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Q&A Guide

RoHS Exemption Roadmap: Navigating Exemption Renewals and Their Timelines

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About the Author

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Maciek Hulme is a Chartered Materials Engineer specialising in regulatory compliance and technical consultancy for industries worldwide. With extensive experience in regulations such as RoHS, REACH, the EU Battery Regulation, Prop 65, and ESG-related legislation, he helps businesses navigate complex compliance challenges with confidence.

At RINA, Maciek provides expert guidance on regulatory strategy, product compliance, and environmental due diligence, helping companies stay ahead of evolving requirements.

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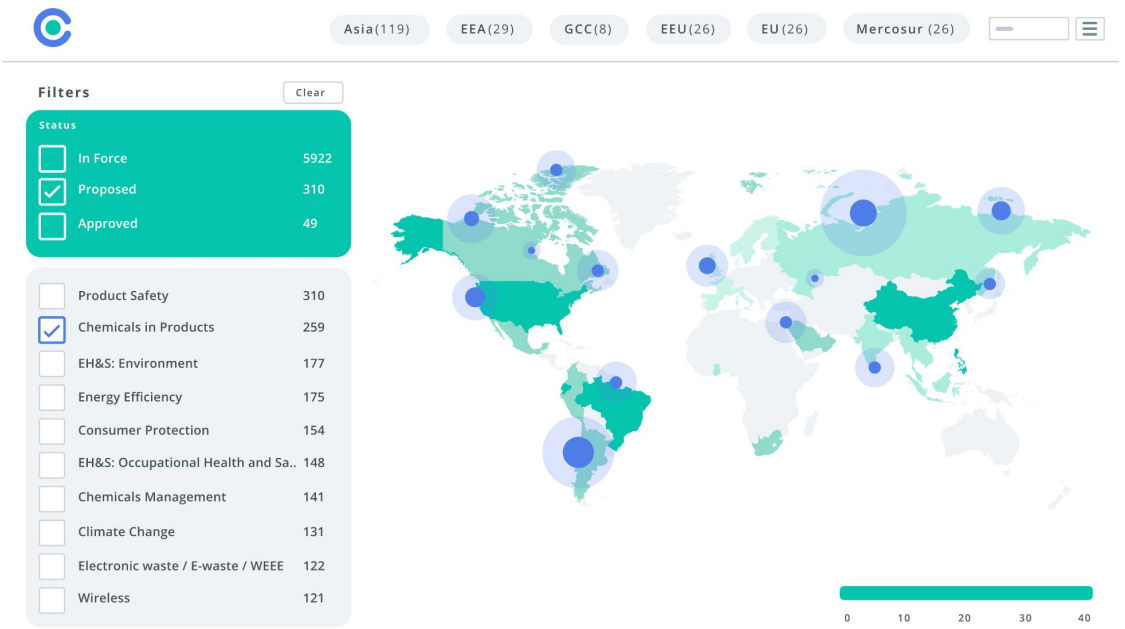

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Introduction

The Restriction of Hazardous Substances (RoHS) Directive has significantly impacted the electronics industry by **restricting the use of certain hazardous substances** in electrical and electronic equipment (EEE).

While the directive aims to reduce the risks associated with these substances, it also provides exemptions for specific applications where substitution is technically or scientifically impractical. Navigating the complexities of these exemptions, particularly the renewal process and evolving timelines, presents a substantial challenge for manufacturers.

Based on our webinar **RoHS Exemption Roadmap: Navigating Exemption Renewals and Their Timelines** held in March 2025, this guide provides a comprehensive overview of the RoHS exemption landscape, analyzing recent developments, challenges, and future trends to help businesses maintain compliance and adapt to regulatory changes.

This webinar & guide provides insights and guidance on:

- Introduction to RoHS: scope, exemptions, and the spare parts concept
- Focus on the importance of exemptions and renewals
- **RoHS Renewal Timeline & Process**
  - Overview of the renewal timeline basics
  - Explanation of the review process and introduction to consultant packs
  - Discussion on the EU rolling action plan document
- **Deep Dive into Pack 22 Exemptions**
  - Detailed review of recent submitted EU drafts
  - Examination of exemptions 6a, 6b, 6c, 7a, and 7c:
    - Consequences of the new draft wording, including splits
    - New expiry dates and updated timelines
- **Future Outlook**
  - Overview of the next pack to be tackled and forecast timelines for subsequent packs
  - Discussion on what these changes mean for future exemption timelines
- **Transition to ECHA**
  - Overview of the planned transfer of exemption renewals review to ECHA from 2026
  - Potential impacts on review processes and timing

Webinar Q&A

During the live webinar, numerous questions were sent in by our live audience. Our webinar presenter, **Maciek Hulme**, has provided expert answers to the most popular queries below.

