

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,377, 3 ta' Frar, 2015*

*Taqsimha B*

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**L.N. 39 of 2015**

**PRODUCT SAFETY ACT  
(CAP. 427)**

**Restriction of Use of Hazardous Substances in Electrical and  
Electronic Equipment (Amendment) Regulations, 2015**

IN exercise of the powers conferred by articles 38 to 40 of the Product Safety Act, Minister for Social Dialogue, Consumer Affairs and Civil Liberties, on the advice of the Malta Competition and Consumer Affairs Authority, has made the following regulations:-

**1.** The title of these regulations is the Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations, 2015, 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".

Citation.

S.L.427.57

**2.** (1) These regulations implement the following European Union legislation:

Implementation.

(a) Commission Delegated Directive 2014/69/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC for industrial monitoring and control instruments;

(b) Commission Delegated Directive 2014/70/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in micro-channel plates (MCPs);

(c) Commission Delegated Directive 2014/71/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solder in one interface of large area stacked die elements;

(d) Commission Delegated Directive 2014/72/EU of 13 March 2014 amending, for the purposes of adapting to

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 and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems;

(e) Commission Delegated Directive 2014/73/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in platinised platinum electrodes used for conductivity measurements;

(f) Commission Delegated Directive 2014/74/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead used in other than C-press compliant pin connector systems for industrial monitoring and control instruments;

(g) Commission Delegated Directive 2014/75/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for mercury in cold cathode fluorescent lamps (CCFLs) for back-lighting liquid crystal displays, not exceeding 5 mg per lamp, used in industrial monitoring and control instruments placed on the market before 22 July 2017; and

(h) Commission Delegated Directive 2014/76/EU of 13 March 2014 amending, for the purposes of adapting to technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for Mercury in hand crafted luminous discharge tubes (HLDTs) used for signs, decorative or architectural and specialist lighting and light-artwork.

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

**3.** Schedule III of the principal regulations shall be amended as follows:

(a) the following item 4(g) shall be added immediately after

Amends  
Schedule III to  
the principal  
regulations.

item 4(f) in the list thereof:

"4(g) Mercury in hand crafted luminous discharge tubes used for signs, decorative or architectural and specialist lighting and light-artwork, where the mercury content shall be limited as follows: (a) 20 mg per electrode pair + 0,3 mg per tube length in cm, but not more than 80 mg, for outdoor applications and indoor applications exposed to temperatures below 20 °C; (b) 15 mg per electrode pair + 0,24 mg per tube length in cm, but not more than 80 mg, for all other indoor applications. Expires on 31 December 2018";

and

(b) the following item 41 shall be added immediately after item 40 in the list thereof:

"41 Lead in solders and termination finishes of electrical and electronic components and finishes of printed circuit boards used in ignition modules and other electrical and electronic engine control systems, which for technical reasons must be mounted directly on or in the crankcase or cylinder of hand-held combustion engines (classes SH:1, SH:2, SH:3 of Directive 97/68/EC of the European Parliament and of the Council (\*)) Expires on 31 December 2018

(\*): Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ L 59, 27.2.1998, p. 1)."

4. The following items shall be added to the list in Schedule IV of the principal regulations:

Amends  
Schedule IV to  
the principal  
regulations.

"35. Mercury in cold cathode fluorescent lamps for back-lighting liquid crystal displays, not exceeding 5 mg per lamp, used in industrial monitoring and control instruments placed on the market before 22 July 2017.

Expires on 21 July 2024.

36. Lead used in other than C-press compliant pin connector systems for industrial monitoring and control instruments. Expires on 31 December 2020. May be used after that date in spare parts for industrial monitoring and control instruments placed on the market before 1 January 2021.

37. Lead in platinized platinum electrodes used for conductivity measurements where at least one of the following conditions applies:

(a) wide-range measurements with a conductivity range covering more than 1 order of magnitude (e.g. range between 0,1 mS/m and 5 mS/m) in laboratory applications

for unknown concentrations;

(b) measurements of solutions where an accuracy of  $\pm 1\%$  of the sample range and where high corrosion resistance of the electrode are required for any of the following:

(i) solutions with an acidity  $< \text{pH } 1$ ;

(ii) solutions with an alkalinity  $> \text{pH } 13$ ;

(iii) corrosive solutions containing halogen gas;

(c) measurements of conductivities above  $100 \text{ mS/m}$  that must be performed with portable instruments.

Expires on 31 December 2018.

38. Lead in solder in one interface of large area stacked die elements with more than 500 interconnects per interface which are used in X-ray detectors of computed tomography and X-ray systems. Expires on 31 December 2019. May be used after that date in spare parts for CT and X-ray systems placed on the market before 1 January 2020.

39. Lead in micro-channel plates (MCPs) used in equipment where at least one of the following properties is present:

(a) a compact size of the detector for electrons or ions, where the space for the detector is limited to a maximum of  $3 \text{ mm/MCP}$  (detector thickness + space for installation of the MCP), a maximum of  $6 \text{ mm}$  in total, and an alternative design yielding more space for the detector is scientifically and technically impracticable;

(b) a two-dimensional spatial resolution for detecting electrons or ions, where at least one of the following applies:

(i) a response time shorter than  $25 \text{ ns}$ ;

(ii) a sample detection area larger than  $149 \text{ mm}^2$ ;

(iii) a multiplication factor larger than  $1,3 \times 10^3$ ;

(c) a response time shorter than 5 ns for detecting electrons or ions;

(d) a sample detection area larger than 314 mm<sup>2</sup> for detecting electrons or ions;

(e) a multiplication factor larger than  $4,0 \times 10^7$ .

The exemption expires on the following dates:

(a) 21 July 2021 for medical devices and monitoring and control instruments;

(b) 21 July 2023 for in-vitro diagnostic medical devices;

(c) 21 July 2024 for industrial monitoring and control instruments.

40. Lead in dielectric ceramic in capacitors for a rated voltage of less than 125 V AC or 250 V DC for industrial monitoring and control instruments. Expires on 31 December 2020. May be used after that date in spare parts for industrial monitoring and control instruments placed on the market before 1 January 2021."

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