provisions of the MoU. These main contact persons shall keep, and update as necessary, a list of additional contact persons for each main area of collaboration.

5. *Confidentiality of information*

Exchange of information between the Agencies for the purpose of this MoU shall only take place in accordance with the provisions of this MoU and in accordance with the applicable laws and regulations governing the processing and release of information, in particular the provisions of Regulation (EU) 2018/1725 on the protection of personal data.

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. 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 subject to Intellectual Property shall not be allowed.

6. *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.

7. *Nature of the memorandum*

The MoU in no way affects the regulations establishing the two Agencies and is not intended to be legally binding. Each Agency bears the costs arising from their cooperation, unless agreed otherwise by them.

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 the 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

Sharon McGuinness
Executive Director

FOR THE EUROPEAN CHEMICALS
AGENCY

William Cockburn
Executive Director

FOR THE EUROPEAN AGENCY FOR
SAFETY AND HEALTH AT WORK