Q1. Is the (exemption 6 series) comment period finished?

Yes, the public consultation closed towards the end of last month, so that that has now closed.

Q2. Is there a possibility for a new derogation to extend the exemption for 6a or 6b beyond December 2026?

There is a possibility, but the best approach would be to anticipate that that date will not change. It's worth bearing in mind, that 6A and 6B specifically have been set to expire, but I suspect that the questioner means, 6A 1 and 2, and 6B 1, 2, and 3. These expiration dates of December 26 are relatively soon. The way in which those dates will be pushed back, the most likely approach will be through the renewal application process. So, the best way to make sure that these exemptions are continue to be available is to make sure that applications are submitted, and then they will benefit from continued validity and decision until a decision is made.

The possibility of a derogation based on feedback from the public consultations isn't high, and there is no precedent for that. So, though there is a possibility, I certainly wouldn't count on it.

Q3. If, as an example, exemption 6c is not renewed after December 2026, will it cease to apply immediately or a transition period will be granted?

There's two scenarios for this. If nobody from industry submits a renewal application by the end of June of this year, then the exemption will cease immediately. However, there is no chance that that will happen. Industry and numerous sources from industry are likely to submit renewal applications for 6C, because it's so ubiquitously used. If an application and when an application is submitted before the end of June this year, then even if that application was deemed to not meet the criteria, which would allow for the commission to renew succeed beyond 20 December 2026, they would give a minimum of 12 months transition period to allow industry to move away from using that exemption and a maximum of 18 months, so there would be a transition past that, yes.

Q4. Will the UK honor the updated EU exemption decisions?

It is likely that for any exemptions submitted during the transition phase where the UK was exiting the EU—which effectively covers the exemptions in Packs 21, 22, 23, and 24—the UK will make decisions similar to those of the EU Commission. However, for the Pack 22 exemptions with short expiry dates, such as 6aI/II, 6bII/III, and 6c, the UK will likely need to assign later expiry dates to ensure a minimum 18-month gap between the decision and the expiry. This gap is required to allow industry sufficient time to re-apply for a renewal.

For non-transitional applications—such as UK exemptions 9, 53, 54, and 69, which are currently open for public consultation—there is less clarity and a greater likelihood of divergence from the EU position.

Q5. How is it with lead in Cu alloys (6c)? When can it be valid?

Exemption 6c under EU RoHS has been recommended for renewal, with a new expiry date of 31/12/2026. This sets the renewal application deadline at 30/06/2025.

When industry submits this renewal application—as it almost certainly will—the exemption will remain valid until a decision on that application is made and implemented.

It is worth noting that, for Exemption 6c (as with the other 6-series exemptions), the draft wording introduces additional restrictions on the allowable lead release rate for accessible parts that may be placed in children's mouths.

Q6. Could you provide your view regarding the additions of the footnote to the draft delegated acts, which remove derogations for EEE given in REACH Annex XVII, Entry 63? Specifically, what does '*normal or foreseeable conditions of use*' mean in this context? What do you think will be the impact of this, on the EEE sector?

This addition is likely to have a significant impact on certain EEE sectors, as manufacturers may need to carry out testing on some of their products to confirm that the release rate of lead does not exceed the specified limits. Numerous responses to the public consultation raised this concern, as well as the lack of available testing methods to measure the release rate accurately.

The term normal or foreseeable use is open to some interpretation. However, any parts that are accessible without the use of tools or excessive force are likely to be considered accessible. For example, this could include parts on the exterior of a component, such as the pins of a plug, or internal parts that can be accessed by removing a casing without the use of a screwdriver or similar tool.

Q7. The Delegated Directives were expected to be published in March, any news from your side regarding this publication?

We haven't received any updates on this date, which has now, of course, passed. The delay may be due to the volume of submissions received during the public consultation period.

If this delay reduces the gap between publication and the earliest expiry dates to less than 18 months, those expiry dates may need to be pushed back to maintain the required minimum transition period.

Q8. What is the likelihood of exemptions like 7a being extended since many manufacturers have not found a reliable substitute for the lead bearing lead.

