

Transposition of WEEE & RoHS Directives into  
national law of EU Member States\* and  
corresponding industry activities

– Summary of Perchards' Quarterly End-of-Life Policy Updates –

7 April 2005

\* and Norway & Switzerland

Changes to last update shown in blue

Country	Transposition	Details
Austria	Q2-05 (est.)	<p>The WEEE and RoHS Directives are being transposed into Austrian law through:</p> <ul style="list-style-type: none"> <li>• A new <i>Electro Ordinance (EAG-Verordnung)</i>. A draft was published on 19 November 2004 for consultation. The consultation phase ended 11 January 2005. <a href="#">The draft was rejected by industry (see FEEI below) and a new version released on 10 March. It was planned to enter into force on 1 April</a> . The Electro Ordinance will supersede the Lamp Ordinance and the Cooling Equipment Ordinance.</li> <li>• The new <i>Ordinance on Waste Treatment Obligation</i>, published on 3 December 2004.</li> <li>• An Amendment of the <i>Waste Management Law (AWG)</i>. It was approved by <a href="#">the Bundesrat on 20 December 2004 and entered into force on 1 January 2005</a>.</li> </ul> <p><b>Key provisions</b></p> <ul style="list-style-type: none"> <li>• <i>Deadlines for Manufacturers:</i> <ul style="list-style-type: none"> <li>→ <a href="#">Registration at Umweltbundesamt website: Before 31 May 2005;</a></li> <li>→ <a href="#">Data reporting (units per type &amp; collection category placed on market): Quarterly, from Q3-05 at the latest 31 October 2005;</a></li> <li>→ <a href="#">Collective systems: Proof before 31 July 2005 share of min 5% in one collection category by mass, OR min 20% of several categories.</a></li> </ul> </li> <li>• <i>Collection of WEEE from households:</i> Collection through communal collection points. <a href="#">Producers to pay a flat rate to communes that includes financing for containers, building changes required by the treatment ordinance and information to consumers.</a> Five collection categories (large appliances, cooling equipment, CRTs, small appliances, gas discharge lamps). 1:1 take back at retailers. Producers to set up at least one take back centre per district for free-of-charge take back from <a href="#">retailers only</a>. Producers may 'opt out' of municipal collection by establishing separate collection systems.</li> <li>• <i>Clearing house:</i> Environment Ministry responsible, but may transfer tasks to a qualified legal entity. Communes prefer the Environmental Agency as clearing house; industry prefers to set up an independent organisation. The manufacturers' register is operated by the Umweltbundesamt.</li> <li>• <i>Historical Waste:</i> Producer's share determined by clearing house on weight basis. Producers must participate in system. Visible fee allowed.</li> <li>• <i>'New' waste:</i> Producer's share determined by Clearing House, unless producer/system has contracts for separate collection with all municipal collection centres. Visible fee not allowed.</li> <li>• <i>Guarantee:</i> Participation in system or blocked bank account.</li> <li>• <i>Non-household WEEE:</i> Mandatory 1:1 take back of historic WEEE. New' WEEE: Individual agreements.</li> <li>• <i>Collection and treatment systems:</i> A compliance system shall 1) take back all products of one or more of the 5 categories; 2) shall operate at least 1 take back centre per district and 3) shall represent at least 5% EEE by weight of the category covered.</li> <li>• <i>Marking:</i> No producer identification for imported products using a collective system.</li> </ul> <p><b>Industry response:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">FEEI: On 17 January 2005, FEEI said that the Draft of 19 November 2004 was entirely unacceptable to its members who would lose their</a></li> </ul>

