

2023 No. 658

ENVIRONMENTAL PROTECTION

**The Restriction of the Use of Certain Hazardous Substances in
Electrical and Electronic Equipment (Amendment) Regulations
2023**

<i>Made</i> - - - -	<i>14th June 2023</i>
<i>Laid before Parliament</i>	<i>15th June 2023</i>
<i>Coming into force</i> - -	<i>17th July 2023</i>

The Secretary of State makes these Regulations in exercise of the power conferred by regulation 5(1) of the Hazardous Substances and Packaging (Legislative Functions and Amendment) (EU Exit) Regulations 2020 (“the Regulations”)(a).

By virtue of regulation 10(8) of the Regulations, the Secretary of State has treated the requirements in regulation 5(2) to (5) of the Regulations as satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations 2023.

(2) These Regulations come into force on 17th July 2023.

(3) These Regulations extend to England and Wales and Scotland.

Amendment of the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012

2.—(1) The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012(b) are amended as follows.

(2) In Schedule A2, in Table 1, for entries 1 to 9 substitute—

“1	Mercury in single capped (compact) fluorescent lamps:				
1.1	For general lighting purposes < 30 W	2.5 mg per burner	Annex 3, 1(a)	all categories	1st February 2024
1.2	For general lighting purposes ≥ 30 W and < 50 W	3.5 mg per burner	Annex 3, 1(b)	all categories	1st February 2024

(a) S.I. 2020/1647.

(b) S.I. 2012/3032, amended by S.I. 2020/1647, 2021/422, 2021/1395 and 2022/622. There are other amending instruments which are not relevant to these Regulations.

1.3	For general lighting purposes ≥ 50 W and < 150 W	5 mg per burner	Annex 3, 1(c)	all categories	1st February 2024
1.4	For general lighting purposes ≥ 150 W	15 mg per burner	Annex 3, 1(d)	all categories	1st February 2024
1.5	For general lighting purposes with circular or square structural shape and tube diameter ≤ 17 mm	5 mg per burner	Annex 3, 1(e)	all categories	1st February 2024
1.6	For general lighting purposes < 30 W with a lifetime $\geq 20,000$ h	3.5 mg per burner	Annex 3, 1(g)	all categories	1st February 2024
1.7	For special purposes	5 mg per burner	Annex 3, 1(f)-II	all categories	24th February 2025
1.8	For lamps designed to emit mainly light in the ultraviolet spectrum	5mg per burner	Annex 3, 1(f)- I	all categories	24th February 2027
2	Mercury in double-capped linear fluorescent lamps for general lighting purposes:				
2.1	Tri-band phosphor with normal lifetime ($< 25,000$ h) and a tube diameter < 9 mm (e.g. T2)	4 mg per lamp	Annex 3, 2(a)(1)	all categories	1st February 2024
2.2	Tri-band phosphor with normal lifetime ($< 25,000$ h) and a tube diameter ≥ 9 mm and ≤ 17 mm (e.g. T5)	3 mg per lamp	Annex 3, 2(a)(2)	all categories	1st February 2024
2.3	Tri-band phosphor with normal lifetime ($< 25,000$ h) and a tube diameter > 17 mm and ≤ 28 mm (e.g. T8)	3.5 mg per lamp	Annex 3, 2(a)(3)	all categories	1st February 2024
2.4	Tri-band phosphor with normal lifetime ($< 25,000$ h) and a tube diameter > 28 mm (e.g. T12)	3.5 mg per lamp	Annex 3, 2(a) (4)	all categories	1st February 2024
2.5	Tri-band phosphor with long lifetime ($\geq 25,000$ h)	5 mg per lamp	Annex 3, 2(a) (5)	all categories	1st February 2024
3	Mercury in other fluorescent lamps:				
3.1	Non-linear tri-band phosphor lamps with tube diameter > 17 mm (e.g. T9)	15 mg per lamp	Annex 3, 2(b)(3)	all categories	1st February 2024
3.2	From 2nd February 2024, non-linear tri-band phosphor lamps with tube diameter > 17 mm (e.g. T9)	10 mg per lamp	Annex 3, 2(b)(3)	all categories	24th February 2025
3.3	Lamps for other general lighting purposes and special purposes (e.g. induction lamps)	15 mg per lamp	Annex 3, 2(b)(4)- I	all categories	24th February 2025
3.4	Lamps emitting mainly light	15 mg	Annex 3,	all	24th

