

The WEEE Regulations – are you obligated?

If you import, re-brand or manufacture electrical or electronic equipment (EEE) in the UK you are likely to have responsibilities under the Waste Electrical and Electronic Equipment (WEEE) Regulations - **unless** one of the below exemptions or exclusions apply to all of your products.

Do Any Exemptions or Exclusions Apply?

Exemptions

- National security/military purposes
- **Specifically designed** and installed as part of another type of equipment that is excluded from the directive or falls out of scope (components/spare parts)
- Filament bulbs

Exclusions

- Equipment designed to be sent into space
- Large-scale stationary tools
- Large-scale fixed installations
- Any EEE constituting a means of transport for persons or goods
- Non-road mobile machinery (professional use)
- B2B equipment specifically designed solely for the purposes of research and development
- Medical devices and in vitro diagnostic devices, where such devices are expected to be infective prior to end of life, and active implantable medical devices

What you need to do if you are obligated

1. Register with the authorities

If your company places over 5 tonnes of EEE onto the UK market you are required to register as a Producer through an approved Producer Compliance Scheme (PCS), such as B2B Compliance.

Alternatively, if you placed less than 5 tonnes of EEE onto the UK market, you can register directly with the Environment Agency. However, a lot of small producers do choose to register through us still, not just for the ease of managing the registration and administration, but the training, support and reassurance that we can provide you with.

2. Report EEE data

Producers must declare the total weight of new products they are responsible for placing onto the UK market in a given period. B2C products are reported each quarter, whereas B2B products are reported annually each January. Products must be scoped correctly to ensure that the reporting is as accurate as reasonably possible.

3. Finance the recycling of WEEE

Producers of EEE are obligated under the regulations to finance the treatment and recovery of the types of products that you place onto the UK market.

The recycling of B2B WEEE is operated on a 'pay-as-you-go' basis, whereby a Producer must ensure a waste take-back system is in place for their customers to return their products when it comes to the end of its life. The Producer must then finance the treatment of this WEEE.

The recycling of B2C WEEE is operated by ensuring Producers are financing enough treatment of WEEE to meet government targets, which are set annually. Evidence is required to prove that sufficient recycling is taking place, in a given category depending on the nature of the EEE the Producer places onto the market.

The amount of WEEE recycling that required is proportionate to the market share of a Producer, and is calculated quarterly, as follows:

$$\frac{\text{Total POM by Producer}}{\text{Total POM in UK}} \times \text{Government target \%} = \text{Obligated tonnage}$$

Small B2C Producers are not obligated to contribute to the national recycling targets. As your scheme, B2B Compliance will take on your obligation and ensure that enough recycling is occurring to hit targets, in addition to procuring the evidence and providing to the Environment Agency.

How B2B Compliance can help

B2B Compliance provides a comprehensive WEEE compliance service to obligated producers, including help with product scoping and data reporting through to registration with the Environment Agency and free training events.

If you think you are obligated under the regulations or want to discuss them in further detail, please give us a call on 0333 300 1433 or email us on membership@b2bcompliance.org.uk.

You can also find out more by visiting our website b2bcompliance.org.uk.

About B2B Compliance

B2B Compliance is a not-for-profit, industry-led compliance scheme. We were borne out of the GAMBICA trade association in 2004, out of the need to protect the interests of B2B Producers in a heavily B2C regulatory landscape.

To this day, we continue to work on behalf of our members, to enable WEEE policy to best serve the B2B electrical industry. To do this, we build strong relationships with our members so that we know your products, business needs, and your concerns with the future of the legislation. B2B Compliance also offer consultancy support services to any business seeking additional support with their data returns and compliance needs across the WEEE regulations.