Country	Transposition	Details
		<p>competitiveness since none of the following had been provided for the German ElektroG: Strict timetable during the transition phase, the responsibility to finance municipal collection costs, a double responsibility for collection (municipal plus industry's own collection points) and 1:1 take back at retailers. FEEI further requested an industry run Clearing house and the implementation of an 'Agentmodel' which has one national agent of an imported EEE brand register, releasing the many importers of that obligation.</p> <ul style="list-style-type: none"> <li>• <i>UFH</i> – Umwelt Forum Haushalt had announced plans to set up a holding company with 5 subsidiaries (one for each EEE collection category) to act as collective systems.</li> </ul>
<b>Belgium</b>	<p>Oct-04</p> <p>Oct-04</p> <p>Jul-04</p>	<p>The RoHS directive was implemented nationwide through a Royal Decree published 12 October 2004.. Producer responsibility and waste treatment regulations are the responsibility of the 3 regions. They are adapting existing legislation and voluntary agreements with producer organisations to transpose the WEEE directive:</p> <ul style="list-style-type: none"> <li>• <b>Flanders</b> – The VLAREA Ordinance of 2002, amended in December 2003, was amended a second time on 8 October 2004 and has entered into force on 1 December 2004. The VLAREA goes beyond the WEEE directive, e.g. by requiring collection of 7 kg WEEE in 2006.</li> <li>• <b>Wallonia</b> - Two draft measures, an amendment of the Producer Responsibility Decree which will transpose the provisions relating to producers, and a new decree transposing the provisions on collection and treatment facilities, passed the Environment Committee and the Conseil d'État during the summer, and requested minor amendments are being incorporated. The amendments have not yet been adopted.</li> <li>• <b>Brussels Region</b> - An amendment to the existing Producer Responsibility Decree was promulgated on 3 June 2004 and published in the Official Gazette on 28 July. A second decree covering collection and treatment facilities was approved on the same day but has not yet been published.</li> <li>• <b>Covenants</b> - A Pocket Lamp Covenant and a Battery Covenant with BEBAT have been signed for Flanders and Brussels region. The Covenant governing Recupel will be revised in 2005..</li> </ul> <p><b>Industry response:</b></p> <ul style="list-style-type: none"> <li>• Industry managed <i>RECUPEL</i> has been the only recovery organisation for brown and white goods, ITC and small domestic appliances since 2001 and gardening tools and lighting equipment since 2004. Discussions between government and industry about whether Recupel should handle the remaining WEEE are on-going.</li> <li>• <i>BEBAT</i>, the battery recovery organisation, has taken back electric torches since July 2004.</li> </ul>

Cyprus	Jul-04	<p><i>Regulation 68-2004</i> transposing the RoHS and WEEE directives was approved by parliament on 30 July 2004.</p> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Financing WEEE from households:</i> Producers have to organize and finance separate collection. Municipalities are not obliged to collect.</li> <li>• <i>National register:</i> Producers have to register with the Statistical Service and the Environment Service of the Ministry of Environment.</li> <li>• <i>System requirements:</i> A joint system is to be approved by the Environment Committee, made up of representatives of different Ministries.</li> </ul> <p><b>Industry response:</b></p> <p>Ministry held first seminar on WEEE regulation on 6 Dec04, with 25 representatives from producers. The Cyprus Chamber of Commerce and Industry is expected to present a proposal for a joint system, but preparations had not advanced by mid January.</p>
Czech Republic	Q2-05 (est.)	<p>The WEEE and RoHS Directives are transposed in the following texts:</p> <ul style="list-style-type: none"> <li>• The <i>Waste Act Amendment 7/2005</i> transposes the RoHS directive and stipulates the broad provision of the WEEE directive, leaving details - particularly about producer systems and the central register - to further regulation. The draft was approved by the Council of Ministers in June 2004, was ratified by the Senate and President on 16 December 2004 and was published on 6 January 2005.</li> <li>• One or several <i>Ministerial Decrees on WEEE</i> will implement further detailed provisions of WEEE directive. A first draft was expected in January 2005 but discussions were still on-going at the end of March.</li> </ul> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Deadlines:</i> Registration of producers no later than 60 days after 15 August 2005.</li> <li>• <i>Collection of WEEE from households:</i> Producers may use municipal collection points or set up own collection. Producers to provide containers for municipal collection. Currently 4 collection categories planned (refrigerators, CRT, lighting, others). 1:1 take back at retailers mandatory, financing not defined.</li> <li>• <i>Central register:</i> Obligation of Ministry of Environment, at least initially. Registration mandatory.</li> <li>• <i>System:</i> Needs to collect all products of a least one of the four categories;</li> </ul> <p><b>Industry activity:</b></p> <p>At least 5 collective systems are in preparation:</p> <ul style="list-style-type: none"> <li>• <i>RETELA</i>, is being planned by the <i>Czech and Moravian Electrical And Electronic Association</i>. It will take back ITC, consumer electronics, power tools, medical equipment, monitoring devices. It is expected to open for registration in early May 2005.</li> <li>• <i>CECED</i> is preparing a compliance organisation for large and small appliances and dispensing machines.</li> <li>• <i>Ecolamp</i> was started in mid 2004 but will only be finalised in Q2-05 by the <i>European Lighting Company Federation (ELC)</i>. Cooperation with Ekovuk not clarified.</li> <li>• Several IT equipment manufacturers are said to have started to prepare a system with a working title <i>REMA</i> in March 2005.</li> </ul>

