

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,040, 1 ta' Marzu, 2013*

*Taqsimha B*

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**L.N. 84 of 2013**

**PRODUCT SAFETY ACT  
(CAP. 427)**

**Restriction of Use of Hazardous Substances in Electrical and  
Electronic Equipment Regulations, 2013**

IN exercise of the powers conferred by articles 38 to 40 of the Product Safety Act, the Minister for Fair Competition, Small Business & Consumers, on the advice of the Malta Competition and Consumer Affairs Authority, has made the following regulations:-

**1.** (1) The title of these regulations is the Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment Regulations, 2013. Citation and commencement.

(2) These regulations shall be deemed to have come into force on the 1st January, 2013.

**2.** (1) These regulations implement the requirements of Directive 2011/65/EU of the European Parliament and of the Council of 8<sup>th</sup> June 2011 on the Restriction of the Use of certain Hazardous Substances in Electrical Equipment (recast), as amended by Directives 2012/51/EU and 2011/65/EU of the European Parliament and of the Council of 10 October 2012 amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for applications containing cadmium and an exemption for applications containing lead. Scope and applicability.

(2) These regulations lay down rules on the restriction of the use of hazardous substances in electrical and electronic equipment with a view to contributing to the protection of human health and the environment, including the environmentally sound recovery and disposal of waste electrical and electronic equipment and shall, subject to sub-regulation (3), apply to electrical and electronic equipment falling within the categories set out in Schedule I.

(3) Without prejudice to regulation 4(3) and (4), electrical and electronic equipment that was outside the scope of Directive 2002/95/EC, but which does not comply with these regulations, may nevertheless continue to be made available on the market until the 22 July 2019.

B 848

(4) These regulations shall apply without prejudice to the requirements of European Union legislation on safety and health, and on chemicals, in particular Regulation (EC) No 1907/2006, as well as the requirements of specific European Union waste management legislation.

(5) These regulations shall not apply to:

(a) equipment which is necessary for the protection of the essential interests of the security of Member States, including arms, munitions and war material intended for specifically military purposes;

(b) equipment designed to be sent into space;

(c) equipment which is specifically designed, and is to be installed, as part of another type of equipment that is excluded or does not fall within the scope of these regulations, which can fulfil its function only if it is part of that equipment, and which can be replaced only by the same specifically designed equipment;

(d) large-scale stationary industrial tools;

(e) large-scale fixed installations;

(f) means of transport for persons or goods, excluding electric two-wheel vehicles which are not type-approved;

(g) non-road mobile machinery made available exclusively for professional use;

(h) active implantable medical devices;

(i) photovoltaic panels intended to be used in a system that is designed, assembled and installed by professionals for permanent use at a defined location to produce energy from solar light for public, commercial, industrial and residential applications;

(j) equipment specifically designed solely for the purposes of research and development only made available on a business-to-business basis.

Definitions.

**3.** In these regulations, unless the context otherwise requires:

"authorised representative" means any natural or legal person established within the European Union who has received a written

mandate from a manufacturer to act on his behalf in relation to specified tasks;

"availability of a substitute" means the ability of a substitute to be manufactured and delivered within a reasonable period of time as compared with the time required for manufacturing and delivering the substances listed in Schedule II;

"active implantable medical device" means any active implantable medical device within the meaning of regulation 3 of Active Implantable Medical Devices Regulations;

S.L. 427.10

"cables" means all cables with a rated voltage of less than 250 volts that serve as a connection or an extension to connect electrical and electronic equipment to the electrical outlet or to connect two or more electrical and electronic equipment to each other;

"CE marking" means a marking by which the manufacturer indicates that the product is in conformity with the applicable requirements set out in European Union harmonisation legislation providing for its affixing;

"competent authority" means Malta Competition and Consumer Affairs Authority established by the Malta Competition and Consumer Affairs Authority Act;

Cap. 510

"conformity assessment" means the process demonstrating whether the requirements of these regulations relating to an electrical and electronic equipment, are met;

"dependent", within the context of the definition "electrical and electronic equipment" means the need of electric currents or electromagnetic fields to fulfil at least one intended function;

"distributor" means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes electrical and electronic equipment available on the market;

"economic operators" means the manufacturer, the authorised representative, the importer and the distributor;

"electrical and electronic equipment" means equipment which is dependent on electric currents or electromagnetic fields in order to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1000 volts for alternating current and 1500 volts for direct current;

