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STATUTORY INSTRUMENTS

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**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

Preliminary

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

Prohibitions and Obligations on Economic Operators

*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...

*Status: This is the original version (as it was originally made).*

15. Duty to keep technical documentation and EU declaration of conformity
16. EEE to bear CE marking
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

#### Enforcement

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

#### Miscellaneous

46. Review
47. Consequential amendments
- Signature

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## 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...

### 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. Regulations 3(1), 10, 15, 19, 20, 21, 22, 23, 25,...

## 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

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## Explanatory Note