		<ul style="list-style-type: none"> <li>• <i>ERP</i> seems to be in waiting mode</li> <li>• <i>AREO</i>, the Association of Recyclers of Electronic Waste is considering a separate system or cooperation with RETELA.</li> </ul>
<b>Denmark</b>	October 2004	<p>An Amendment of the <i>Waste Management Act</i> should be approved by Parliament by the end of April 2005. A draft <i>Statutory Order on WEEE</i> was published for consultation on 18 March 2005.</p> <p>The RoHS directive was transposed by Statutory Order 1008 of 12 October 2004. It follows closely the text of the Directive.</p>
<b>Estonia</b>	Apr-04  Q1-05 (est.)	<p>The RoHS directive was transposed in April 2004. The WEEE directive will be transposed through</p> <ul style="list-style-type: none"> <li>• a further amendment of the 1998 <i>Waste Act</i>. The last amendment in April 2004 transposed provisions for producer responsibility for WEEE. A further revision is in preparation that will make registration with a Central Register mandatory.</li> <li>• a new <i>Government Decree on Producer Responsibility</i> is still under discussion.</li> <li>• a new <i>Ministerial Decree on Treatment Requirements of WEEE</i> will transpose the treatment provisions. Its approval was expected shortly after the Producer Responsibility Decree at the end of January, but in February the Estonian Employers' Confederation, representing the Estonian Traders Association and the Association of Estonian ITC Companies rejected the draft.</li> </ul> <p><b>Key provisions discussed:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households</i>: Producers 100% responsible for financing separate collection systems. They may contract to municipal waste collectors (very little WEEE collection presently). 1:1 take back at retailers. Retailers required to take back any WEEE in category they sell if no industry collection point within 10 km radius. (Industry is opposing this requirement arguing that kerbside collection is suitable in many villages).</li> <li>• <i>Marking</i>: Marking to show full producer address. (Industry opposed and proposed a code system and requested more time for implementation.)</li> <li>• <i>Central Register</i>: Producers to register with Environment Information Centre, a division of the Environment Ministry. Waste Act amendment will make registration mandatory.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• <i>EES-Ringlus</i>, a project of 26 producers representing about 60% of EEE on market, is being registered as legal entity in January 2005.</li> </ul>

Finland	9-Sep-04	<p>Act 452/2004 amending the 1993 Waste Act was adopted by Parliament on 4 June 2004 and Ordinance (852/2004) on Electrical and Electronic Waste was adopted by the Government on 9 September. A further Ordinance transposing the RoHS Directive was also adopted by the Government on 9 September.</p> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Producers are responsible for organising and financing the collection of WEEE from households. Retailers must either take back WEEE on a 1:1 basis, or indicate to the consumer an alternative reception facility (e.g. a facility that the retailer has an agreement with)</li> <li>• <i>B2B WEEE:</i> Producers are responsible for the cost of managing non-household WEEE put on the market after 13 August 2005. They must take back products put on the market before that date on a 1:1 basis. Producers and purchasers other than households can agree on alternative arrangements if they wish.</li> <li>• <i>Guarantee:</i> The guarantee for managing the "new" WEEE from households may take the form of a blocked bank account, recycling insurance or membership in an appropriate financing scheme (e.g. producer responsibility organisation) The approval of the guarantee to be decided case by case by the national authority within the registration procedure.</li> <li>• <i>Producer register:</i> The Pirkanmaa Regional Environmental centre will run the nationwide producer registration system for Producer Responsibility Organisations and for producers who are not members of a compliance scheme.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• <i>SER-TUOTTAJAYHTEISÖ</i> (Society of WEEE Producers) has been set up to take responsibility for the waste management of all household WEEE. It represents 50%-60% of the large household appliances sector and 70%-80% of small appliances and consumer electronics.</li> <li>• The <i>federation for the technology industry sector</i> is planning to set up four or five compliance organisations to take responsibility for B2B WEEE.</li> </ul>
France	Q1/2-05 (est.)	<p>A new <i>WEEE Decree</i> will transpose the WEEE and RoHS directives. Under preparation since late 2003, it was approved by Cabinet on 25- Nov-04. Approval is needed from the National Council of Competition and the State Council. Publication is expected April/May 2005. Several sub-decrees to regulate detailed provisions are in preparation.</p> <p><b>Key provisions of draft:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from Households:</i> If communes collect WEEE selectively, a Coordinating Organisation of producers will compensate them financially. For WEEE not collected by communes, producers to install a separate collection system. Retailers to take back WEEE at least free-of-charge on a 1:1 basis, may delegate to 3<sup>rd</sup> party.</li> <li>• <i>Historical waste forever:</i> Producer responsibility for historic and new WEEE proportionate to equipment placed on market in same year.</li> <li>• <i>Visible fee:</i> Only allowed for historical household WEEE (categories yet to be determined).</li> <li>• <i>B2B Historical waste:</i> Final holder responsible, unless otherwise agreed with producer.</li> </ul>