"harmonised standard" means a standard adopted by one of the European standardisation bodies listed in Annex I to Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services on the basis of a request made by the Commission in accordance with Article 6 of Directive 98/34/EC;

"homogeneous material" means one material of uniform composition throughout or a material, consisting of a combination of materials, that cannot be disjointed or separated into different materials by mechanical actions such as unscrewing, cutting, crushing, grinding and abrasive processes;

"importer" means any natural or legal person established within the European Union, who places an electrical and electronic equipment from a third country on the European Union market;

S.L. 427.16. "*in vitro* diagnostic medical device' means an *in vitro* diagnostic medical device within the meaning of regulation 3 of the *In Vitro* Diagnostic Medical Devices Regulations;

"industrial monitoring and control instruments" means monitoring and control instruments designed for exclusively industrial or professional use;

"large-scale fixed installation" means a large-scale combination of several types of apparatus and, where applicable, other devices, which are assembled and installed by professionals, intended to be used permanently in a pre-defined and dedicated location, and de-installed by professionals;

"large-scale stationary industrial tools" means a large-scale assembly of machines, equipment, and, or components, functioning together for a specific application, permanently installed and de-installed by professionals at a given place, and used and maintained by professionals in an industrial manufacturing facility or research and development facility;

"making available on the market" means any supply of electrical and electronic equipment for distribution, consumption or use on the European Union market in the course of a commercial activity, whether in return for payment or free of charge;

"manufacturer" means any natural or legal person who manufactures electrical and electronic equipment or who has electrical and electronic equipment designed or manufactured and markets it under his name or trademark;

"market surveillance" means the activities carried out and measures taken by the Division to ensure that electrical and electronic equipment complies with the requirements set out in these regulations and does not endanger health, safety or other issues of public interest protection;

"medical device" means a medical device within the meaning of regulation 3 of the Medical Devices Regulations and includes electrical and electronic equipment; S.L. 427. 44

"non-road mobile machinery made available exclusively for professional use" means machinery, with an on-board power source, the operation of which requires either mobility or continuous or semi-continuous movement between a succession of fixed working locations while working, and is made available exclusively for professional use;

"placing on the market" means making available an electrical and electronic equipment on the European Union market for the first time;

"recall" means any measure aimed at achieving the return of a product that has already been made available to the end user;

"reliability of a substitute" means the probability that an electrical and electronic equipment using a substitute will perform a required function without failure under stated conditions for a stated period of time;

"spare part" means a separate part of an electrical and electronic equipment that can replace a part of an electrical and electronic equipment. The electrical and electronic equipment cannot function as intended without that part of the electrical and electronic equipment. The functionality of electrical and electronic equipment is restored or is upgraded when the part is replaced by a spare part;

"Technical Regulations Division" means the Technical Regulations Division established by article 19 of the Malta Competition and Consumer Affairs Authority Act, hereinafter referred to as "the Division"; Cap. 510.

"technical specification" means a document that prescribes technical requirements to be fulfilled by a product, process or service;

"withdrawal" means any measure aimed at preventing a product in the supply chain from being made available on the market.

4. (1) The competent authority shall ensure that electrical Prevention.

B 852

and electronic equipment placed on the market, including cables and spare parts for its repair, its reuse, updating of its functionalities or upgrading of its capacity, does not contain the substances listed in Schedule II.

(2) For the purposes of these regulations, the maximum concentration value by weight in homogeneous materials as specified in Schedule II shall be tolerated.

(3) Sub-regulation (1) shall apply to medical devices and monitoring and control instruments which are placed on the market from 22 July 2014, to *in vitro* diagnostic medical devices which are placed on the market from 22 July 2016 and to industrial monitoring and control instruments which are placed on the market from 22 July 2017.

(4) Sub-regulation (1) shall not apply to:

(a) cables or spare parts for the repair, the reuse, the updating of functionalities or upgrading of capacity of the following:

(i) electrical and electronic equipment placed on the market before 1 July 2006;

(ii) medical devices placed on the market before 22 July 2014;

(iii) *in vitro* diagnostic medical devices placed on the market before 22 July 2016;

(iv) monitoring and control instruments placed on the market before 22 July 2014;

(v) industrial monitoring and control instruments placed on the market before 22 July 2017;

(vi) electrical and electronic equipment which benefited from an exemption and which was placed on the market before that exemption expired as far as that specific exemption is concerned.

