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EXECUTIVE SUMMARY OF THE IMPACT ASSESSMENT

Accompanying the document

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment.

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Executive Summary Sheet
Impact assessment on Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment.
A. Need for action
Why? What is the problem being addressed?
This report provides an assessment on how best to address four problems identified in the scope of Directive 2011/65/EU (RoHS 2): 1) the hard stop of secondary market operations for electrical and electronic equipment (EEE) covered by RoHS 2 and not by RoHS 1 (Directive 2002/95/EC); 2) effects of RoHS 2 on spare parts for certain EEE, not in scope of RoHS 1; 3) RoHS 2 resulting in stopping the placement on the market of pipe organs; 4) RoHS 2 resulting in market distortion for cord-connected non-road mobile machinery (NRMM).
What is this initiative expected to achieve?
Positive effects for industry, consumers and health are expected: after 22/07/2019 secondary market and repair operations continue for all new in scope EEE, pipe organs and cord-connected NRMM continue to be placed on the EU market without distortions.
What is the value added of action at the EU level?
Only an EU-wide solution can solve the problems, which have a direct impact on the EU internal market.

B. Solutions
What legislative and non-legislative policy options have been considered? Is there a preferred choice or not? Why?
In addition to the baseline scenario of leaving RoHS 2 untouched, the following options have been considered, relating to : 1) restoring secondary market operations: Option 2 – only for medical devices and monitoring and control instruments; Option 3 (preferred) – for all new in scope EEE. 2) spare parts: Option 2 (preferred) – spare parts provision to allow repair of pre-RoHS 2 EEE. 3) pipe organs: Option 2 (preferred) – scope exclusion; Option 3 – interpretation guidance; Option 4 – temporary RoHS 2 exemptions. 4) cord-connected NRMM: Option 2 (preferred) – exclude also cord-connected NRMM
Who supports which option?
Stakeholders (industry associations and Member States) favoured the preferred options for the four problems.
C. Impacts of the preferred option
What are the benefits of the preferred option?
The secondary market and spare parts provisions will have economic (additional market opportunities), social (increased availability of e.g. medical devices for EU hospitals, saving more than 170 million €, prolonged lifetime of EEE), and environmental benefits (waste prevention). Excluding pipe organs and cord-connected NRMM from RoHS will avoid jobs losses and unjustified additional costs. The preferred options will reduce administrative burden.

What are the costs of the preferred option?
Restoring the secondary market and the spare part provision will have no or negligible negative economic, social and environment impacts. Excluding pipe organs and cord-connected NRMM from RoHS is expected to have no or negligible negative economic, social, or environmental and health impacts.
How will businesses, SMEs and micro-enterprises be affected?
Market operators in concerned sectors, including SMEs, will be positively affected.
Will there be significant impacts on national budgets and administrations?
Member States will only need to transpose the legal text. Market surveillance is expected to be simplified by the initiative.

Will there be other significant impacts?
No.
D. Follow up
When will the policy be reviewed?
The Commission will carry out a general review of RoHS 2 by 22/07/2021.