		<ul style="list-style-type: none"> <li>• <i>Central Register</i>: Responsible body not defined, but Adème (Environmental Agency) likely. Producer registration mandatory. Previously planned Central Register for retailers dropped.</li> <li>• <i>Guarantee</i>: Participation in system, blocked bank account, deposit guaranteed by a bank;</li> </ul> <p><b>Industry activity:</b></p> <p>There are several organisations for professional equipment, for household equipment there are several under preparation:</p> <ul style="list-style-type: none"> <li>• <i>ECO-Systèmes</i> is being set up by GIFAM, the association of large household appliance producers in cooperation with retailers' associations to act as collective system for the nationwide collection of white and brown goods, incl. TVs. <a href="#">The project is led by a former Eco-Emballage manager and uses a logo similar to the Green Dot.</a></li> <li>• <i>SCRELEC</i>: Despite having carried out a large scale pilot project, SCRELEC will not serve as compliance organisation <a href="#">and its members from the EEE sector have joined the GIFAM effort.</a></li> <li>• <i>Alliance Tics</i>: <a href="#">an umbrella organisation of the telecommunications and IT sector considers setting up a collective system for its members.</a></li> <li>• <i>ERP</i> - See Germany section below.</li> </ul>
Germany	Feb 2005	<p>Cabinet approved draft WEEE Law (ElektroG) transposing the WEEE and RoHS Directives on 1 September 2004. Parliament's lower house (Bundestag) approved it in mid-December and the Bundesrat (Länder) on 18 February 2005. <a href="#">It entered into force on day after its publication on 23 March 2005.</a></p> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Deadlines</i>: <ul style="list-style-type: none"> <li>→ <a href="#">At the latest 8 month after publication (i.e. 23 November 2005):</a> <ul style="list-style-type: none"> <li>→ <a href="#">Producer registration</a></li> <li>→ <a href="#">Provision of collection containers</a></li> <li>→ <a href="#">Data reporting</a></li> <li>→ <a href="#">Provision of financial guarantee</a></li> </ul> </li> <li>→ <a href="#">At the latest 1 year after publication (i.e. 23 March 2006):</a> <ul style="list-style-type: none"> <li>→ <a href="#">Marking</a></li> <li>→ <a href="#">Producer take back and treatment</a></li> </ul> </li> </ul> </li> <li>• <i>Collection of WEEE from Households</i>: Municipalities to operate and finance collection points for free-of-charge take-back. Producers to provide containers for six collection categories (Large household, Cooling, ITC, CRTs, mercury lamps, small appliances and others). Municipalities may recover collected WEEE themselves. NO 1:1 take back at retailers.</li> <li>• <i>Producer responsibility</i>: Proportional to share of EEE marketed in current year. For 'new' WEEE an individual producer may request the Central Register to calculate fees based on his EEE in waste stream only if the producer provides evidence of his share.</li> <li>• <i>Clearing House</i>: Responsibility of the Minister of Environment, but to be delegated to EAR, a foundation set up by trade associations ZVEI and Bitcom. Registration before 1 May 2005. Producers who sell directly to consumers in other member states must also register.</li> <li>• <i>Financial Guarantee</i>: information to follow.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• The <i>EAR Foundation</i> was founded on 12 February 2004 by 27 EEE manufacturers and 3 associations with the objective of accepting the 'sovereign' responsibilities from the government that are needed to act</li> </ul>

		<p>as single clearing house. Since March 2005, producers can test register on EAR Internet platform. Active registration is scheduled for June 2005.</p> <ul style="list-style-type: none"> <li>• The <i>European Recycling Platform</i> (ERP) the pan-European take back and compliance scheme initiated by Braun, Electrolux, HP and Sony announced the appointment of CCR and Geodis as general contractors in December 2004.</li> <li>• In August 2004 <i>Panasonic, Thomson and JVC</i> agreed to establish recycling program for electronics and electrical equipment initially and later for other categories.</li> <li>• Other industry players, e.g. <i>Philips, Sharp and Loewe</i>, have formed, or are in the process of forming, alliances to achieve bargaining power vis-a-vis the recyclers and obtain economies of scale. The competition authority has made it clear that it will not allow collective systems above 25% share of a collection category.</li> <li>• Waste management companies, mostly SMEs, are also seeking alliances with each other to be able to offer nationwide take back of all collection categories. <i>BVSE</i> estimates 20 such groups will emerge nationwide.</li> </ul>
Greece	5-Mar-04	<p>Presidential Decree 117 of 5 March 2004 transposes the directives and applies the provisions of Waste Law no 2939/2001 to WEEE.</p> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Retailers to take back WEEE free of charge on a 1:1 basis. Municipal collection points to be set up. It will be forbidden to collect WEEE with other household waste.</li> <li>• Compliance schemes must make provisions for collection from islands and remote areas.</li> <li>• <i>Central Register:</i> The Ministry of Environment, Planning and Public Works is to draw up a register of producers and collect information, including substantiated estimates, on the quantities and categories of electrical and electronic equipment put on the market, collected through all routes, reused, recycled and recovered, and on collected waste exported, by weight or, if this is not possible, by number of units.</li> </ul> <p><b>Industry activity:</b></p> <p>A nationwide collective take-back and recycling scheme, Recycling of Appliances SA, secured official operating approval in July 2004. It has now published its 2005 fees (see next update).</p>
Hungary	Oct-04	<p>The WEEE and RoHS directives have been transposed by:</p> <ul style="list-style-type: none"> <li>• <i>Government Decree 264/2004 on the Take Back of WEEE</i> was adopted on 23-Sept-04.</li> <li>• <i>Ministerial Decree 16/2004 transposing the RoHS Directive</i> and <i>Ministerial Decree 15/2004 on Treatment Requirements</i> were both adopted on 8 October 2004.</li> <li>• An amendment to the <i>Product Fee Act 103/2004</i> incorporating the WEEE categories entered into force on 1 January 2005. The fee is partly reimbursed if certain targets met.</li> </ul> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Deadlines:</i> <b>Producer registration mandatory since 1 January 2005.</b></li> <li>• <i>Collection of WEEE from households:</i> Producers to bear all costs, including collection costs.</li> <li>• <i>Central Register:</i> To be hosted by National Environmental</li> </ul>

