



STATUTORY INSTRUMENTS.

S.I. No. 44 of 2017



EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)
(AMENDMENT) REGULATIONS 2017

EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)
(AMENDMENT) REGULATIONS 2017

I, DENIS NAUGHTEN, Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Delegated Directives (EU) 2015/863 of the European Parliament and of the Council of 31 March 2015 and (EU) 2016/585 of the European Parliament and of the Council of 12 February 2016 and (EU) 2016/1028 and (EU) 2016/1029 of the European Parliament and of the Council of 19 April 2016 amending, for the purposes of adapting to technical progress Annex II and Annex IV to 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 hereby make the following Regulations:

Citation

1. These Regulations may be cited as the European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2017.

Purpose of Regulations

2. The purposes for which these Regulations are made include the purpose of giving effect to the provisions of Commission Delegated Directives (EU) 2015/863 of the European Parliament and of the Council of 31 March 2015 and (EU) 2016/585 of the European Parliament and of the Council of 12 February 2016 and (EU) 2016/1028 and (EU) 2016/1029 of the European Parliament and of the Council of 19 April 2016 amending, for the purposes of adapting to technical progress Annex II and Annex IV to 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.

Amendment of Definition

3. Regulation 3(1) of the European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2012 (S.I. No. 513 of 2012) is amended by substituting for the definition of “the Directive” the following:

“ “ the Directive” means European Parliament and Council Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment, as amended by Commission Delegated Directives 2012/50/EU and 2012/51/EU of 10 October 2012 and Commission Delegated Directives 2014/1/EU, 2014/2/EU, 2014/3/EU, 2014/4/EU,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 10th February, 2017.*

2014/5/EU, 2014/6/EU, 2014/7/EU, 2014/8/EU, 2014/9/EU, 2014/10/EU, 2014/11/EU, 2014/12/EU, 2014/13/EU, 2014/14/EU, 2014/15/EU and 2014/16/EU of 18 October 2013 and Commission Delegated Directives 2014/69/EU, 2014/70/EU, 2014/71/EU, 2014/72/EU, 2014/73/EU, 2014/74/EU, 2014/75/EU and 2014/76/EU of 13 March 2014 and Commission Delegated Directives 2015/573/EU and 2015/574/EU of the European Parliament and of the Council of 30 January 2015 and Commission Delegated Directive (EU) 2015/863 of the European Parliament and of the Council of 31 March 2015 and Commission Delegated Directive (EU) 2016/585 of the European Parliament and of the Council of 12 February 2016 and Commission Delegated Directives (EU) 2016/1028 and (EU) 2016/1029 of the European Parliament and of the Council of 19 April 2016;”.



GIVEN under my Official Seal,
3 February 2017.

DENIS NAUGHTEN,
Minister for Communications, Climate Action and
the Environment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2012 (S.I. No. 513 of 2012) in order to give effect to the provisions of the following Commission Delegated Directives:

- a) Commission Delegated Directive (EU) 2015/863 of the European Parliament and of the Council of 31 March 2015 amending, for the purposes of adapting to technical progress, Annex II to Directive 2011/65/EU of the European Parliament and of the Council as regards the list of restricted substances;
- b) Commission Delegated Directive (EU) 2016/585 of 12 February 2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead, cadmium, hexavalent chromium, and polybrominated diphenyl ethers (PBDE) in spare parts recovered from and used for the repair or refurbishment of medical devices or electron microscopes;
- c) Commission Delegated Directive (EU) 2016/1029 of 19 April 2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium anodes in Hersch cells for certain oxygen sensors used in industrial monitoring and control instruments;
- d) Commission Delegated Directive (EU) 2016/1028 of 19 April 2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders of electrical connections to temperature measurement sensors in certain devices.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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