

PRESS RELEASE

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Hazardous substances in electrical and electronic equipment - Council and Parliament reached a deal

On 21 June 2017, the Council and the European Parliament reached a provisional agreement on a proposal for a revised directive concerning the restriction of the use of certain hazardous substances in electrical and electronic equipment. The agreement will have to be confirmed by the EU ambassadors (Coreper).

The new directive revises the scope of the Directive 2011/65/EU (RoHS 2). It includes amendments aimed at establishing equal treatment of products covered by the Directive, proposes to exclude a particular product: pipe organs; and specifically, addresses concerns arising from the "open-scope" product group.

"We have reached a deal with the European Parliament to reduce hazardous substances in electrical and electronic equipment. With this new legislation, we are improving the prevention and management of waste and encouraging the reuse and recycling of those products and materials in the EU. The Maltese presidency is determined to move the EU forward towards a more circular economy."

José Herrera, Minister for Sustainable Development, the Environment and Climate Change

The main purpose of the amended text is to address a number of problems which were identified in the evaluation carried out by the Commission in relation to the scope of the Directive. Specifically, it will ensure the possibility of secondary market operations (e.g. reselling, second-hand market) for electrical and electronic equipment that were newly covered by RoHS 2 and the use of spare parts for such equipment if they are put on the market before 22 July 2019.

Both the Council and the European Parliament are in favour of the approach followed by the Commission not to widen the scope of this revision and leave, as scheduled, the general review of the Directive for 2021. In the agreed text, the Commission is required to carry out this general review of RoHS2 by 22 July 2021.

In relation to applications for the renewal of an exemption warranted under the directive, the Commission will also have to inform applicants on the expected timing of the decision-making process.

Next steps

Once the deal is approved by the Council's Permanent Representatives Committee the new directive has to be formally adopted by the Council and the European Parliament.

The legislative act will enter into force 20 days after its publication in the Official Journal of the European Union.

Background

The Commission submitted a proposal for a new directive amending Directive 2011/65/EU (RoHS 2) on 26 January 2017. The Council adopted its negotiating mandate on 14 June. On the same day, the European Parliament gave its authorisation to start negotiations immediately.

RoHS 1 and 2 have introduced measures to limit the presence of these harmful substances in electrical and electronic equipment. The existing Directive RoHS2 broadened the scope significantly as it now applies to all electrical and electronic equipment (EEE) placed on the EU market.

- [Commission proposal](#)
- [RoHS Directive 2011/65/EC](#)

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