



STATUTORY INSTRUMENTS.

**S.I. No. 515 of 2012**

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EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS  
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)  
(AMENDMENT) (NO. 2) REGULATIONS 2012

EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS  
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)  
(AMENDMENT) (NO. 2) REGULATIONS 2012

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, 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 Directive 2012/51/EU<sup>1</sup> of 10 October 2012 amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU<sup>2</sup> 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, as regards an exemption for applications containing cadmium, 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) (No.2) Regulations 2012.

*Purpose of Regulations*

2. The purposes for which these Regulations are made include the purpose of giving effect to the provisions of Commission Delegated Directive 2012/51/EU 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 of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment, as regards an exemption for applications containing cadmium.

*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), as amended, is further 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 Directive 2012/50/EU of 10 October 2012 and Commission Delegated Directive 2012/51/EU of 10 October 2012;”.

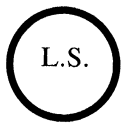
<sup>1</sup>O.J. No. L348/18, 18.12.2012, page 18

<sup>2</sup>O.J. No. L174, 1.07.2011, page 88

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 28th December, 2012.*

*Commencement*

4. These Regulations shall come into effect on 2 January 2013.



GIVEN under my Official Seal,  
19 December 2012.

PHIL HOGAN,  
Minister for the Environment, Community and Local  
Government.

## EXPLANATORY NOTE

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

These Regulations give effect to the provisions of Commission Delegated Directive 2012/51/EU of 10 October 2012 through the amendment of the European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2012 (S.I. No.513 of 2012) as amended by the European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment No.1) Regulations 2012 (S.I. No. 514 of 2012)

Commission Delegated Directive 2012/51/EU amends 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 photoresistors for analogue optocouplers applied in professional audio equipment containing cadmium. As the substitution of cadmium in those photoresistors is still technically impracticable they are therefore exempt from the prohibition on the use of cadmium in electrical and electronic equipment.

Le ceannach ó  
FOILSEACHÁIN RIALTAIS,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
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