The EU Commission does not want to renew Exemption 7a in its current wording due to its broad scope. Instead, it has proposed seven sub-exemptions to replace it.

If industry can submit a detailed and compelling argument—supported by examples of applications not covered by the proposed sub-exemptions—then Exemption 7a might still be renewed in its current form. However, it currently seems more likely that the Commission would prefer to add further sub-exemptions with specific parameters, in order to reduce the overall scope.

Q9. What about the proposed ex. 6b-IV (Pack 22)? It's not mentioned in the DRAFT DA.

Though Pack 22 proposed this sub-exemption which would allow gas valves in category 1 large household appliances to cintue to use lead in aluminium for machining, and Pack 27 also proposed this use to be permitted via wording in 6bII, the draft did not mention this use at all.

As a result, category 1 EEE will only be able to use 6bII, lead in aluminium for machining purposes, for 18 months after implementation.

At least one of submission made during the public consultation process raised this omission, so this may be considered prior to the implementation of the drafts.

Q10. When can we expect Annex IV, Exemption 13 ("*lead in counterweights*") to be enforced?

This exemption is included in Pack 21, and there is currently no publicly announced timeline for when recommendations from this pack will be published as drafts.

As Pack 24 is the next to be addressed—planned for Q3 of this year—the earliest that draft recommendations for exemptions in Pack 21 are likely to be published is in the first half of 2026.

Q11. Can you rephrase: within an EEE, using leaded brass in inaccessible areas, will this be exempted or not?

The additional wording, borrowed from the REACH restriction for lead, applies only to accessible parts that are mouthable by children. For parts that are inaccessible, the lead release rate clause does not apply; however, the respective lead content limits set by each exemption will still remain in effect.

Trends in Consumer Electronics

What trends are we seeing in product regulations? The graph below from **C2P** shows year on year growth in consumer electronics regulations globally.

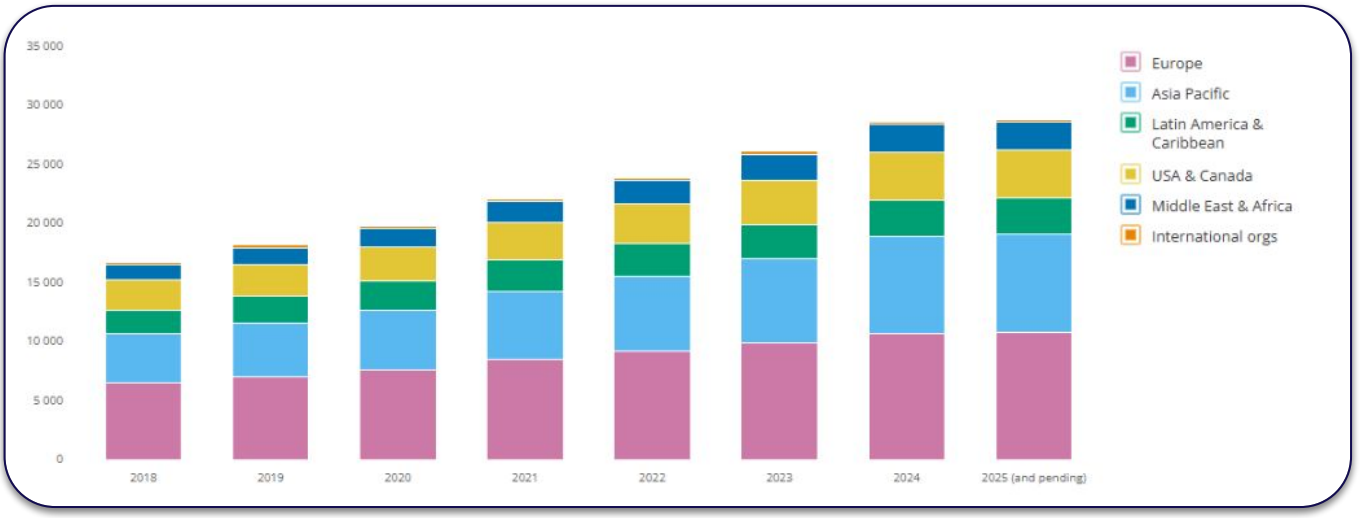
The world of consumer electronics is changing, reflected by consumer and legislative demands for more sustainable practices and products. More importance is being placed on climate neutral, resource-efficient economies, resulting in increased regulations everywhere.
The added complexity of connected devices, challenging traditional concepts of product safety, is resulting in even greater regulation of extended producer responsibility, circular economy and sustainability.