(b) reused spare parts, recovered from electrical and electronic equipment placed on the market before 1 July 2006 and used in equipment placed on the market before 1 July 2016:

Provided that reuse takes place in auditable closed-loop business-to-business return systems, and that the reuse of

parts is notified to the consumer; and

(c) to the applications listed in Schedules III and IV.

5. The competent authority shall ensure that all manufacturers: Obligations of manufacturers.

(a) ensure, when placing electrical and electronic equipment on the market, that the equipment has been designed and manufactured in accordance with the requirements set out in regulation 4;

(b) draw up the required technical documentation and carry out the internal production control procedure in line with module A of Annex II to Decision No 768/2008/EC or have it carried out;

(c) draw up, where compliance of electrical and electronic equipment with the applicable requirements has been demonstrated by the procedure referred to in paragraph (b), an EU declaration of conformity and affix the CE marking on the finished product. Where other applicable European Union legislation requires the application of a conformity assessment procedure which is at least as stringent, compliance with the requirements of paragraph (b) may be demonstrated within the context of that procedure. A single technical documentation may be drawn up;

(d) keep the technical documentation and the EU declaration of conformity for ten years after the electrical and electronic equipment has been placed on the market;

(e) furthermore ensure that procedures are in place for series production to remain in conformity. Changes in product design or characteristics and changes in the harmonised standards or in technical specifications by reference to which conformity of electrical and electronic equipment is declared shall be adequately taken into account;

(f) keep a register of non-conforming electrical and electronic equipment and product recalls, and keep distributors informed thereof;

(g) furthermore ensure that their electrical and electronic equipment bears a type, batch or serial number or other element allowing its identification, or, where the size or nature of the electrical and electronic equipment does not allow it, that the required information is provided on the packaging or

B 854

in a document accompanying the electrical and electronic equipment;

(h) indicate their name, registered trade name or registered trade mark and the address at which they can be contacted on the electrical and electronic equipment or, where that is not possible, on its packaging or in a document accompanying the electrical and electronic equipment. The address must indicate a single point at which the manufacturer can be contacted. Where other applicable European Union legislation contains provisions for the affixing of the manufacturer's name and address which are at least as stringent, those provisions shall apply;

(i) who consider or have reason to believe that electrical and electronic equipment which they have placed on the market is not in conformity with these regulations, immediately take the necessary corrective measures to bring that electrical and electronic equipment into conformity, to withdraw it or recall it, if appropriate, and immediately inform the Division, giving details, in particular, of the non-compliance and of any corrective measures taken;

(j) provide, further to a reasoned request from the Division, all the information and documentation necessary to demonstrate the conformity, with these regulations, of the electrical and electronic equipment in either Maltese or English, and that they cooperate with the Division at its request, on any action taken to ensure compliance with these regulations of electrical and electronic equipment which they have placed on the market.

Obligations of  
authorised  
representatives.

**6.** The competent authority shall ensure that:

(a) manufacturers have the possibility to appoint an authorised representative by written mandate. The obligations laid down in regulation 5(a) and the drawing up of technical documentation shall not form part of the authorised representative's mandate;

(b) authorised representatives perform the tasks specified in the mandate received from the manufacturer and the mandate shall specify, that authorised representatives:

(i) keep, at the disposal of the Division for ten years following the placing on the market of the electrical and electronic equipment, all EU declarations of



conformity and technical documentation;

(ii) provide, further to a reasoned request from the Division, all the information and documentation necessary to demonstrate conformity with these regulations;

(iii) cooperate, at the request of the Division, on any action taken to ensure compliance with these regulations of all electrical and electronic equipment covered by their mandate.

7. The competent authority shall ensure that all importers: Obligations of importers.

(a) place only electrical and electronic equipment which complies with these regulations on the European Union market;

(b) ensure, before placing an electrical and electronic equipment on the market, that the appropriate conformity assessment procedure has been carried out by the manufacturer, and that they further ensure that the manufacturer has drawn up the technical documentation, that the electrical and electronic equipment bears the CE marking and is accompanied by the required documents, and that the manufacturer has complied with the requirements set out in regulation 5(f) and (g);

(c) do not place any equipment on the market until the equipment has been brought in conformity with these regulations in the case where the importers consider or have reason to believe that the electrical and electronic equipment is not in conformity with regulation 4 and they shall inform the manufacturer and the Division to that effect;

