



All I want for Christmas... is an updated RoHS Directive?

20 December 2010

As is now my own tradition with the final issue of EMTWorldWide for the year, it was my intention to sign off with the 'Happy Christmas' message and thank you for reading throughout 2010.

However, I was contacted by Nigel Burt of Electronics Manufacturing Consultancy Enjoybee Associates (www.nigelburt.co.uk), who has written the following update of 'progress' with the EU's ROHS Directive.

Nigel writes:

Back in December 2008 the European Commission proposed amendments to the RoHS Directive that came into force in July 2006. The process to move that to a new version of the law is known as a "recast" and requires a "co-decision" between the Commission, the Council and the Parliament. Agreement on the changes was encountering many obstacles and delays, but Belgium took over the rotating EU Council presidency from Spain on 1 July 2010 and instigated a series of "technical triologue" meetings to bring the negotiations towards a consensus. This course of action did bear fruit.



The European Parliament sat in plenary session on Monday 22nd November 2010 to debate the proposed amended text for the RoHS Directive. The compromise text for RoHS was approved almost without dissent in a follow-up Parliamentary session vote two days later, with 640 votes in favour, 12 abstentions and just 3 votes recorded in opposition. This important decision was announced with immediate press releases from both the Commission and the Parliament and the adopted text at the vote can be found [here](#).

The process of changing the law isn't quite complete just yet, however. The new text must be formally adopted at the next meeting of the Council of Ministers and then needs to be published in the EU's "Official Journal". The new version is only deemed to replace the current version 20 days after publication in the "OJ." EU Member States will have 18 months to transpose the new version of the law into their own national legislature.

Whilst no new restricted substances were added to the list of six, the new law has moved to an "open scope" premise. This means not only that all ten broad categories of products are now covered by the law but a new "catch all" eleventh category has been introduced to include any other items of electrical and electronic equipment. However, there is some good news in that products now in scope that were previously considered to be outside the scope of RoHS will be allowed a transition period of eight years. So any manufacturers new to dealing with RoHS will have until around 2019 to adapt and even so the EU is mandated to review those changes in scope with impact assessments within the next three years.

The creation of an "open scope" for RoHS breaks the close link with the WEEE Directive (from which RoHS originally drew its definitions of affected product types).

There remains some disagreement on how the recast of this law should proceed and although it was also debated in the same plenary session on 22nd November it now cannot enter force concurrently with the new version of RoHS. The recast WEEE Directive text is currently scheduled to be debated again on 2nd February 2011.

That is the end of Nigel's contribution, for which I thank him. So now, having brought you some unexpected bonus content, it only remains for me to wish all of our readers a happy Christmas, a relaxing break if you have one, and let's hope the tentative progress made by the electronics industry in most areas in 2010 continues into 2011.

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- [Tim Fryer](#)

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