

Harmonisation of the format for registration and reporting of producers of electrical and electronic equipment to the national registers and on the frequency of reporting

Final
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I. Introduction

Article 16 of Directive 2012/19/EU on WEEE says that member states shall draw up a register of producers, including producers supplying electrical and electronic equipment by means of distance communication, and that that register shall serve to monitor compliance with the requirements of the Directive.

Member states must ensure that each producer, or each authorised representative where appointed under Article 17, is registered and has the possibility of entering online in their national register all relevant information reflecting that producer's activities in that member state. Upon registering, each producer provides the information set out in Annex X. National registers should provide links to other national registers on their website to facilitate, in all member states, registration of producers or authorised representatives.

The European Commission is mandated to adopt implementing acts establishing the format for registration and reporting and the frequency of reporting in order to ensure uniform conditions for the implementation of this Article. In all likelihood, an *Implementing Regulation* will apply to all member states on the day it enters into force and will not require member states to transpose it, and therefore there will, in principle, be no differentiation among member states on the basis of national measures.

II. General comments

In the past decade or so, the member states have transposed Directive 2002/96/EC into national law and implemented the requirements related to registration and reporting. Due to the fact that the original legislation was a Directive, member states had the liberty to tailor-make the requirements to their specific national market situation. They were not under an obligation to implement the data formats in a uniform manner, and so the end result is that reporting and registration requirements differ across Europe.

In many member states, producers set up compliance schemes that report data to the member states. Producers and producer compliance schemes as well as the authorities spent huge budgets on IT databases and platforms to allow for compliant reporting and registration. Any adjustment of reporting and registration requirements would come at a big financial expense for both authorities and producers.

In addition, any requirement to create mandatory sub-categories would create an unnecessary administrative burden for producers. Our understanding is that the sub-categories as listed in Annexes II, III and IV are not meant to have implications for reporting.

Article 2 (1) says that from 15 August 2018, subject to certain types of electrical and electronic equipment for which the Directive does not apply, the Directive shall apply to all equipment and that all equipment must be classified within the categories set out in Annex III, thereby reducing the number of categories from ten to six. In that light, it bestows compliance schemes to evaluate categorisation in terms of compliance with the requirements of the national register and to meet commercial expectations.

Considering the above, the WEEE Forum is of the view that no new requirements or requirements going beyond Annex X with respect to reporting and registration

should be laid down with effect prior to 15 August 2018. The implementing act should reduce the administrative burden for those that report to an absolute minimum. In view of the changes to be laid down in 2018, requirements should be evaluated and some of those that go beyond Annex X may be dropped.

III. Specific comments

Reporting and registration requirements differ among member states. For example, some member states require monthly declarations, whilst others quarterly or annual declarations. Reporting of producers to compliance schemes is typically monthly or quarterly.

Also categorisation differs from member state to member state, depending on a number of specific national needs.

Given the variance in reporting and registration requirements, the WEEE Forum is currently not in a position to propose a common frequency or harmonised set of rules with respect to the points highlighted in the report that should be applicable now.

However, one general issue of concern is the lack of timely availability of national data on platforms such as Eurostat.

The WEEE Forum believes that the European Commission should take appropriate measures to ensure that data in Eurostat are made available in a more timely and harmonised fashion.

About the WEEE Forum

The WEEE Forum (www.weee-forum.org) is a European not-for-profit association speaking for 32 electrical and electronic equipment waste (WEEE) producer compliance schemes – alternatively referred to as 'producer responsibility organisations' (PRO). It was set up in 2002. The 32 PROs are based in Austria, Belgium, Czech Republic, Denmark, Estonia, Italy, Germany, Greece, France, Ireland, Lithuania, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. It is the biggest organisation of its kind in the world. In 2014, its member organisations reported collection and proper de-pollution and recycling of more than 1.7 million tonnes of WEEE. Members in 2015: Amb3E, Appliances Recycling, Asekol, EĀF, Eco-asimelec, Ecodom, Ecolec, Ecoped, Eco-systèmes, Ecotic, Eco Tic, EES-Ringlus, EGIO, ElektroEko, Elektrowin, El-Kretsen, elretur, el retur, Environ, Fotokiklosi, RAecycle, Recupel, ReMedia, Repic, Retela, RoRec, SENS, SWICO, UFH, Wecycle, WEEE Ireland and Zeos.

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