		<p>Inspectorate. Producer registration mandatory from 1 January 2005.</p> <ul style="list-style-type: none"> <li>• <i>Financing</i>: The Product Fee Act levies a waste tax on EEE from 1 January 2005. Producers participating in a collective system are exempt from the product fee from 1 March 2005, provided that the system has been approved.</li> <li>• <i>Financial Guarantee</i>: The high paid up capital requirement for collective systems (ca EUR 300K) is considered to provide the financial guarantee.</li> </ul> <p><b>Industry activity:</b></p> <p>The Environment Ministry estimates that there are 10,000 companies affected by the WEEE regulation. By March 2005, about 220 had joined collective systems who offer very similar recycling fees. Concerns about the protection of the data submitted seems to influence companies' choice of a system, which ideally brings together companies that do not compete. 4 collective systems are currently recruiting members:</p> <ul style="list-style-type: none"> <li>• <i>Electro-Coord</i> was set up by CECED and the Association of Producers of Lighting Equipment as compliance organisation for initially white goods and lighting equipment and later all WEEE categories. It currently has around 120 members.</li> <li>• <i>Elektro-Waste</i> aims to coordinate the management of IT was. It applied for a licence as compliance system in January 2005. It has about 40 members, mostly from the recycling industry.</li> <li>• <i>Ökomat</i> was founded by 12 companies from the gaming and vending machine sector in November 2004. Initially open only to these 2 categories, Ökomat extended its scope to all WEEE except mobile phones and refrigerators for which a licence has been requested. As at the end of March it had 60 members.</li> <li>• <i>Reelectro</i>: About 10 members.</li> </ul>
<b>Ireland</b>		Draft Regulations are expected to be published by the end of April and to be adopted before August 2005.
<b>Italy</b>	Q2-05 (est.)	<p>The Ministry of Environment finalized the draft <i>Legislative Decree on WEEE</i> which transposes both 2002/96 and 2002/95 on 12 January 2005. It now has to be approved successively by the Prime Ministers' office, the environment commission of Parliament and the Conference of the Regions. Final approval by the Environment Minister is expected in May/June 2005. The Decree will be complemented by several orders (concerning the central register, financing mechanism and marking) no later than 6 months after the Decree has come into force.</p> <p><b>Key provisions discussed:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households</i>: Tax-financed municipal collection centres to accept WEEE from retailers and consumers free of charge. 1:1 take back at retailers. Producers to finance from collection centres onwards.</li> <li>• <i>Central register</i>: A National Register is to be set up close to the Ministry of Environment. Initially the draft foresaw the Chambers of Commerce responsible for Central Register, but industry lobbied for a single independent body. EEE importers must register with the Chamber of Commerce as producers. The chamber's list is used to check the Central Register's producer list.</li> <li>• <i>Marking</i>: A sub-decree might stipulate a transitional period without producer identification until a EU-wide identification system is in place.</li> <li>• <i>System</i>: Requirements to be defined in separate decree.</li> </ul>

