
STATUTORY INSTRUMENTS

2006 No. 3289

The Waste Electrical and Electronic
Equipment Regulations 2006

PART 6

MISCELLANEOUS

Final user financing obligation: WEEE from users other than private households

36.—(1) Where WEEE from a user other than a private household arises from EEE put on the market in the United Kingdom before 13th August 2005 and regulation 9(1)(b) does not apply, the final user of that WEEE shall finance the costs of its collection, treatment, recovery and environmentally sound disposal.

(2) Nothing in paragraph (1) shall prevent a user other than a private household from concluding an agreement whereby the parties to the agreement make alternative arrangements between themselves to finance the costs of the collection, treatment, recovery and environmentally sound disposal of WEEE.

(3) In respect of any WEEE which he is responsible for financing the costs of under paragraph (1), a user other than a private household shall ensure that such WEEE is—

- (a) treated at an ATF; or
- (b) exported by an approved exporter for treatment outside the United Kingdom.

(4) Paragraph (3) does not apply to WEEE reused as a whole appliance.

Obligation to optimise reuse and recycling of WEEE

37. Any person who collects or transports WEEE in connection with the carrying out of any obligation under regulation 22 or 23 shall ensure that all such WEEE is collected and transported in a way that optimises reuse and recycling of that equipment or of components of that equipment.

WEEE from private households that presents a health and safety risk

38. Nothing in these Regulations shall prevent any person from refusing to handle WEEE from private households that presents a health and safety risk to any individual because of contamination.

Take back: WEEE from private households

39. Nothing in these Regulations shall prevent an operator of a scheme from establishing and operating a system to take back WEEE from private households provided that system is consistent with the Directive.

Prohibition on showing the costs of financing the collection, treatment and environmentally sound disposal of WEEE from private households

40.—(1) Subject to paragraph (2), no person shall show a purchaser at the time of sale of new EEE the costs of financing the collection, treatment and environmentally sound disposal of WEEE from private households.

(2) A producer may show a purchaser at the time of sale of new EEE the costs of collection, treatment and environmentally sound disposal of WEEE from private households that arises from EEE put on the market before 13th August 2005—

(a) in relation to EEE within category 1 of Schedule 1 until 13th February 2013; and

(b) in relation to EEE within categories 2 to 10 of Schedule 1 until 13th February 2011.

(3) The costs mentioned in paragraph (2) shall not exceed the actual costs incurred.

(4) A person shall be guilty of an offence if he intentionally obstructs any producer from exercising his right under regulation [40\(2\)](#).