(d) indicate their name, registered trade name or registered trade mark and the address where they can be contacted, on the electrical and electronic equipment or, where this is not possible, on its packaging or in a document accompanying the electrical and electronic equipment. Where other applicable European Union legislation contains provisions regarding the affixing of the importer's name and address which they deem to be less stringent, those provisions shall apply;

(e) keep, in order to ensure compliance with these regulations, a register of non-compliant electrical and electronic equipment and electrical and electronic equipment recalls, and keep distributors informed thereof;

B 856

(f) who consider or have reason to believe that any electrical and electronic equipment which they have placed on the market is not in conformity with these regulations, immediately take the corrective measures necessary to bring that equipment in conformity with these regulations, to withdraw it or recall it, as appropriate, and immediately inform the Division, giving details, in particular, of the non-compliance and of any corrective measures taken;

(g) keep, at the disposal of the Division for ten years following the placing on the market of the electrical and electronic equipment, a copy of the EU declaration of conformity and furthermore they must ensure that any technical documentation will be made available upon request;

(h) provide, further to a reasoned request from the Division, all the information and documentation necessary to demonstrate the conformity with these regulations of the electrical and electronic equipment in either Maltese or English, and that they cooperate with the Division at its request, on any action taken to ensure compliance with these regulations of electrical and electronic equipment which they have placed on the market.

Obligations of distributors.

**8.** The competent authority shall ensure that distributors:

(a) act, when making available on the market any electrical and electronic equipment, with due care in relation to the requirements applicable in particular by verifying that the electrical and electronic equipment bears the CE marking, that it is accompanied by the required documents in either Maltese or English, and that the manufacturer and the importer have complied with the requirements set out in regulation 5(g) and (h) and in regulation 7(d);

(b) do not make available on the market any equipment, until the equipment has been brought in conformity with regulation 4 in the case where the distributors consider or have reason to believe that the electrical and electronic equipment is not in conformity with regulation 4 and they shall inform the manufacturer and the Division to that effect;

(c) who consider or have reason to believe that electrical and electronic equipment which they have made available on the market is not in conformity with these regulations, make sure that the corrective measures necessary to bring that equipment in conformity with these regulations, to

withdraw it or recall it, if appropriate, and immediately inform the Division, giving details, in particular, of the non-compliance and of any corrective measures taken;

(d) provide, further to a reasoned request from the Division, all the information and documentation necessary to demonstrate the conformity, with these regulations, of the electrical and electronic equipment, and that they cooperate with the Division at its request, on any action taken to ensure compliance with these regulations of electrical and electronic equipment which they have made available on the market.

**9.** Importers or distributors shall be considered as manufacturers for the purposes of these regulations and shall furthermore be subject to the provisions of regulation 5 in the case where either of them has placed on the market electrical and electronic equipment under their names or trademarks or modified any electrical and electronic equipment which has already been placed on the market in such a way that compliance with the applicable requirements may be affected.

Obligations of manufacturers to apply to importers and distributors.

**10.** On request, all economic operators shall identify the following to the Division for ten years following the placing on the market of the electrical and electronic equipment:

Identification of economic operators.

(a) any economic operator who has supplied them with electrical and electronic equipment;

(b) any economic operator to whom they have supplied electrical and electronic equipment.

**11.** (1) The EU declaration of conformity shall particularly specify that the requirements specified in regulation 4 have been observed and shall be made in the form and manner as provided in Schedule VI, either in Maltese or English.

EU declaration of conformity.

(2) Where other applicable European Union legislation requires the application of a conformity assessment procedure which is less stringent, compliance with the requirements of regulation 4(1) may be demonstrated within the context of that procedure. A single technical documentation may be drawn up.

(3) By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance with these regulations of any electrical and electronic equipment.

**12.** (1) CE markings shall be subject to the general principles set out in Article 30 of Regulation (EC) No 765/2008 and

General principles of the CE marking.

B 858

shall be:

(a) affixed visibly, legibly and indelibly to the finished electrical and electronic equipment or to its data plate. Where this is not possible or not warranted on account of the nature of the electrical and electronic equipment, it shall be affixed to the packaging and to the accompanying documents;

(b) duly affixed before the electrical and electronic equipment is placed on the market.

(2) The Division shall build upon existing mechanisms to ensure the correct application of the regime governing the CE marking and take appropriate action in the event of improper use of the CE marking.

Presumption of conformity.

