
Status: Point in time view as at 12/06/2019.

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STATUTORY INSTRUMENTS

2012 No. 3032

ENVIRONMENTAL PROTECTION

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

Made - - - - *4th December 2012*
Laid before Parliament *7th December 2012*
Coming into force *2nd January 2013*

THE RESTRICTION OF THE USE OF CERTAIN HAZARDOUS SUBSTANCES IN ELECTRICAL AND ELECTRONIC EQUIPMENT REGULATIONS 2012

PART 1

1. Citation and commencement
2. Interpretation
3. Restriction on the use of certain hazardous substances in EEE
4. Definition of EEE
5. EEE to which these Regulations apply
6. Exclusion until 22nd July 2019 for EEE outside the scope of the 2008 Regulations
7. Revocation and transitional arrangements
8. Existing legislation
9. Presumption of conformity for EEE

PART 2

Manufacturers and their authorised representatives

10. Prohibitions on placing EEE on the market
11. Design and manufacture of EEE
12. Conformity assessment procedure and drawing up of technical documentation
13. EU declaration of conformity and CE marking
14. (1) The EU declaration of conformity must state that it...
15. Duty to keep technical documentation and EU declaration of conformity
16. EEE to bear CE marking

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17. Compliance procedures for series production
18. Information identifying EEE and manufacturer
19. Register of EEE
20. Non-compliant EEE
21. Co-operation with the authorities
22. Manufacturers' authorised representatives

Importers

23. Prohibition on placing EEE on the market
24. Information identifying importers
25. Monitoring of EEE
26. Non-compliant EEE
27. Retention of documentation and co-operation with the authorities
28. Duty in certain circumstances to comply with manufacturers' duties in place of importers' duties

Distributors

29. Duty to act with due care and prohibition on making EEE available on the market
30. Non-compliant EEE
31. Co-operation with the authorities
32. Duty in certain circumstances to comply with manufacturers' duties in place of distributors' duties

All economic operators

33. Identification of economic operators to the market surveillance authority
34. Protection of CE marking

PART 3

35. Market surveillance authority
36. Market surveillance powers
37. Offences
38. Obstruction, etc.
39. Penalties
40. Remediation orders
41. Recovery of expenses of enforcement
42. Time limit for prosecution of offences
43. Defence of due diligence
44. Liability of persons other than the principal offender
45. Service of documents

PART 4

46. Review
47. Consequential amendments
Signature

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SCHEDULE A1 — Restricted substances referred to in regulation 3 and maximum concentration values tolerated by weight in homogeneous materials

SCHEDULE A2 — Applications exempted from the restriction in regulation 3(1)

1. The tables of exempted applications
2. Interpretation of the tables
3. In Table 1, in the column headed “corresponding EU exemption”,...
4. In Tables 1 and 2, in the column headed “categories...”
5. In Table 1, in the column headed “expiry date or...”
6. For the purposes of entries 1 to 9 in Table...
7. In paragraph 5, “the 2020 Regulations” means the Hazardous Substances...

SCHEDULE 1 —

PART 1 — Categories of EEE to which these Regulations apply

1. Large household appliances.
2. Small household appliances.
3. IT and telecommunications equipment.
4. Consumer equipment.
5. Lighting equipment.
6. Electrical and electronic tools.
7. Toys, leisure and sports equipment.
8. Medical devices.
9. Monitoring and control instruments including industrial monitoring and control instruments....
10. Automatic dispensers.
11. Other EEE not covered by any of the categories above....

PART 2 — EEE to which these Regulations do not apply

12. Equipment which is necessary for the protection of the essential...
13. Equipment designed to be sent into space.
14. Equipment which is specifically designed, and is to be installed,...
15. Large-scale stationary industrial tools being a large-scale assembly of machines,...
16. Large-scale fixed installations being a large-scale combination of several types...
17. Means of transport for persons or goods, excluding electric two-wheel...
18. Non-road mobile machinery made available exclusively for professional use, being...
19. Active implantable medical devices.
20. Photovoltaic panels intended to be used in a system that...
21. Equipment specifically designed solely for the purposes of research and...
- 21A Pipe organs.

PART 3 — Categories of EEE with special rules of application

22. Regulations 3(1), 10, 15, 19, 20, 21, 22, 23, 25,...
23. (1) Regulations 3(1), 10, 15, 19, 20, 21, 22, 23,...
24. Provided that reuse takes place in auditable closed-loop business-to-business return...

PART 4 — Internal Production Control Procedure

25. The internal production control procedure is a conformity assessment procedure...
26. The technical documentation must— (a) make it possible to assess...

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SCHEDULE 1A — Declaration of conformity

1. Declaration of conformity (unique identification of the EEE):
2. Name and address of the manufacturer or, where applicable, authorised...
3. This declaration of conformity is issued under the sole responsibility...
4. Object of the declaration (identification of EEE allowing traceability: it...
5. The object of the declaration described above is in conformity...
6. Where applicable, references to the relevant designated standards used or...
7. Additional information: Signed for and on behalf of: place and...

SCHEDULE 2 — Test purchases, powers of entry etc and warrants

1. Test purchases
2. Power to enter premises
3. Power to inspect, seize and detain EEE etc
4. Warrants

SCHEDULE 3 — Compliance, enforcement and recall notices

1. Compliance notice
2. Enforcement notice
3. Supplementary provisions in relation to compliance and enforcement notices
4. Recall notices
5. Action by the market surveillance authority
6. Compensation provisions relating to compliance, enforcement and recall notices
7. Appeals against compliance, enforcement and recall notices
8. Appropriate court for appeals against notices etc and further appeals
9. Offences and penalties

Explanatory Note

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