



## Deutsches Kupferinstitut

### Continued validity of RoHS Exemptions applied for renewal:

As explained in the Restriction of Hazardous Substances (RoHS) in Electrical and Electronic Equipment Adaptation to Scientific and Technical Progress dedicated section of the [European Commission's website](#):

- Several requests to renew existing exemptions were submitted to the Commission between November 2019 and January 2020<sup>1</sup>;
- **Existing exemptions for which a renewal request has been submitted remain valid until a decision on the renewal request is taken by the Commission;**
- The Commission decision on renewal request(s) for an exemption will either indicate the new expiry date in case of renewal<sup>2</sup>, or, in case of rejection, grant a transition before the exemption expires<sup>3</sup>;
- **The expected timeframe for the Commission to take a decision on a RoHS exemption application is currently approximately 24 months** from the application date;
- The full list of exemption requests submitted to the Commission between November 2019 and January 2020 can be consulted [here](#). A table providing an overview of Annex III and IV exemptions, including their validity status and submitted exemption requests, is available [here](#).

### Next Steps<sup>4</sup>:

The deadline foreseen by the Directive for submission of applications was fulfilled, therefore, the Commission has started processing requests to renew existing exemptions, the first step being the launch of the technical and scientific assessment of the requests. Should the assessment show that the criteria for renewal of the exemption under the Directive are fulfilled, the Commission will prepare a draft Delegated Directive. This involves the following procedure:

1. Consultation with the Member States and the European Parliament. Meeting minutes of [Member States expert group](#) are publicly available.
2. The [draft delegated directive/decision is then published](#) for public feedback (duration of 4 weeks) and [notified to the WTO Technical Barriers to Trade](#) committee (notification period of 60 days). Status of the draft delegated acts will also be reflected in the [Interinstitutional register of delegated acts](#).
3. Adoption of the Delegated Directive by the Commission. Draft [delegated directives adopted](#) are available before official publication.
4. The 2-months scrutiny period of the European Parliament and the Council of the EU commences (an extension of the scrutiny period on request is possible). After this scrutiny period, in case of no objections from the co-legislators, the Delegated Directive will be published in the [Official Journal](#).



## Deutsches Kupferinstitut

### Notes:

<sup>1</sup> This includes joint global cross-industry requests to renew 20 (twenty) RoHS Annex III Exemptions (#4(f); 6(a)/6(a)-I; 6(b)/6(b)-I/6(b)-II; 6(c); 7(a); 7(c)-I; 7(c)-II; 8(b)/8(b)-I; 13(a)&13(b)/13(b)-(I)/13(b)-(II)/13(b)-(III); 15/15(a) & 34) submitted between November 2019 and January 2020 to the Commission on behalf of the Company/Business organisations/Business associations listed therein participants in the RoHS Umbrella Industry Project (“the Umbrella Project”);

<sup>2</sup> In case the Commission decides that granting a renewal of an exemption (or specific applications thereof) is justified, the Commission decision on renewal request(s) will grant a new maximum validity period taking into account the dates relating to the respective categories as set out in RoHS Article 5(2);

<sup>3</sup> A period of minimum 12 months, maximum 18 months following the Commission’s decision date (RoHS Article 5(6)). This would also apply in case of changes to current exemptions, i.e. a period of minimum 12 months, maximum 18 months following the Commission’s decision date will apply before changes become effective;

<sup>4</sup> For more details on the procedure as well as further updates, please consult:

- The Commission’s website as well as the Interim Exemption Evaluation Methodology, published 23.4.2020; and
- The Commission consultants’ technical assessment(s) dedicated websites:
  - Pack 22 (Exs # 6(a)/6(a)-I, 6(b)/6(b)-I/6(b)-II, 6(c), 7(a), 7(c)-I & 7(c)-II) - consultant: Ramboll/Oeko-Institut – website: Project Description - Pack 22 , Technical Specifications - Pack 22 , Stakeholder consultation and News
  - Pack 23 (Exs # 4(f), 8(b)/8(b)-I, 13(a), 13(b)/13(b)-I/13(b)-II/13(b)-III, 15/15(a) and 9(a)-II) - consultant: Bio Innovation Service, UNITAR and Fraunhofer IZM – website and Project description
  - Pack 24 (Exs 18(b), 18(b)-I, 24, 29, 32 and 34 of Annex III and exemption 34 of Annex IV) - consultant: Ramboll/Oeko-Institut – website: News and Project Description.