

**EXPLANATORY MEMORANDUM FOR EUROPEAN UNION LEGISLATION  
WITHIN THE SCOPE OF THE UK/EU WITHDRAWAL AGREEMENT AND  
NORTHERN IRELAND PROTOCOL**

**C(2022)3040 + ANNEX**

**C(2022)3041 + ANNEX**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 12.5.2022 AMENDING, FOR  
THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS,  
ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND  
OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF LEAD IN  
BISMUTH STRONTIUM CALCIUM COPPER OXIDE SUPERCONDUCTOR  
CABLES AND WIRES AND LEAD IN THEIR ELECTRICAL CONNECTIONS**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 12.5.2022 AMENDING, FOR  
THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS,  
ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND  
OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF LEAD IN  
CERTAIN MAGNETIC RESONANCE IMAGING DEVICES**

Submitted by the Department for Environment, Food and Rural Affairs

22 June 2022

1. The Restriction of Hazardous Substances (RoHS) Directive (2011/65/EU) (“the RoHS Directive”) restricts the use of certain hazardous substances in electrical and electronic equipment. The RoHS Directive sets out a process in which businesses can apply to the European Commission for exemptions to the threshold limits for the use of these substances in specific products. This is a recognition that in some limited circumstances components may need to use one or more of the restricted substances above the threshold limits in order to work properly or safely and where it is proven technically that no alternative substance has yet been developed as a safe and effective alternative. Exemption applications are reviewed by the Commission and are published as part of a consultation process with business and Member States. Discussions between the Commission and Member States are held in Working Group meetings.
2. If an exemption application is successful, the RoHS Directive is amended to add the exemption by means of a Commission delegated directive. Exemptions are time-limited in their duration, typically up to 5 years.
3. The UK’s approach to the Commission’s consideration of individual exemption applications has been to only intervene where UK industry or wider stakeholders had expressed specific concerns and sought support from Government. We were

not approached by UK industry or wider stakeholders in relation to these Commission Delegated Directives and the timing of these considerations coming as it did during EU exit negotiations would have in any case resulted in the UK's non-attendance at Commission meetings with Member States.

4. These delegated directives grant specific exemptions using the Commission's powers described above as follows:

**C (2022)3040 + Annex: COMMISSION DELEGATED DIRECTIVE (EU) .../... of 12.5.2022 amending, for the purposes of adapting to scientific and technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for the use of lead in bismuth strontium calcium copper oxide superconductor cables and wires and lead in their electrical connections**

The requested exemption concerns the use of lead in in superconducting components like cables and wires which create an electromagnetic circuit for medical devices or (industrial) monitoring and control instruments (e.g. magnetic resonance imaging devices (MRI) or nuclear magnetic resonance (NMR) spectrometers). The Commission carried out a technical and scientific assessment report which evaluated the exemption request. This assessment found that there is currently no other alternative material available for tin-lead solder with the same reliable properties and that the elimination or substitution of lead is not practicable without loss of performance. The evaluation results also show that granting the exemption would not weaken the environmental and health protection afforded by the REACH Regulation, in accordance with Article 5 of Directive 2011/65/EU. As no reliable substitutes for this material are expected in the near future, it was found by the Commission that it is appropriate to grant the exemption until 30 June 2027. The granted validity period is not expected to have adverse effects on innovation.

**C (2022)3041 + Annex: COMMISSION DELEGATED DIRECTIVE (EU) .../... of 12.5.2022 amending, for the purposes of adapting to scientific and technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for the use of lead in certain magnetic resonance imaging (MRI) devices**

The requested exemption concerns the use of lead in specific components, which are used in magnetic fields produced by certain medical devices. The Commission carried out a technical and scientific assessment report which evaluated the exemption request. This report found that, while in new MRI devices there are viable substitutes to the use of lead, older MRI devices are limited in their compatibility with the new lead-free MRI components. It was therefore found that to address sufficiently the demand on MRI equipment for old-designed MRI devices, which cannot be redesigned or replaced before the exemption period expires, the use of old MRI equipment containing lead is still necessary. It was also found that not granting the exemption

may result into premature waste of MRI devices due to a lack of compatible components or redesign options. A supply gap in MRI equipment may also occur, which may result in poorer healthcare for patients.