**13.** (1) In the absence of evidence to the contrary, the Division shall presume electrical and electronic equipment bearing the CE marking to comply with these regulations.

(2) Materials, components and electrical and electronic equipment on which tests and measurements demonstrating compliance with the requirements of regulation 4 have been performed, or which have been assessed, in accordance with harmonised standards, the references of which have been published in the Official Journal of the European Union, shall be presumed to comply with the requirements of these regulations.

Formal objection to a harmonised standard.

**14.** (1) Where it is considered that a harmonised standard does not entirely satisfy the requirements which it covers and which are set out in regulation 4, the Division shall bring the matter before the Committee, set up pursuant to Article 5 of Directive 98/34/EC, giving its arguments, and requesting the Committee to deliver its opinion without delay, after consulting the relevant European standardisation bodies.

(2) In the light of the Committee's opinion, the Division shall decide to publish, not to publish, to publish with restriction, to maintain, to maintain with restriction or to withdraw the references to the harmonised standard concerned.

(3) On the basis of the Committee's opinion, the Commission may inform the relevant European standardisation body and, if necessary, request the revision of the harmonised standards concerned.

Market surveillance.

**15.** The Division shall carry out market surveillances in accordance with Articles 15 to 29 of Regulation (EC) No 765/2008.

**16.** Any person who contravenes the provisions of these regulations shall be guilty of an offence and shall, on conviction, be liable to the penalties established by the Product Safety Act.

Offences and penalties.

Cap. 427.

**17.** The Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment Regulations, 2004, are hereby revoked.

Revocation.  
L.N. 396 of  
2004.

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B 860

### Schedule I

Categories of Electrical and Electronic Equipment covered by these regulations

1. Large household appliances
2. Small household appliances
3. IT and telecommunications equipment
4. Consumer equipment
5. Lighting equipment
6. Electrical and electronic tools
7. Toys, leisure and sports equipment
8. Medical devices
9. Monitoring and control instruments including industrial monitoring and control instruments
10. Automatic dispensers
11. Other Electrical and Electronic Equipment not covered by any of the categories above.

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### Schedule II

Restricted substances referred to in regulation 4(1) and maximum concentration values tolerated by weight in homogeneous materials

Lead (0,1%)

Mercury (0,1%)

Cadmium (0,01%)

Hexavalent chromium (0,1%)

Polybrominated biphenyls (PBB) (0,1%)

Polybrominated diphenyl ethers (PBDE) (0,1%)

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## Schedule III

## Applications exempted from the restriction in regulation 4(1)

Exemption	Scope and dates of applicability
1. Mercury in single capped (compact) fluorescent lamps not exceeding (per burner):	
1(a) For general lighting purposes < 30 W: 5 mg	Expires on 31 December 2011; 3,5 mg may be used per burner after 31 December 2011 until 31 December 2012; 2,5 mg shall be used per burner after 31 December 2012
1(b) For general lighting purposes $\geq$ 30 W and < 50 W: 5 mg	Expires on 31 December 2011; 3,5 mg may be used per burner after 31 December 2011
1(c) For general lighting purposes $\geq$ 50 W and < 150 W: 5 mg	
1(d) For general lighting purposes $\geq$ 150 W: 15 mg	
1(e) For general lighting purposes with circular or square structural shape and tube diameter $\leq$ 17 mm	No limitation of use until 31 December 2011; 7 mg may be used per burner after 31 December 2011
1(f) For special purposes: 5 mg	
2(a) Mercury in double-capped linear fluorescent lamps for general lighting purposes not exceeding (per lamp):	
2(a)(1) Tri-band phosphor with normal lifetime and a tube diameter < 9 mm (e.g. T2): 5 mg	Expires on 31 December 2011; 4 mg may be used per lamp after 31 December 2011
2(a)(2) Tri-band phosphor with normal lifetime and a tube diameter $\geq$ 9 mm and $\leq$ 17 mm (e.g. T5): 5 mg	Expires on 31 December 2011; 3 mg may be used per lamp after 31 December 2011
2(a)(3) Tri-band phosphor with normal lifetime and a tube diameter > 17 mm and $\leq$ 28 mm (e.g. T8): 5 mg	Expires on 31 December 2011; 3,5 mg may be used per lamp after 31 December 2011
2(a)(4) Tri-band phosphor with normal lifetime and a tube diameter > 28 mm (e.g. T12): 5 mg	Expires on 31 December 2012; 3,5 mg may be used per lamp after 31 December 2012
2(a)(5) Tri-band phosphor with long lifetime ( $\geq$ 25 000 h): 8 mg	Expires on 31 December 2011; 5 mg may be used per lamp after 31 December 2011