	in the ultraviolet spectrum	per lamp	2(b)(4)- II	categories	February 2027
3.5	Emergency lamps	15 mg per lamp	Annex 3, 2(b)(4)- III	all categories	24th February 2027
4	Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for special purposes used in EEE placed on the market before 24th February 2022:				
4.1	Short length (≤ 500 mm)	3.5 mg per lamp	Annex 3, 3(a)	all categories	24th February 2025
4.2	Medium length (> 500 mm and ≤ 1500 mm)	5 mg per lamp	Annex 3, 3(b)	all categories	24th February 2025
4.3	Long length (> 1500 mm)	13 mg per lamp	Annex 3, 3(c)	all categories	24th February 2025
5	Mercury in other low pressure discharge lamps:				
5.1	Mercury in low pressure non-phosphor coated discharge lamps, where the application requires the main range of the lamp-spectral output to be in the ultraviolet spectrum	15 mg per lamp	Annex 3, 4(a)- I	all categories	24th February 2027
5.2	Mercury in other low pressure discharge lamps	15 mg per lamp	Annex 3, 4(a)	all categories	1st February 2024
6	Mercury in High Pressure Sodium (vapour) lamps for general lighting:				
6.1	Mercury in High Pressure Sodium (vapour) lamps for general lighting purposes in lamps with improved colour rendering index $R_a > 80$: $P \leq 105$ W	16 mg per burner	Annex 3, 4(b)	all categories	24th February 2027
6.2	Mercury in High Pressure Sodium (vapour) lamps for general lighting purposes in lamps with improved colour rendering index $R_a > 60$: $P \leq 155$ W	30 mg per burner	Annex 3, 4(b)- I	all categories	1st February 2024
6.3	Mercury in High Pressure Sodium (vapour) lamps for general lighting purposes in lamps with improved colour rendering index $R_a > 60$: 155 W $< P \leq 405$ W	40 mg per burner	Annex 3, 4(b)- II	all categories	1st February 2024
6.4	Mercury in High Pressure	40 mg	Annex 3,	all	1st

	Sodium (vapour) lamps for general lighting purposes in lamps with improved colour rendering index Ra > 60: P > 405 W	per burner	4(b)- III	categories	February 2024
7	Mercury in other High Pressure Sodium (vapour) lamps for general lighting purposes:				
7.1	P ≤ 155 W	20 mg per burner	Annex 3, 4(c)- I	all categories	24th February 2027
7.2	155 W < P ≤ 405 W	25 mg per burner	Annex 3, 4(c)-II	all categories	24th February 2027
7.3	P > 405 W	25 mg per burner	Annex 3, 4(c)-III	all categories	24th February 2027
8	Mercury in metal halide lamps		Annex 3, 4(e)	all categories	24th February 2027
9	Mercury in other discharge lamps:				
9.1	Mercury in high pressure mercury vapour lamps used in projectors where an output ≥ 200 lumen ANSI is required		Annex 3, 4(f)- II	all categories	24th February 2027
9.2	Mercury in high pressure sodium lamps used for horticulture lighting		Annex 3, 4(f)- III	all categories	24th February 2027
9.3	Mercury in lamps emitting light in the ultraviolet spectrum		Annex 3, 4(f)- IV	all categories	24th February 2027
9.4	Mercury in other discharge lamps for special purposes not specifically mentioned in another entry in this Table		Annex 3, 4(f)-I	all categories	24th February 2025”.

Rebecca Pow

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

14th June 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule A2 to the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012 (S.I. 2012/3032, “the RoHS Regulations”) as they apply in England and Wales and Scotland.

Regulation 2(2) replaces old entries 1 to 9 of Table 1 in Schedule A2 with new entries 1 to 9.4. The amended entries have the effect of renewing or revoking exemptions from the restriction, in regulation 3(1) of the RoHS Regulations, on placing electrical and electronic equipment that contains certain hazardous substances on the market. The exemptions relate to mercury in various types of lighting. For the purposes of regulation 10(8) of the Hazardous Substances and Packaging

(Legislative Functions and Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1647), the determinations which the Secretary of State has made in respect of the exemptions (all of which are “relevant exemptions” as defined in regulation 10(1)(a) of those Regulations) have substantially the same effect as the decisions made by the European Commission in respect of the corresponding exemptions under EU law.

The exemptions that have been renewed are granted for a period ending with the date specified in column 6 of the table included in regulation 2(2) of these Regulations. The exemptions that have been revoked have an expiry date of 1st February 2024, which is one calendar year from the date on which the Secretary of State’s determination to revoke the exemptions was made public. In some cases, the specific conditions of the exemptions have been amended including the allowable levels of mercury. In some cases, the exemptions have been amended so they now apply to all categories of electrical and electronic equipment.

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