## **SCRUTINY HISTORY**

5. The Parliamentary scrutiny history relevant to this Explanatory Memorandum is contained in the attached Annex A.

## **MINISTERIAL RESPONSIBILITY**

6. Responsibility lies with the Secretary of State for Environment, Food and Rural Affairs. The Secretary of State for Business, Energy and Industrial Strategy also has an interest as he is the minister responsible for policy related to eco-design for energy-related products. In addition, the Secretary of State for Health and Social Care has an interest as these exemptions relate to the use of certain substances in certain types of medical equipment. The Minister for the Cabinet Office and the Secretary of State for Northern Ireland have an interest due to the application of the Delegated Directives in Northern Ireland.

## **INTEREST OF THE DEVOLVED ADMINISTRATIONS**

7. This RoHS Directive and these Commission Delegated Directives fall into an area of reserved policy because they relate to the application of technical standards. But the Scottish and Welsh Governments and Northern Ireland have an interest due to the environmental considerations. In particular, the RoHS Directive envisages that review and amendment of the list of restricted substances and the exemptions is to be coherent with other legislation related to chemicals, in particular with Annexes 14 and 17 of the REACH Regulation. Given their functions in relation to REACH, Scottish and Welsh Governments have a related interest in RoHS. The Scottish and Welsh Governments are committed to maintaining or enhancing environmental standards and to keeping pace with EU legislation as far as possible. The devolved administrations have been consulted in the preparation of this Explanatory Memorandum and had no comments on its contents.

## **NORTHERN IRELAND PROTOCOL**

8. It should be noted that the Government intends to address the issues being faced by businesses when engaging with the Northern Ireland market through the introduction of legislation. The Northern Ireland Protocol Bill will restore the balance inherent in the objectives of the Northern Ireland Protocol; protecting the integrity of the UK, avoiding a hard border and safeguarding the EU single market.

## **LEGAL AND PROCEDURAL ISSUES**

9.

### **i. Legal Base**

The European Commission's power to make these Delegated Acts is in Article 5(1)(a) of the RoHS Directive, following the procedure set out in Article 20 and subject to the conditions laid down in Articles 21 and 22 of that Directive. The RoHS Directive is listed in Annex II to the Northern Ireland Protocol. The effect of that listing is that the provisions of the RoHS Directive and any EU legislation (such as these Delegated Acts) that amends or replaced that Directive apply to the United Kingdom in respect of Northern Ireland.

**ii. Voting Procedure**

The Delegated Acts shall enter into force (following publication in the Official Journal) only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**iii. Timetable for adoption and implementation**

Both Delegated Acts were adopted by the Commission on 12th May 2022. Assuming no objection, they would enter into force on the 20th day following publication in the Official Journal. Member States would need to apply the amendments contained in the Delegated Acts six months after the entry into force date,

**POLICY IMPLICATIONS**

10. In relation to Northern Ireland, the Delegated Acts will be transposed by means of an ambulatory reference in regulation 3(4) of the Restriction of Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 ("the RoHS Regulations). No further amending legislation is therefore required to comply with these Delegated Acts and no new burdens arise for businesses based in Northern Ireland. This is because the process of due diligence required by businesses in NI to ensure compliance with their obligations under the RoHS Regulations has not changed.
11. In relation to GB, the power of the European Commission to grant or renew exemptions to restrictions in the RoHS Directive were repatriated to the Secretary of State by the Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020 ("the 2020 Regulations"). The Secretary of State exercises those powers through regulations.
12. Regulations 9 and 10 of the 2020 Regulations make provision for transitional measures in respect of applications for new exemptions and for the renewal of exemptions made to the EU before the Transition Period completion day. Where

the Commission did not publish its decision before the end of the Implementation Period, those provisions remove the need for businesses to make separate applications for a new exemption or the renewal of the relevant exemption in GB. Regulations 9 and 10 further provide for the Secretary of State to make regulations granting an exemption, or renewing an exemption, following a decision by the European Commission.