		<p><b>Industry activity:</b></p> <p>ANIE, the Federation of the Electrical and Electronics Industry representing the industry in Confindustria, is preparing compliance consortia with its members, one consortium for each treatment category. Three have been established: <i>Ecolamp</i>, <i>Ecolight</i> and <i>Ecodom</i> (for large domestic appliances). Three others, for IT equipment, small appliances and air conditioners are under preparation. ANIE pointed out that the regulation as of now does not foresee an operative coordination body for the consortia. On 9 March 2005, ANIE published a compliance handbook for its members.</p> <p><i>EcoR'It</i> was announced on 1 March 2005 as a consortium for the management for domestic and professional WEEE by Ecoqual'It, a voluntary consortium of Brother Office Equipment, Canon Italy, Epson Italy, Fujitsu Italy, Lanier Italy, Lexmark International, Nec Computers Italy, Nrg Italy, Oki Systems, Ricoh Italy, TallyGenicom, Toshiba Tec Italy, Toshiba Europe, Secondary Centre in Italy.</p>
<b>Latvia</b>	<p>Aug-04</p> <p>Q2-05</p>	<p>The RoHS Directive was transposed by Cabinet of Ministers' regulations No.723, adopted 17 August 2004. The WEEE Directive is being transposed in several texts:</p> <ul style="list-style-type: none"> <li>• Law on Waste Management, as amended 19 February 2004 and 2 December 2004;</li> <li>• Amendment to the Natural Resource Tax Law, Draft;</li> <li>• Cabinet of Ministers regulations 624, 736, 923 and Draft on National Register;</li> <li>• Revision of the National Waste Management Plan 2003 – 2012;</li> </ul> <p>Major issues remain unresolved, such as the amendment of the Natural Resource Tax Law which will regulate the financing of WEEE.</p> <p><b>Key provisions discussed:</b></p> <ul style="list-style-type: none"> <li>• <i>Separate Collection from households</i>: Producers are responsible.</li> <li>• <i>Central Register</i>: State Environmental, Geological and Meteorological Agency to be responsible, mandatory registration of producers; procedure not yet defined.</li> <li>• <i>Tax on EEE</i>: The amount of tax has not been defined yet. Industry rejected an initial proposal by the ministry to have a flat weight based tax for all EEE categories.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• <i>Latvia Green Elektrons (LZE)</i> was founded by the Latvian Electrical Engineering and Electronic Industry Association and LDTA and the Latvian Electronics Producers Association to act as recovery organisation of IT equipment and in negotiations to cover other categories.</li> <li>• <i>CECED</i>: As in Lithuania, Philips, Electrolux and Whirlpool have set up a local chapter of CEDED in November in view of preparing a compliance organization.</li> </ul>
<b>Lithuania</b>	<p>Oct-04 partly</p> <p>Q2-05 (est.)</p>	<p>The RoHS Directive was transposed through Order No V-258 of the Minister of Environment on 22 April 2004. The WEEE Directive is transposed in separate texts:</p> <ul style="list-style-type: none"> <li>• Draft <i>Law On the Amendment of the Law On Waste Management</i> was sent for ministerial approval in January 2005. Producers are lobbying Parliament against their responsibility for financing separate collection, as foreseen by the draft.</li> </ul>

		<ul style="list-style-type: none"> <li>• <i>Rules on Management of WEEE</i>, adopted 10 September 2004 by Order No D1-481 of the Minister of Environment transpose the selective treatment and technical requirements for treatment and storage sites.</li> <li>• Amendment of <i>National Strategic Waste Management Plan</i>, adopted by Government Resolution No 1252 on 5 October 2004 sets the recovery targets.</li> <li>• The <i>Amendment of Law on Administrative Code</i>, still under discussion, will set penalties for non-compliance.</li> </ul> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households</i>: Municipalities to run collection centres. But producers responsible to achieve 4kg per capita collection target. Unless producers set up their own collection, which they may, they must accept conditions of municipalities. 1:1 mandatory take back at retailers of all sizes.</li> <li>• <i>Central register</i>: Responsibility of the Ministry of Environment or the Environment Agency.</li> <li>• <i>System</i>: Requirements to be set after adoption of law.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• <i>INFOBALT</i>, one of several association of the EEE industry is inviting other groups to found a recovery organisation.</li> <li>• <i>CECED</i>: As in Latvia, Phillips, Electrolux and Whirlpool have set up a local chapter of CEDED in November 2004 to prepare a compliance organization.</li> </ul>
<b>Luxembourg</b>	Q1/2-05 (est.)	<p>A draft <i>WEEE Regulation</i> to transpose the WEEE and RoHS Directives was approved by the Council of Ministers at the end of April 2004. <a href="#">The Regulation was published on 31 January 2005</a>. It leaves details to be regulated in a <i>Covenant</i> to be signed by the Chamber of Commerce, Ministries and representatives of the Municipalities.</p> <p><b>Key provisions of draft:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households</i>: Municipalities to maintain collection. Details of financing, fractions collected, pick-up rules yet to be defined in new Covenant.</li> <li>• <i>Central register</i>: Producers to register with the Ministry of Environment</li> </ul> <p><b>Industry activity:</b></p> <p><i>ECOTREL</i>, set up by industry in January 2004, has 100 members representing 80% of EEE sold in Luxembourg. ECOTREL aims to utilize the existing collection and treatment infrastructure set up by the government organizations SuperFreonsKëscht and SuperDrecksKëscht, but requests that their operations are outsourced under competitive conditions. (Presently they are outsourced to one organisation only).</p>
<b>Malta</b>	Q1/2-05	<p>The RoHS Directive was transposed through the <i>Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment Regulations</i>, 396/2004, published on 31 August 2004. WEEE is covered by a number of texts:</p> <ul style="list-style-type: none"> <li>• The <i>Eco-Contribution Act</i>, in force since 1 September 2004, enables the VAT department to charge importers a tax on WEEE. The possibility for exception is foreseen, but the conditions are not specified.</li> <li>• The draft <i>Waste Management (WEEE) Regulations 2004</i> were</li> </ul>

