



Helsinki, 19-12-2008
Doc: ED/61/2008

**REFUND OF FEES AND CHARGES PURSUANT TO ARTICLES 10(4)
AND 20(1) OF COMMISSION REGULATION (EC) NO 340/2008**

(Decision by the Executive Director)

AS THE EXECUTIVE DIRECTOR OF THE EUROPEAN CHEMICALS AGENCY

I HAVE DECIDED AS FOLLOWS:

Refund of the appeal fee

1. Pursuant to Article 10(4) of the Commission Regulation (EC) No 340/2008 (hereinafter, 'the Fee Regulation'), the Agency shall refund the appeal fee levied in accordance with Article 10(1) of the Fee Regulation if the Executive Director of the Agency rectifies a decision in accordance with Article 93(1) of Regulation (EC) No 1907/2006, or if the appeal is decided in favour of the appellant.

The refund shall be made within 45 calendar days from the date when the decision rectified by the Executive Director or decision of the Board of Appeal has received force of law to the bank account indicated by the appellant, provided that the bank account information is complete, correct and in the format required by the Agency. Should the bank account information need to be completed, corrected or converted into the format required by the Agency, it may extend the timeline for the refund.

Refund of the amount paid in excess

2. Pursuant to Article 20(1) of the Fee Regulation, the Agency shall refund the amount paid in excess of a fee or a charge.

The Agency shall on its own initiative refund amounts received at least EUR 100 in excess of a fee or a charge.

Where the amount paid in excess is under EUR 100, the Agency shall refund it only upon explicit request of the party concerned. Such request must be received by the Agency within six months of the date of receipt by it of the amount paid in excess. Instructions for requests for refunds shall be available on the Agency's website.

The Agency shall contact the party concerned in order to obtain the party's bank account information or to have it confirmed.

The bank account information shall be sent in writing to the following address: European Chemicals Agency (ECHA), REACH Refunds, P.O. Box 400, 00121 Helsinki, Finland.


The refund shall be made within 45 calendar days from the date of receipt by the Agency of the bank account information of the party concerned provided that it is complete, correct and in the format required by the Agency.

Should the bank account information need to be completed, corrected or converted into the format required by the Agency, it may extend the timeline for the refund.

General provisions

3. The bank account information shall consist of a Legal Entities File, Financial Identification File and supporting documents.
4. Pursuant to Article 20(2) of the Fee Regulation, it shall not be possible to count any amounts paid in excess towards future payments to the Agency.
5. Refunds shall be paid in euro.
6. This Decision shall enter into force on the date of its adoption and shall be published on the Agency's website. The files referred to in Article 3 and instructions regarding them as well as instructions for requests for refunds shall be available on the Agency's website.

Done at Helsinki, 19 -12- 2008



Geert Dancet
Executive Director