13. As the applications for the exemptions set out in these Delegated Directives were made before the end of the Implementation Period, the transitional measures in regulation 9 apply.
14. Defra is undertaking an appraisal of the Commission's decisions in relation to these exemption renewal applications to inform the decision of the Secretary of State as to whether to take similar decisions in relation to GB or not. This appraisal will consider whether there are any GB-specific circumstances to take into account when deciding whether to grant a GB exemption. However, our priority is to ensure the exemption does not weaken the protection of environmental and human health. We will also consider any trade implications of not granting the exemption as we do not want to hinder the supply of medical devices into GB. Any decision to grant these exemptions in GB will be put into effect by means of a statutory instrument amending Schedule A1 of the RoHS Regulations.

## **CONSULTATION**

15. The European Commission has undertaken formal consultations before reaching a determination on these particular applications for exemptions. The transitional measures set out in the 2020 Regulations do not require the Secretary of State to undertake a further consultation before reaching a decision on whether to apply these exemptions in GB.

## **FINANCIAL IMPLICATIONS**

16. There are no new financial implications arising from these Delegated Directives to renew an existing exemption in respect of Northern Ireland. There is a minimal cost to Defra in appraisal of the delegated acts to determine which exemptions or renewals should be granted in in GB.



**JO CHURCHILL MP**  
**PARLIAMENTARY UNDER SECRETARY OF STATE**  
**DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS**

**PARLIAMENTARY SCRUTINY HISTORY RELEVANT TO A:**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 12.5.2022 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF LEAD IN BISMUTH STRONTIUM CALCIUM COPPER OXIDE SUPERCONDUCTOR CABLES AND WIRES AND LEAD IN THEIR ELECTRICAL CONNECTIONS**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 12.5.2022 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF LEAD IN CERTAIN MAGNETIC RESONANCE IMAGING DEVICES**

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**15133/21+ADD 1;15112/21+ADD 1;15116/21+ ADD 1;15113/21+ ADD 1;15049/21+ ADD 1;15151/21+ ADD 1;15125/21+ ADD 1;15101/21+ ADD 1;15025/21+ ADD 1;15041/21+ ADD 1; 15081/21+ ADD 1 AND 15103/21+ ADD 1**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN COLD CATHODE FLUORESCENT LAMPS AND EXTERNAL ELECTRODE FLUORESCENT LAMPS FOR SPECIAL PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSE OF ADAPTING TO TECHNICAL AND SCIENTIFIC PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN SINGLE CAPPED (COMPACT) FLUORESCENT LAMPS FOR GENERAL LIGHTING PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN OTHER HIGH PRESSURE SODIUM (VAPOUR) LAMPS FOR GENERAL LIGHTING PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSE OF ADAPTING TO TECHNICAL AND SCIENTIFIC PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN NON-LINEAR TRI-BAND PHOSPHOR LAMPS**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN OTHER DISCHARGE LAMPS FOR SPECIAL PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 16.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN DOUBLE-CAPPED LINEAR FLUORESCENT LAMPS FOR GENERAL LIGHTING PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN OTHER LOW PRESSURE DISCHARGE LAMPS**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN HIGH PRESSURE SODIUM (VAPOUR) LAMPS WITH IMPROVED COLOUR RENDERING INDEX FOR GENERAL LIGHTING PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSE OF ADAPTING TO TECHNICAL AND SCIENTIFIC PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN SINGLE CAPPED (COMPACT) FLUORESCENT LAMPS FOR SPECIAL PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR MERCURY IN FLUORESCENT LAMPS FOR OTHER GENERAL LIGHTING AND SPECIAL PURPOSES**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN**

**PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN METAL HALIDE LAMPS**

**COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 13.12.2021 AMENDING, FOR THE PURPOSE OF ADAPTING TO TECHNICAL AND SCIENTIFIC PROGRESS, ANNEX III TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF MERCURY IN SINGLE CAPPED (COMPACT) FLUORESCENT LAMPS FOR GENERAL LIGHTING PURPOSES < 30 W WITH A LIFETIME EQUAL TO OR ABOVE 20 000 H**