B 862

2(b) Mercury in other fluorescent lamps not exceeding (per lamp):	
2(b)(1) Linear halophosphate lamps with tube > 28 mm (e.g. T10 and T12): 10 mg	Expires on 13 April 2012
2(b)(2) Non-linear halophosphate lamps (all diameters): 15 mg	Expires on 13 April 2016
2(b)(3) Non-linear tri-band phosphor lamps with tube diameter > 17 mm (e.g. T9)	No limitation of use until 31 December 2011; 15 mg may be used per lamp after 31 December 2011
2(b)(4) Lamps for other general lighting and special purposes (e.g. induction lamps)	No limitation of use until 31 December 2011; 15 mg may be used per lamp after 31 December 2011
3 Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for special purposes not exceeding (per lamp):	
3(a) Short length ( $\leq 500$ mm)	No limitation of use until 31 December 2011; 3,5 mg may be used per lamp after 31 December 2011
3(b) Medium length ( $> 500$ mm and $\leq 1\ 500$ mm)	No limitation of use until 31 December 2011; 5 mg may be used per lamp after 31 December 2011
3(c) Long length ( $> 1\ 500$ mm)	No limitation of use until 31 December 2011; 13 mg may be used per lamp after 31 December 2011
4(a) Mercury in other low pressure discharge lamps (per lamp)	No limitation of use until 31 December 2011; 15 mg may be used per lamp after 31 December 2011
4(b) Mercury in High Pressure Sodium (vapour) lamps for general lighting purposes not exceeding (per burner) in lamps with improved colour rendering index $R_a > 60$ :	
4(b)-I $P \leq 155$ W	No limitation of use until 31 December 2011; 30 mg may be used per burner after 31 December 2011
4(b)-II $155$ W $< P \leq 405$ W	No limitation of use until 31 December 2011; 40 mg may be used per burner after 31 December 2011
4(b)-III $P > 405$ W	No limitation of use until 31 December 2011; 40 mg may be used per burner after 31 December 2011



4(c) Mercury in other High Pressure Sodium (vapour) lamps for general lighting purposes not exceeding (per burner):	
4(c)-I $P \leq 155 \text{ W}$	No limitation of use until 31 December 2011; 25 mg may be used per burner after 31 December 2011
4(c)-II $155 \text{ W} < P \leq 405 \text{ W}$	No limitation of use until 31 December 2011; 30 mg may be used per burner after 31 December 2011
4(c)-III $P > 405 \text{ W}$	No limitation of use until 31 December 2011; 40 mg may be used per burner after 31 December 2011
4(d) Mercury in High Pressure Mercury (vapour) lamps (HPMV)	Expires on 13 April 2015
4(e) Mercury in metal halide lamps (MH)	
4(f) Mercury in other discharge lamps for special purposes not specifically mentioned in this Schedule	
5(a) Lead in glass of cathode ray tubes	
5(b) Lead in glass of fluorescent tubes not exceeding 0,2% by weight	
6(a) Lead as an alloying element in steel for machining purposes and in galvanised steel containing up to 0,35% lead by weight	
6(b) Lead as an alloying element in aluminium containing up to 0,4% lead by weight	
6(c) Copper alloy containing up to 4% lead by weight	
7(a) Lead in high melting temperature type solders (i.e. lead-based alloys containing 85% by weight or more lead)	
7(b) Lead in solders for servers, storage and storage array systems, network infrastructure equipment for switching, signalling, transmission, and network management for telecommunications	

B 864

7(c)-I	Electrical and electronic components containing lead in a glass or ceramic other than dielectric ceramic in capacitors, e.g. piezoelectronic devices, or in a glass or ceramic matrix compound	
7(c)-II	Lead in dielectric ceramic in capacitors for a rated voltage of 125 V AC or 250 V DC or higher	
7(c)-III	Lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC	Expires on 1 January 2013 and after that date may be used in spare parts for Electrical and Electronic Equipment placed on the market before 1 January 2013
7(c)-IV	Lead in PZT based dielectric ceramic materials for capacitors which are part of integrated circuits or discrete semiconductors	Expires on 21 July 2016
8(a)	Cadmium and its compounds in one shot pellet type thermal cut-offs	Expires on 1 January 2012 and after that date may be used in spare parts for Electrical and Electronic Equipment placed on the market before 1 January 2012
8(b)	Cadmium and its compounds in electrical contacts	
9	Hexavalent chromium as an anticorrosion agent of the carbon steel cooling system in absorption refrigerators up to 0,75% by weight in the cooling solution	
9(b)	Lead in bearing shells and bushes for refrigerant-containing compressors for heating, ventilation, air conditioning and refrigeration (HVACR) applications	
11(a)	Lead used in C-press compliant pin connector systems	May be used in spare parts for Electrical and Electronic Equipment placed on the market before 24 September 2010

