STATUTORY INSTRUMENTS.

S.I. No. 661 of 2011

EUROPEAN COMMUNITIES (END-OF-LIFE VEHICLES) (AMENDMENT) REGULATIONS 2011

(Prn. A11/2354)

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PART I

PRELIMINARY AND GENERAL

S.I. No. 661 of 2011

EUROPEAN COMMUNITIES (END-OF-LIFE VEHICLES) (AMENDMENT) REGULATIONS 2011

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), consider it necessary, for the purpose of giving effect to the provisions of Commission Directive 2011/37/EU of 30 March 2011 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, hereby make the following Regulations:

Citation.

1. These Regulations may be cited as the European Communities (End-of-Life Vehicles) (Amendment) Regulations 2011.

Purpose of Regulations.

2. The purposes for which these Regulations are made is to give effect to Directive 2011/37/EU of the European Commission of 30 March 2011 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles.

Commencement.

3. These Regulations shall come into operation on the 31st day of December 2011.

Interpretation Generally.

4. (1) In these Regulations, any reference to a Schedule, Part or article which is not otherwise identified, is a reference to a Schedule, Part or article of these Regulations.

(2) In these Regulations, any reference to a sub-article or paragraph which is not otherwise identified is a reference to the sub-article or paragraph of the provision in which the reference occurs.

(3) In these Regulations, save where the context otherwise requires—

"Principal Regulations" means the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) as amended by the Waste Management (End-of-Life Vehicles) (Amendment) Regulations 2010 (S.I. No. 142 of 2010).

Amendments to the Principal Regulations.

5. (1) The Principal Regulations are amended by substituting for Article 28(1) the following:—

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 23*rd December*, 2011.

"28 (1) On and from the date of commencement of these Regulations and in accordance with the provisions of article 4(2)(*a*) of the Directive, each—

(*a*) producer shall ensure that the materials and components of specified vehicles, of that producer's brand or for which that producer has responsibility which that producer places on the market in the State, do not contain lead, mercury, cadmium or hexavalent chromium,

(*b*) component supplier shall ensure that the materials and components sold, supplied or used in the State by that component supplier in respect of specified vehicles do not contain lead, mercury, cadmium or hexavalent chromium,

other than in the cases specified in the Fourth Schedule to these Regulations which has been set out in accordance with Commission Directive 2011/37/EU of 30 March 2011 amending Annex II of Directive 2000/53/EC."

(2) The Principal Regulations are amended by substituting for the Fourth Schedule the following:—

"FOURTH SCHEDULE

MATERIALS AND COMPONENTS EXEMPT FROM ARTICLE 28

Materials and Components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with article 30
Lead as an alloying element		
1(*a*). Steel for machining purposes and batch hot dip galvanised steel components containing up to 0.35 % lead by weight		
1(*b*). Continuously galvanised steel sheet containing up to 0.35 % lead by weight	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	
2(*a*). Aluminium for machining purposes with a lead content up to 2 % by weight	As spare parts for vehicles put on the market before 1 July 2005	
2(*b*). Aluminium with a lead content up to 1.5 % by weight	As spare parts for vehicles put on the market before 1 July 2008	
2(*c*). Aluminium with a lead content up to 0.4 % by weight	2	
3. Copper alloy containing up to 4% lead by weight	2	

Materials and Components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with article 30
4(*a*). Bearing shells and bushes	As spare parts for vehicles put on the market before 1 July 2008	
4(*b*). Bearing shells and bushes in engines, transmissions and air conditioning compressors	1 July 2011 and spare parts for vehicles put on the market before 1 July 2011	
Lead and lead compounds in components		
5. Batteries	2	X
6. Vibration dampers	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X
7(*a*). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings	As spare parts for vehicles put on the market before 1 July 2005	
7(*b*). Vulcanising agents and stabilisers for elastomers in brake hoses, fuel hoses, air ventilation hoses, elastomer/metal parts in the chassis applications, and engine mountings containing up to 0.5 % lead by weight	As spare parts for vehicles put on the market before 1 July 2006	
7(*c*). Bonding agents for elastomers in powertrain applications containing up to 0.5% lead by weight	As spare parts for vehicles put on the market before 1 July 2009	
8(*a*). Lead in solders to attach electrical and electronic components to electronic circuit boards and lead in finishes on terminations of components other than electrolyte aluminium capacitors, on component pins and on electronic circuit boards	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	X
8(*b*). Lead in solders in electrical applications other than soldering on electronic circuit boards or on glass	Vehicles type approved before 1 January 2011 and spare parts for these vehicles	X (1)
8(*c*). Lead in finishes on terminals of electrolyte aluminium capacitors	Vehicles type approved before 1 January 2013 and spare parts for these vehicle	X (1)
8(*d*). Lead used in soldering on glass in mass airflow sensors	Vehicles type approved before 1 January 2015 and spare parts of such vehicles	X (1)
8(*e*). Lead in high melting temperature type solders (i.e. lead-based alloys containing 85% by weight or more lead)	3	X (1)
8(*f*). Lead in compliant pin connector systems	3	X (1)