		<p>published on 22 October 2004 for consultation. They transpose the EU WEEE Directive very closely.</p> <p>The Malta Environment and Planning Authority, has invited a commission of government and private sector representatives to define conditions for the exemption from the Eco-Contribution.</p>
<b>Netherlands</b>	Jul-04	<p>The Decree and Regulation (SAS/2004072357) concerning Electrical and Electronic Equipment were adopted in July 2004. The regulations come into force on 1 January 2005 for all equipment except lighting products for which the date has been postponed to 13 August 2005.</p> <p><b>Key Provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Municipalities must provide sites where householders can return WEEE 'at least' free of charge. Retailers must take back products free of charge on a 1:1 basis.</li> <li>• Producers may set up their own systems for recovery of WEEE.</li> </ul> <p><b>Industry activity:</b></p> <p>NVMP system began work in 1999 and will no doubt continue to be the main compliance organisation. ICT-Milieu runs a take-back scheme for IT, telecoms and office equipment. Stichting Lightrec is responsible for the collection of commercial and household lamps and luminaires.</p>
<b>Norway</b>		<p>A new Regulation on Waste was adopted on 1 July, containing chapters on WEEE and Refrigeration Equipment. Regulations on the collection and recycling of WEEE have been in force in Norway since 1998, and there is an advanced recovery system in place. New regulations, which will fully implement the Directives, were to be adopted by 1 January 2005. More details in next update.</p>
<b>Poland</b>	Q2/3-05 (est.)	<p>The RoSH Directive was transposed through the Ordinance on Hazardous Substance Restrictions in Electronic and Electrical Equipment, adopted 6 October 2004. The WEEE Directive will be transposed through an Act requiring parliamentary approval, a draft of which was adopted by government on 7 January 2005. <a href="#">Adoption is expected end May 2005.</a></p> <p><b>Key provisions discussed:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Local authorities to provide collection points. Producers to finance separate collection of an amount equal to 90% of what is placed on the market.</li> <li>• <i>Central register:</i> Responsibility of the Chief Inspector of Environmental Protection (formerly planned to be under the Chief Inspector of Trade Inspection); may be delegated to producer self-governing body.</li> <li>• <i>Product fee</i> charged to producers which decide to not join recovery systems. The fee feeds the National Fund of Environmental Protection.</li> </ul> <p><b>Industry activity:</b></p> <ul style="list-style-type: none"> <li>• CECED is inviting founding members to form a joint organisation. In cooperation with KIGEiT (Polish Chamber of Electronics and Telecommunication) and Philips (lamps) CECED has mounted a strong lobbying campaign during Parliamentary phase of the Act on WEEE. So far the parliamentary committee responsible for WEEE has held five sessions.</li> </ul>

		<ul style="list-style-type: none"> <li>• ERP is not active in the process. However, CCR, ERP's subcontracter for WEEE from i.a. Germany, is scouting recycling plants in Poland.</li> </ul>
<b>Portugal</b>	10-Dec-04	<p>Decree-Law 230/2004, transposing the WEEE and RoHS Directives was adopted in September 2004 and published in the Official Bulletin on 10 December.</p> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Distributors will be obliged to take back WEEE free of charge on a 1:1 basis. There will also be municipal collection points. Producers to set up collection system to collect from local authorities, distributors and other collection points</li> <li>• <i>Central register:</i> Registration to be carried out by a body set up by producer associations and collective compliance system, under licence from the Waste Institute.</li> <li>• <i>Historical waste:</i> Historical WEEE shall be funded by producers according to their market share at the time the WEEE is collected.</li> </ul> <p><b>Industry activity:</b></p> <p>Industry is setting up an organisation to be called Amb3E</p>
<b>Slovakia</b>	Q1/2-05 (est.)	<p>The WEEE and RoHS Directives will be transposed in several texts of which the most important are:</p> <ul style="list-style-type: none"> <li>• The <i>Amendment to the Waste Act</i> of 2001 defining producer responsibility for WEEE and implementing the RoHS directive, adopted on 6 December 2004.</li> <li>• A new <i>Governmental Order</i> will set the WEEE recovery targets.</li> <li>• A new <i>Ministerial Order</i> will transpose provisions relating to marking, treatment and storage. Both orders are expected to be approved around April 2005.</li> <li>• Order on Contributions to the Recycling Fund, last amended by Ministerial Order No. 127/2004</li> </ul> <p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> The Waste Act makes producers responsible for setting up and financing separate collection. 1:1 take back is mandatory for retailers if they are the producers (otherwise voluntary take back).</li> <li>• <i>Central Register:</i> Responsibility of the Ministry of Environment who will probably entrust the Environment Agency with creation of the register. Mandatory registration of producers;</li> <li>• <i>Product fee:</i> Since early 2003 there are fees on EEE that feed the semi private recycling fund. Exemption mechanisms will apply for producers that join a recovery organisation.</li> </ul> <p><b>Industry activity:</b></p> <p>CECED to set up a joint system for Slovakia and the Czech Republic.</p>
<b>Slovenia</b>	Nov-04	<p>With only 8,000 tons of WEEE per year expected, Slovenia decided to tender out WEEE management. On 4 November 2004, a set of regulations were published to that effect:</p> <ul style="list-style-type: none"> <li>• WEEE Ordinance transposes i.a. the RoHS Directive.</li> <li>• A Decree on the Conditions for Performing Public Utility Service of WEEE Management defines criteria for tender participants.</li> <li>• An Eco Fee Decree introducing fees payable at the point of sale for the 10 EEE categories.</li> </ul>