11(b) Lead used in other than C-press compliant pin connector systems	Expires on 1 January 2013 and after that date may be used in spare parts for Electrical and Electronic Equipment placed on the market before 1 January 2013
12 Lead as a coating material for the thermal conduction module C-ring	May be used in spare parts for Electrical and Electronic Equipment placed on the market before 24 September 2010
13(a) Lead in white glasses used for optical applications	
13(b) Cadmium and lead in filter glasses and glasses used for reflectance standards	
14 Lead in solders consisting of more than two elements for the connection between the pins and the package of microprocessors with a lead content of more than 80% and less than 85% by weight	Expired on 1 January 2011 and after that date may be used in spare parts for Electrical and Electronic Equipment placed on the market before 1 January 2011
15 Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages	
16 Lead in linear incandescent lamps with silicate coated tubes	Expires on 1 September 2013
17 Lead halide as radiant agent in high intensity discharge (HID) lamps used for professional reprography applications	
18(a) Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as speciality lamps for diazoprinting reprography, lithography, insect traps, photochemical and curing processes containing phosphors such as SMS ((Sr,Ba) 2 MgSi 2 O 7 :Pb)	Expired on 1 January 2011
18(b) Lead as activator in the fluorescent powder (1% lead by weight or less) of discharge lamps when used as sun tanning lamps containing phosphors such as BSP (BaSi 2 O 5 :Pb)	

B 866

19	Lead with PbBiSn-Hg and PbInSn-Hg in specific compositions as main amalgam and with PbSn-Hg as auxiliary amalgam in very compact energy saving lamps (ESL)	Expires on 1 June 2011
20	Lead oxide in glass used for bonding front and rear substrates of flat fluorescent lamps used for Liquid Crystal Displays (LCDs)	Expires on 1 June 2011
21	Lead and cadmium in printing inks for the application of enamels on glasses, such as borosilicate and soda lime glasses	
23	Lead in finishes of fine pitch components other than connectors with a pitch of 0,65 mm and less	May be used in spare parts for Electrical and Electronic Equipment placed on the market before 24 September 2010
24	Lead in solders for the soldering to machined through hole discoidal and planar array ceramic multilayer capacitors	
25	Lead oxide in surface conduction electron emitter displays (SED) used in structural elements, notably in the seal frit and frit ring	
26	Lead oxide in the glass envelope of black light blue lamps	Expires on 1 June 2011
27	Lead alloys as solder for transducers used in high-powered (designated to operate for several hours at acoustic power levels of 125 dB SPL and above) loudspeakers	Expired on 24 September 2010
29	Lead bound in crystal glass as defined in First Schedule (Categories 1, 2, 3 and 4) of the Crystal Glass Order (S.L. 427.04)	
30	Cadmium alloys as electrical/mechanical solder joints to electrical conductors located directly on the voice coil in transducers used in high-powered loudspeakers with sound pressure levels of 100 dB (A) and more	

31	Lead in soldering materials in mercury free flat fluorescent lamps (which, e.g. are used for liquid crystal displays, design or industrial lighting)	
32	Lead oxide in seal frit used for making window assemblies for Argon and Krypton laser tubes	
33	Lead in solders for the soldering of thin copper wires of 100 µm diameter and less in power transformers	
34	Lead in cermet-based trimmer potentiometer elements	
36	Mercury used as a cathode sputtering inhibitor in DC plasma displays with a content up to 30 mg per display	Expired on 1 July 2010
37	Lead in the plating layer of high voltage diodes on the basis of a zinc borate glass body	
38	Cadmium and cadmium oxide in thick film pastes used on aluminium bonded beryllium oxide	
39	Cadmium in colour converting II-VI LEDs (< 10 µg Cd per mm <sup>2</sup> of light-emitting area) for use in solid state illumination or display systems	Expires on 1 July 2014
40	Cadmium in photoresistors for analogue optocouplers applied in professional audio equipment	Expires on 31 December 2013