Materials and Components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with article 30
8(*g*). Lead in solders to complete a viable electrical connection between semiconductor die and carrier within integrated circuit flip chip packages	3	X (1)
8(*h*). Lead in solder to attach heat spreaders to the heat sink in power semiconductor assemblies with a chip size of at least 1 cm 2 of projection area and a nominal current density of at least 1 A/mm 2 of silicon chip area	3	X (1)
8(*i*). Lead in solders in electrical glazing applications on glass except for soldering in laminated glazing	Vehicles type approved before 1 January 2013 and spare parts for these vehicles 4	X(1)
8(*j*). Lead in solders for soldering in laminated glazing	3	X(1)
9. Valve Seats	As spare parts for engine types developed before 1 July 2003	
10(*a*). Electrical and electronic components which contain lead in a glass or ceramic, in a glass or ceramic matrix compound, in a glass-ceramic material, or in a glass-ceramic matrix compound. This exemption does not cover the use of lead in: — glass in bulbs and glaze of spark plugs, — dielectric ceramic materials of components listed under 10(*b*), 10(*c*) and 10(*d*).		X (5) (for components other than piezo in engines)
10(*b*). Lead in PZT based dielectric ceramic materials of capacitors being part of integrated circuits or discrete semiconductors		
10(*c*). Lead in dielectric ceramic materials of capacitors with a rated voltage of less than 125 V AC or 250 V DC	Vehicles type approved before 1 January 2016 and spare parts for these vehicles	
10(*d*). Lead in the dielectric ceramic materials of capacitors compensating the temperature-related deviations of sensors in ultrasonic sonar systems	3	
11. Pyrotechnic initiators	Vehicles type approved before 1 July 2006 and spare parts for these vehicles	
12. Lead-containing thermoelectric materials in automotive electrical	Vehicles type approved before 1 January 2019 and spare parts for these vehicles	X

Materials and Components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with article 30
applications to reduce CO^2 emissions by recuperation of exhaust heat		
Hexavalent chromium		
13(*a*). Corrosion preventive coatings	As spare parts for vehicles put on the market in the State before 1 July 2007	
13(*b*). Corrosion preventive coatings related to bolt and nut assemblies for chassis applications	As spare parts for vehicles put on the market in the State before 1 July 2008	
14. As an anti-corrosion agent of the carbon steel cooling system in absorption refrigerators in motor-caravans up to 0.75 weight % in the cooling solution except where the use of other cooling technologies is practicable (i.e. available on the market for the application in motor caravans) and does not lead to negative environmental, health and/or consumer safety impacts		X
Mercury		
15(*a*). Discharge lamps for headlight application	Vehicles type-approved before 1 July 2012 and spare parts for these vehicle	X
15(*b*). Fluorescent tubes used in instrument panel displays	Vehicles type-approved before 1 July 2012 and spare parts for these vehicles	X
Cadmium		
16. Batteries for electrical vehicles	As spare parts for vehicles put on the market before 31 December 2008	

1. Dismantling if, in correlation with entry 10(*a*), an average threshold of 60grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.
2. This exemption shall be reviewed in 2015.
3. This exemption shall be reviewed in 2014.
4. This exemption shall be reviewed before 1 January 2012.
5. Dismantling if, in correlation with entries 8 (*a*) to 8 (*j*), an average threshold of 60 grams per vehicle is exceeded. For the application of this clause electronic devices not installed by the manufacturer on the production line shall not be taken into account.

Notes

- A maximum concentration value up to 0.1 % by weight and in homogeneous material, for lead, hexavalent chromium and mercury and up to 0.01 % by weight in homogeneous material for cadmium shall be tolerated,

- The re-use of parts of vehicles which were already on the market at the date of expiry of an exemption shall be allowed without limitation since it is not covered by Article 4(2)(*a*) of the Directive,

- Spare parts put on the market after 1 July 2003 which are used for vehicles put on the market before 1 July 2003 shall be exempted from the provisions of Article 4(2)(*a*), of the Directive (*).

*This clause shall not apply to wheel balance weights, carbon brushes for electrical motors and brake linings.

”

L.S.

GIVEN under my Official Seal,
19 December 2011.

PHIL HOGAN,
Minister for the Environment, Community and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Waste Management (End-of-Life Vehicles) Regulations 2006 as amended and are intended to give effect to Commission Directive 2011/37/EU of 30 March 2011 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on End-of-Life Vehicles.

Directive 2000/53/EC prohibits the use of lead, mercury, cadmium or hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003, other than in cases listed in Annex II to that Directive and under the conditions specified therein. Pursuant to Article 4(2)(*b*) of Directive 2000/53/EC, Annex II to that Directive is adapted to scientific and technical progress by the Commission on a regular basis.

BAILE ÁTHA CLIATH
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TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
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