		<p><b>Key provisions:</b></p> <ul style="list-style-type: none"> <li>• Two tenders – one for the management of household and one for non-household WEEE - are expected to be published in early 2005, with bids to be returned within 45 days.</li> <li>• Applicants need to be producers or their representatives, have a network of facilities for take-back of WEEE, have a market share of at least 33% of local EEE production, of which at least 33% needs to be sold in Slovenia and have an existing permit for collection and treatment.</li> <li>• The amount of the Eco fee will be set by the Minister of Environment, taking into account the costs specified in the winning proposal.</li> </ul> <p><b>Industry activity:</b></p> <p>So far, Gorenje, a large local EEE producer, and a consortium of foreign manufacturers meet the tender requirements.</p>
<b>Spain</b>	<b>February 2005</b>	<p>Royal Decree 208/2005 on Electrical and Electronic Equipment and its waste was adopted on 25 February 2005. The final decree contains some addition clauses to the previous draft, which cover provisions for a register of producers and for financing historical waste (i.e. products placed on the market before 13 August 2005).</p> <p>Local authorities will be responsible for collecting WEEE from households and storing it until it is collected for sorting and treatment by producers or their collective organisation.</p> <p>Unlike some member states whose legislative timetable has fallen behind schedule, Spain has not delayed the 13 August 2005 date of entry into force, despite industry's fears that the register of producers will not be ready by then.</p> <p><b>Key provisions discussed:</b></p> <ul style="list-style-type: none"> <li>• <i>Collection of WEEE from households:</i> Producers will be responsible for collecting and recycling all products they place on the market after 13 August 2005. For products placed on the market before that date, producers will be responsible for products in proportion to their market share.</li> <li>• <i>Register of producers provided for in Royal Decree 208/2005 – more details to follow.</i> As requested by producers there will be one national register rather than each Autonomous Region having its own.</li> </ul>
<b>Sweden</b>		<p>A finalised draft of the proposed Decree on WEEE will be approved on 14 April 2005. It is expected to be very close to the previous draft.</p> <p>More details in next update.</p>
<b>Switzerland</b>		<p>The Ordinance on the Return, the Taking Back and the Disposal of Electrical and Electronic Appliances 1998 (VREG) was amended in June 2004 to include power tools and electric toys. Some of the amendments implement industry's requests for a harmonised take-back system for all EEE, and largely align Swiss WEEE legislation with that of the EU.</p> <p><b>Industry Activity:</b></p> <p>Since the mid nineties SWICO and SENS have been recovery organisations for WEEE.</p>

<p><b>United Kingdom</b></p>	<p>Summer 05 (est)</p>	<p>Responses to the Government Consultation showed wide support for a national Clearing House to organise producer responsibility. Several respondents supported proposals to allow individual producer responsibility.</p> <p>Regulations to transpose the WEEE Directive, together with non-statutory Guidance, will be published in 'summer' 2005. It is intended that the regulations must be implemented from January 2006.</p> <p>A consultation is expected shortly on draft regulations for the permitting of WEEE treatment facilities. It is intended that these regulations will be adopted in time for facilities to be permitted before implementation of the producer responsibility obligations.</p> <p>Regulations transposing the RoHS Directive will be published in the 'near future' once formal notification is received of the maximum concentration values for restricted substances.</p> <p><b>Industry Activity:</b> Several waste companies (Onyx, Valpak, Wastepack) have set up pre-compliance schemes. Other groups (Gambica, Repic) have been formed by producers.</p>
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