



STATUTORY INSTRUMENTS.

**S.I. No. 703 of 2023**

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EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS  
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)  
(AMENDMENT) (NO. 3) REGULATIONS 2023

EUROPEAN UNION (RESTRICTION OF CERTAIN HAZARDOUS  
SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT)  
(AMENDMENT) (NO. 3) REGULATIONS 2023

I, EAMON RYAN, Minister for the Environment, Climate and Communications, 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) 2023/1437 of 4 May 2023 and (EU) 2023/1526 of the European Parliament and of the Council of 16 May 2023 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 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) (No. 3) Regulations 2023.

*Purpose of Regulations*

2. The purpose for which these Regulations are made is to give effect to the provisions of Commission Delegated Directives (EU) 2023/1437 of the European Parliament and of the Council of 4 May 2023 and (EU) 2023/1526 of the European Parliament and of the Council of 16 May 2023 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 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, 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 (EU) 2015/573 and (EU) 2015/574 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 and Commission Delegated Directives (EU) 2017/1975 of the European Parliament and of the Council of 7 August 2017 and (EU) 2017/1011 of the European Parliament and of the Council of 15 March 2017 and Commission Delegated Directives (EU) 2017/1010 and (EU) 2017/1009 of the European Parliament and of the Council of 13 March 2017 and Directive (EU) 2017/2102 of the European Parliament and of the Council of 15 November 2017 and Commission Delegated Directives (EU) 2018/736, (EU) 2018/737 and (EU) 2018/738 of the European Parliament and of the Council of 27 February 2018 and Commission Delegated Directives (EU) 2018/739, (EU) 2018/740, (EU) 2018/741 and (EU) 2018/742 of the European Parliament and of the Council of 1 March 2018 and Commission Delegated Directive (EU) 2019/178 of the European Parliament and of the Council of 16 November 2018 and Commission Delegated Directives (EU) 2019/169, (EU) 2019/170, (EU) 2019/171, (EU) 2019/172, (EU) 2019/173, (EU) 2019/174, (EU) 2019/175, (EU) 2019/176, (EU) 2019/177 of the European Parliament and of the Council of 16 November 2018 and Commission Delegated Directives (EU) 2019/1845 and (EU) 2019/1846 of the European Parliament and of the Council of 8 August 2019 and Commission Delegated Directive (EU) 2020/364 of the European Parliament and of the Council of 17 December 2019 and Commission Delegated Directives (EU) 2020/360, (EU) 2020/361, (EU) 2020/365 and (EU) 2020/366 of the European Parliament and of the Council of 17 December 2019 and Commission Delegated Directive (EU) 2021/647 of the European Parliament and of the Council of 15 January 2021 and Commission Delegated Directives (EU) 2021/1978, (EU) 2021/1979 and (EU) 2021/1980 of the European Parliament and of the Council of 11 August 2021 and Commission Delegated Directive (EU) 2021/884 of the European Parliament and of the Council of 8 March 2021 and Commission Delegated Directives (EU) 2022/274, (EU) 2022/275, (EU) 2022/276, (EU) 2022/277, (EU) 2022/278, (EU) 2022/279, (EU) 2022/280, (EU) 2022/281, (EU) 2022/282, (EU) 2022/283, (EU) 2022/284 and (EU) 2022/287 of the European Parliament and of the Council of 13 December 2021 and Commission Delegated Directives (EU) 2022/1631 and (EU) 2022/1632 of the European Parliament and of the Council of 12 May 2022 and Commission Delegated Directive (EU) 2023/171 of the European Parliament and of the Council of 28 October 2022 and Commission Delegated Directive (EU) 2023/1437 of the European Parliament and of the Council of 4 May 2023 and Commission Delegated Directive (EU) 2023/1526 of the European Parliament and of the Council of 16 May 2023;”.



GIVEN under my Official Seal,  
8 December, 2023.

EAMON RYAN,  
Minister for the Environment, Climate and  
Communications.

## 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) 2023/1437 of 4 May 2023 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 mercury in melt pressure transducers for capillary rheometers under certain conditions.
- b) Commission Delegated Directive (EU) 2023/1526 of 16 May 2023 amending Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead as a thermal stabilizer in polyvinyl chloride used as base material in sensors used in *in vitro* diagnostic medical devices.

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DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD,  
KILMAINHAM, DUBLIN 8,  
D08 XAO6

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ISBN 978-1-3993-2855-5



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€ 3.00