**DEFRA SUBMITTED EM DATED 04/02/2022**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**

<b>COMMONS</b>	<b>LORDS</b>
SCRUTINY COMPLETED (OUTCOME AGENDA NO 29 23/2/22)	DRAWN TO THE ATTENTION OF THE PROTOCOL ON IRELAND/NORTHERN IRELAND SUB-COMMITTEE (AT CHAIR'S SIFT NO 14; 8/2/22)

**5866 + ADD 1 - COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 11.8.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF BIS(2-ETHYLHEXYL) PHTHALATE (DEHP), BUTYL BENZYL PHTHALATE (BBP), DIBUTYL PHTHALATE (DBP) AND DIISOBUTYL PHTHALATE (DIBP) IN SPARE PARTS RECOVERED FROM AND USED FOR THE REPAIR OR REFURBISHMENT OF MEDICAL DEVICES**

**C(2021)5867 + ADD 1 - COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 11.8.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF BIS(2-ETHYLHEXYL) PHTHALATE (DEHP) IN PLASTIC COMPONENTS IN MAGNETIC RESONANCE IMAGING (MRI) DETECTOR COILS**

**C(2021)5868 + ADD 1 - COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 11.8.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS AN EXEMPTION FOR THE USE OF BIS(2-ETHYLHEXYL) PHTHALATE (DEHP) IN ION-SELECTIVE ELECTRODES FOR ANALYSING HUMAN BODY FLUIDS AND/OR DIALYSATE FLUIDS**

**DATE EM SIGNED: 07/09/2021**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**



COMMONS	LORDS
SCRUTINY COMPLETED (OUTCOME AGENDA NO 16 20/10/21)	DRAWN TO THE ATTENTION OF THE PROTOCOL ON IRELAND/NORTHERN IRELAND SUB-COMMITTEE (AT CHAIR'S SIFT NO 8; 14/10/21)

**EM 6860/21: COMMISSION DELEGATED DIRECTIVE (EU) .../... OF 8.3.2021 AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS THE VALIDITY PERIOD OF AN EXEMPTION FOR THE USE OF MERCURY IN ELECTRIC ROTATING CONNECTORS USED IN INTRAVASCULAR ULTRASOUND IMAGING SYSTEMS**

**ANNEX TO COMMISSION DELEGATED DIRECTIVE AMENDING, FOR THE PURPOSES OF ADAPTING TO SCIENTIFIC AND TECHNICAL PROGRESS, ANNEX IV TO DIRECTIVE 2011/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AS REGARDS THE VALIDITY PERIOD OF AN EXEMPTION FOR THE USE OF MERCURY IN ELECTRIC ROTATING CONNECTORS USED IN INTRAVASCULAR ULTRASOUND IMAGING SYSTEMS**

**DATE EM SIGNED: 29/06/2021**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**

COMMONS	LORDS
SCRUTINY COMPLETED (OUTCOME AGENDA NO 5 7/7/21)	NOT SIFTED FOR SCRUTINY (PROTOCOL ON IRELAND/NORTHERN IRELAND SUB-COMMITTEE) AT CHAIR'S SIFT 7 7/7/2021

**EM 5708/17: PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2011/65/EU ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT (AND ADD 1-2)**

**DATE EM SIGNED: 15/2/2017**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**

COMMONS	LORDS
POLITICALLY IMPORTANT CLEARED (AGENDA FOR REPORT NO 3;29/11/2017) POLITICALLY	CLEARED BUT SENT FOR INFORMATION TO ENERGY AND

<b>IMPORTANT FURTHER REQUESTED (REPORT 33,28/2/2017)</b>	<b>NOT CLEARED, INFORMATION</b>	<b>ENVIRONMENT AT (CHAIRMAN'S SIFT 1649- 21/2/2017)</b>
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**EM 8050/16: REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE EXERCISE OF THE POWER TO ADOPT DELEGATED ACTS CONFERRED ON THE COMMISSION PURSUANT TO DIRECTIVE 2011/65/EU ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT**