The figure on the below shows a **72% increase in regulations for consumer electronics manufacturers since 2018**, with 28,851 regulations in place by 2025 (and pending.)

Never before has the need to protect our environment been more prominent. Regulators are fast responding, enacting measures focused on minimising the environmental impacts of products.

The net result is even more regulation to contend with.

As noted by the EU Commission *"Products use up massive amounts of materials, energy and other resources and cause significant environmental impacts throughout their lifecycle, from the extraction of raw materials, to manufacture, transport, use and end of life. Half of global greenhouse gases and 90% of biodiversity loss are caused by extracting and processing primary raw materials."*



Global Regulatory Trends in Consumer Electronics. **Source: C2P by Compliance & Risks**

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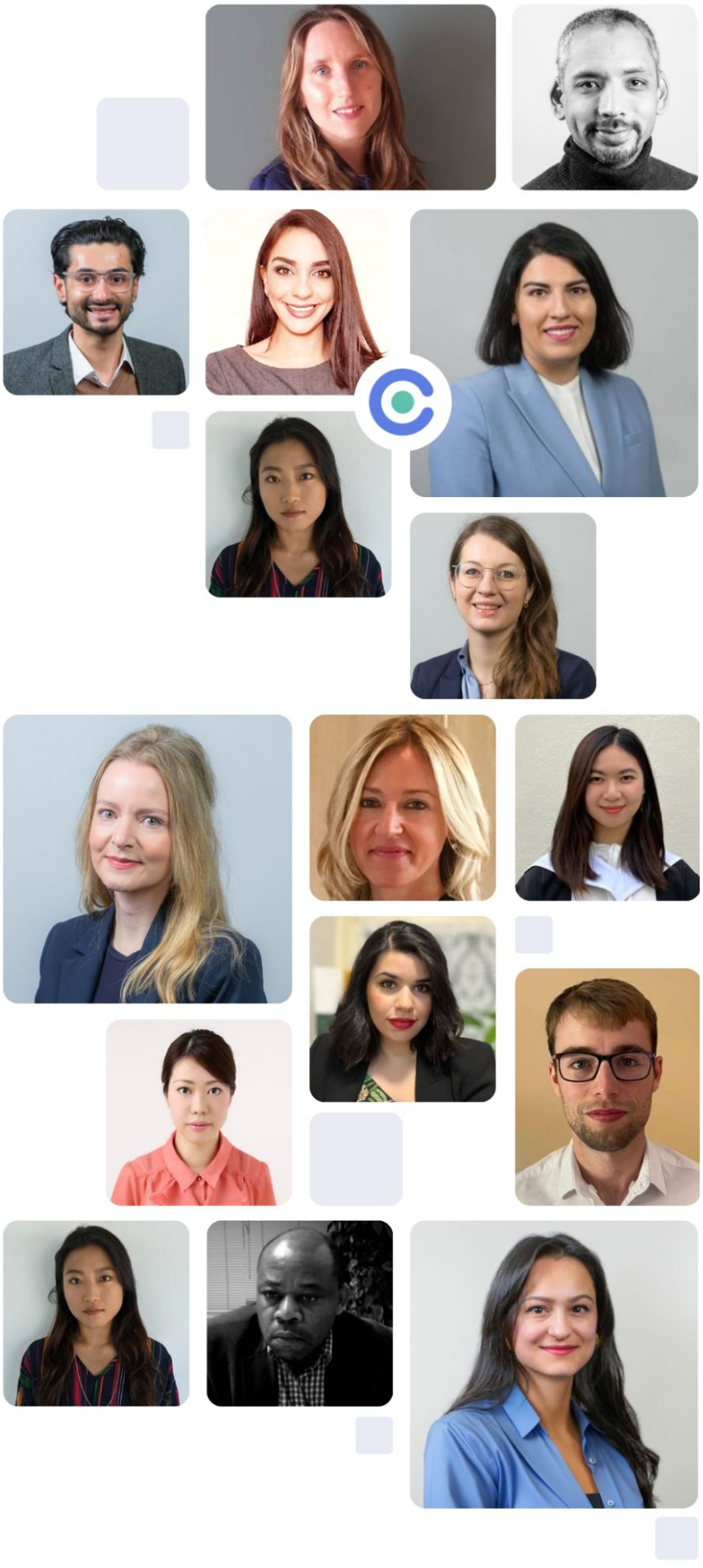

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