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#### Schedule IV

Applications exempted from the restriction in regulation 4(1) specific to medical devices and monitoring and control instruments

Equipment utilising or detecting ionising radiation

1. Lead, cadmium and mercury in detectors for ionising radiation.
2. Lead bearings in X-ray tubes.

B 868

3. Lead in electromagnetic radiation amplification devices: micro-channel plate and capillary plate.
4. Lead in glass frit of X-ray tubes and image intensifiers and lead in glass frit binder for assembly of gas lasers and for vacuum tubes that convert electromagnetic radiation into electrons.
5. Lead in shielding for ionising radiation.
6. Lead in X-ray test objects.
7. Lead stearate X-ray diffraction crystals.
8. Radioactive cadmium isotope source for portable X-ray fluorescence spectrometers.

#### Sensors, detectors and electrodes

- 1a. Lead and cadmium in ion selective electrodes including glass of pH electrodes.
- 1b. Lead anodes in electrochemical oxygen sensors.
- 1c. Lead, cadmium and mercury in infra-red light detectors.
- 1d. Mercury in reference electrodes: low chloride mercury chloride, mercury sulphate and mercury oxide.

#### Others

9. Cadmium in helium-cadmium lasers.
10. Lead and cadmium in atomic absorption spectroscopy lamps.
11. Lead in alloys as a superconductor and thermal conductor in MRI.
12. Lead and cadmium in metallic bonds to superconducting materials in MRI and SQUID detectors.
13. Lead in counterweights.
14. Lead in single crystal piezoelectric materials for ultrasonic transducers.
15. Lead in solders for bonding to ultrasonic transducers.
16. Mercury in very high accuracy capacitance and loss measurement bridges and in high frequency RF switches and relays in monitoring and control instruments not exceeding 20 mg of mercury per switch or relay.

17. Lead in solders in portable emergency defibrillators.
18. Lead in solders of high performance infrared imaging modules to detect in the range 8-14  $\mu\text{m}$ .
19. Lead in Liquid crystal on silicon (LCoS) displays.
20. Cadmium in X-ray measurement filters.

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#### Schedule V

Applications for granting, renewing and revoking exemptions as referred to in Article 5 of Directive 2011/65/EU

Applications for exemptions, renewal of exemptions or, *mutatis mutandis*, for revoking an exemption may be submitted by a manufacturer, the authorised representative of a manufacturer, or any economic operator in the supply chain and shall include at least the following:

- (a) the name, address and contact details of the applicant;
- (b) information on the material or component and the specific uses of the substance in the material and component for which an exemption, or its revocation, is requested and its particular characteristics;
- (c) verifiable and referenced justification for an exemption, or its revocation, in line with the conditions established in Article 5;
- (d) an analysis of possible alternative substances, materials or designs on a life-cycle basis, including, when available, information about independent research, peer-review studies and development activities by the applicant and an analysis of the availability of such alternatives;
- (e) information on the possible preparation for reuse or recycling of materials from waste Electrical and Electronic Equipment, and on the provisions relating to the appropriate treatment of waste according to Schedule 2 of the Waste Management (Electrical and Electronic Equipment) Regulations, 2007 (S.L. 504.75).
- (f) other relevant information;
- (g) the proposed actions to develop, request the development and, or to apply possible alternatives including a timetable for such actions by the applicant;

B 870

- (h) where appropriate, an indication of the information which should be regarded as proprietary accompanied by verifiable justification;
- (i) when applying for an exemption, proposal for a precise and clear wording for the exemption;
- (j) a summary of the application.

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## Schedule VI

### EU Declaration of Conformity

1. No ... (unique identification of the Electrical and Electronic Equipment):
2. Name and address of the manufacturer or his authorised representative:
3. This declaration of conformity is issued under the sole responsibility of the manufacturer (or installer):
4. Object of the declaration (identification of Electrical and Electronic Equipment allowing traceability. It may include a photograph, where appropriate):
5. The object of the declaration described above is in conformity with Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment:
6. Where applicable, references to the relevant harmonised standards used or references to the technical specifications in relation to which conformity is declared:
7. Additional information:

Signed for and on behalf of:

(place and date of issue):

(name, function) (signature):

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