Commission Implementing Regulation (EU) 2015/864 of 4 June 2015 amending Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/864

of 4 June 2015

amending Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC[(1)], and in particular Article 74(1) and Article 132 thereof,

Whereas:

(1) According to Article 22(1) of Commission Regulation (EC) No 340/2008[(2)], the fees and charges provided for in that Regulation shall be reviewed annually by reference to the inflation rate as measured by means of the European Index of Consumer Prices as published by Eurostat pursuant to Council Regulation (EC) No 2494/95[(3)].

(2) In consequence of this annual review, conducted in 2014, those fees should be adjusted in accordance with the applicable average annual inflation rate, as published by Eurostat, of 1,5 % for the year 2013.

(3) The adjustment of fees and charges is fixed at such a level that the revenue derived from those fees and charges, when combined with other sources of the Agency's revenue pursuant to Article 96(1) of Regulation (EC) No 1907/2006, is sufficient to cover the cost of the services delivered.

(4) The Management Board of the Agency should, within the powers conferred to it by Regulation (EC) No 1907/2006, continue monitoring the efforts pursued by the Agency for efficiency gains to achieve the best relationship between resources employed and results achieved. The Commission should have regard to the opinion of the Management

Board when next reviewing the Agency's fees and charges according to Article 22(1) of Commission Regulation (EC) No 340/2008.

(5) Regulation (EC) No 340/2008 should therefore be amended accordingly.

(6) For reasons of legal certainty, this Regulation should not apply to valid submissions that are pending on the date of entry into force of this Regulation.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to VIII to Regulation (EC) No 340/2008 are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall not apply to valid submissions pending on the date of entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 June 2015.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

ANNEX I

Fees for registrations submitted under Article 6, 7 or 11 of Regulation (EC) No 1907/2006

TABLE 1

Standard fees

	Individual submission	**Joint submission**
Fee for substances in the range of 1 to 10 tonnes	EUR 1 739	EUR 1 304
Fee for substances in the range 10 to 100 tonnes	EUR 4 674	EUR 3 506
Fee for substances in the range 100 to 1 000 tonnes	EUR 12 501	EUR 9 376
Fee for substances above 1 000 tonnes	EUR 33 699	EUR 25 274

TABLE 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	**Medium enterprise (Joint submission)**	**Small enterprise (Individual submission)**	**Small enterprise (Joint submission)**	**Micro enterprise (Individual submission)**	**Micro enterprise (Joint submission)**
Fee for substances in the range of 1 to 10 tonnes	EUR 1 131	EUR 848	EUR 609	EUR 457	EUR 87	EUR 65
Fee for substances in the range 10 to 100 tonnes	EUR 3 038	EUR 2 279	EUR 1 636	EUR 1 227	EUR 234	EUR 175
Fee for substances in the range 100 to 1 000 tonnes	EUR 8 126	EUR 6 094	EUR 4 375	EUR 3 282	EUR 625	EUR 469
Fee for substances above 1 000 tonnes	EUR 21 904	EUR 16 428	EUR 11 795	EUR 8 846	EUR 1 685	EUR 1 264

ANNEX II

Fees for registrations submitted under Article 17(2), Article 18(2) and (3) or Article 19 of Regulation (EC) No 1907/2006

TABLE 1

Standard fees

	Individual submission	Joint submission
Fee	EUR 1 739	EUR 1 304

TABLE 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Fee	EUR 1 131	EUR 848	EUR 609	EUR 457	EUR 87	EUR 65

ANNEX III

Fees for the update of registrations under Article 22 of Regulation (EC) No 1907/2006

TABLE 1

Standard fees for the update of the tonnage range

	Individual submission	Joint submission
From 1-10 tonnes range to 10-100 tonnes range	EUR 2 935	EUR 2 201
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 10 762	EUR 8 071
From 1-10 tonnes range to over 1 000 tonnes range	EUR 31 960	EUR 23 970
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 7 827	EUR 5 870
From 10-100 tonnes range to over 1 000 tonnes range	EUR 29 025	EUR 21 768
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 21 198	EUR 15 898

TABLE 2

Reduced fees for SMEs for the update of the tonnage range

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
From 1-10	EUR 1 908	EUR 1 431	EUR 1 027	EUR 770	EUR 147	EUR 110

tonnes range to 10-100 tonnes range						
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 6 995	EUR 5 246	EUR 3 767	EUR 2 825	EUR 538	EUR 404
From 1-10 tonnes range to over 1 000 tonnes range	EUR 20 774	EUR 15 580	EUR 11 186	EUR 8 389	EUR 1 598	EUR 1 198
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 5 087	EUR 3 816	EUR 2 739	EUR 2 055	EUR 391	EUR 294
From 10-100 tonnes range to over 1 000 tonnes range	EUR 18 866	EUR 14 150	EUR 10 159	EUR 7 619	EUR 1 451	EUR 1 088
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 13 779	EUR 10 334	EUR 7 419	EUR 5 564	EUR 1 060	EUR 795

TABLE 3

Fees for other updates

Type of update	
Change in identity of the registrant involving a change in legal personality	EUR 1 631