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Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,400, 5 ta' Mejju, 2020
Taqsima B

L.N. 185 of 2020

PRODUCT SAFETY ACT
(CAP. 427)

Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations, 2020

IN EXERCISE of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister for Tourism and Consumer Protection on the advice of the Director General (Technical Regulations), has made the following regulations:-

Title and commencement.

1. (1) The title of these regulations is the Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations, 2020, and these regulations shall be read and construed as one with the Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment Regulations, hereinafter referred to as "the principal regulations". S.L. 427.57.

(2) Regulations 3 and 4 shall apply from 1st May 2020.

Scope and applicability.

2. (1) The scope of these regulations is to implement the following European Union legislation:

(a) Commission Delegated Directive (EU) 2019/1845 of 8 August 2019 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/ EU of the European Parliament and of the Council as regards an exemption for bis(2-ethylhexyl) phthalate (DEHP) in certain rubber components used in engine systems; and

(b) Commission Delegated Directive (EU) 2019/1846 of 8 August 2019 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/ EU of the European Parliament and of the Council as regards an exemption for lead in solders used in certain combustion engines.

(2) These regulations shall apply to equipment falling within the scope of the principal regulations.

Amends Schedule III to the principal regulations.

3. In Schedule III to the principal regulations, immediately

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after item 42 thereof, there shall be added the following new items:

"43	Bis(2-ethylhexyl) phthalate in rubber components in engine systems, designed for use in equipment that is not intended solely for consumer use and provided that no plasticised material comes into contact with human mucous membranes or into prolonged contact with human skin and the concentration value of bis(2-ethylhexyl) phthalate does not exceed: (a) 30% by weight of the rubber for (i) gasket coatings; (ii) solid-rubber gaskets; or (iii) rubber components included in assemblies of at least three components using electrical, mechanical or hydraulic energy to do work, and attached to the engine. (b) 10% by weight of the rubber for rubber-containing components not referred to in point (a). For the purposes of this entry, "prolonged contact with human skin" means continuous contact of more than 10 minutes duration or intermittent contact over a period of 30 minutes, per day	Applies to category 11 and expires on 21 July 2024.
44	Lead in solder of sensors, actuators, and engine control units of combustion engines within the scope of Regulation (EU) 2016/1628 of the European Parliament and of the Council***, installed in equipment used at fixed positions while in operation which is designed for professionals, but also used by non-professional users	Applies to category 11 and expires on 21 July 2024.

(***) Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (OJ L 252, 16.9.2016, p. 53)."

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4. The following items shall be appended to the list in Schedule VIII to the principal regulations:

Amends Schedule VIII to the principal regulations.

- Commission Delegated Directive (EU) 2019/1845 of 8 August 2019 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for bis(2-ethylhexyl) phthalate (DEHP) in certain rubber components used in engine systems.

- Commission Delegated Directive (EU) 2019/1846 of 8 August 2019 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders used in certain combustion engines.

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta riċiklata — ***Printed at the Government Printing Press on recycled paper***

Prezz/*Price*
€0.18