**DATE EM SIGNED: 10/5/2016**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**

<b>COMMONS</b>	<b>LORDS</b>
<b>NOT IMPORTANT CLEARED (REPORT 3; 25/5/16)</b>	<b>CLEARED (ENERGY AND ENVIRONMENT) AT CHAIRMAN'S SIFT 1621- 25/5/2016</b>

**EM 5403/07: PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2002/95/EC ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT, AS REGARDS THE IMPLEMENTING POWERS CONFERRED TO THE COMMISSION**

**SUBMITTED BY THE DEPARTMENT OF TRADE AND INDUSTRY ON THE 6TH FEBRUARY 2007**

**SCRUTINY COMMITTEES' RECOMMENDATIONS:**

<b>COMMONS</b>	<b>LORDS</b>
<b>THE COMMONS EUROPEAN SCRUTINY CTTE CONSIDERED IT POLITICALLY AND LEGALLY IMPORTANT AND CLEARED IT (REPORT NO. 15, SESSION 06/07).</b>	<b>THE LORDS SELECT CTTE ON THE EU CLEARED IT (PROGRESS OF SCRUTINY: 16TH MARCH 2007, SESSION 06/07).</b>

**EM 9932/05: PROPOSAL FOR A COUNCIL DECISION AMENDING FOR THE PURPOSES OF ADAPTING TO THE TECHNICAL PROGRESS THE ANNEX TO DIRECTIVE 2002/95/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT**

SUBMITTED BY THE DEPARTMENT OF TRADE AND INDUSTRY ON THE 29TH JULY 2005

SCRUTINY COMMITTEES' RECOMMENDATIONS:

COMMONS	LORDS
THE COMMONS EUROPEAN SCRUTINY CTTE CLEARED IT (REPORT NO. 6, ITEM NO. 26624, SESSION 05/06)	THE LORDS SELECT CTTE ON THE EU REFERRED IT TO SUB-CTTE G AND CLEARED IT AT THE MEETING OF THE 13TH OCTOBER 2005 (PROGRESS OF SCRUTINY: 24TH OCTOBER 2005, SESSION 05/06).

EM 12610/04: PROPOSAL FOR A COUNCIL DECISION AMENDING DIRECTIVE 2002/95/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL FOR PURPOSES OF ESTABLISHING THE MAXIMUM CONCENTRATION VALUES FOR CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT

SUBMITTED BY THE DEPARTMENT OF TRADE AND INDUSTRY ON THE 21<sup>ST</sup> OCTOBER 2004

SCRUTINY COMMITTEES' RECOMMENDATIONS:

COMMONS	LORDS
THE COMMONS EUROPEAN SCRUTINY COMMITTEE CLEARED IT (REPORT NO. 35, SESSION 03/04)	THE LORDS SELECT COMMITTEE ON THE EU CLEARED IT (PROGRESS OF SCRUTINY: 1ST NOVEMBER 2004, SESSION 03/04).

EM 10731/02: COMMON POSITION ON A PROPOSAL FOR A EUROPEAN PARLIAMENT AND COUNCIL DIRECTIVE ON THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT (ROHS)

SUBMITTED BY THE DEPARTMENT OF TRADE AND INDUSTRY ON THE 15TH MARCH 2002.

SCRUTINY COMMITTEES' RECOMMENDATIONS:

COMMONS	LORDS
THE COMMONS EUROPEAN SCRUTINY COMMITTEE CONSIDERED IT POLITICALLY IMPORTANT AND IT WAS DEBATED ON 17TH JULY 2002 IN THE EUROPEAN STANDING CTTE C WHERE IT WAS CLEARED (REPORT	THE LORDS SELECT COMMITTEE ON THE EU REFERRED IT TO SUB-COMMITTEE D AND IT WAS CLEARED AT THE MEETING OF THE 8 MAY 2002 (PROGRESS OF SCRUTINY: 20TH MAY 2002, SESSION 01/02).

<b>NO. 32, ITEM NO. 23309, SESSION 01/02).</b>	
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