

## SCHEDULES

### SCHEDULE 1

Regulation 5

Categories of EEE covered by these Regulations during the transitional period

- 1) LARGE HOUSEHOLD APPLIANCES
- 2) SMALL HOUSEHOLD APPLIANCES
- 3) IT AND TELECOMMUNICATIONS EQUIPMENT
- 4) CONSUMER EQUIPMENT AND PHOTOVOLTAIC PANELS
- 5) LIGHTING EQUIPMENT
- 6) ELECTRICAL AND ELECTRONIC TOOLS (WITH THE EXCEPTION OF LARGE-SCALE STATIONARY INDUSTRIAL TOOLS)
- 7) TOYS, LEISURE AND SPORTS EQUIPMENT
- 8) MEDICAL DEVICES (WITH THE EXCEPTION OF ALL IMPLANTED AND INFECTED PRODUCTS)
- 9) MONITORING AND CONTROL INSTRUMENTS
- 10) AUTOMATIC DISPENSERS

### SCHEDULE 2

Regulation 5

Indicative list of types of EEE which fall under the categories in Schedule 1

- 1) LARGE HOUSEHOLD APPLIANCES
  - Large cooling appliances
    - Refrigerators
    - Freezers
    - Other large appliances used for refrigeration, conservation and storage of food
  - Washing machines
  - Clothes dryers
  - Dish washing machines
  - Cookers
    - Electric stoves
    - Electric hot plates
  - Microwaves
  - Other large appliances used for cooking and other processing of food
  - Electric heating appliances
    - Electric radiators
    - Other large appliances for heating rooms, beds, seating furniture

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- Electric fans
- Air conditioner appliances
- Other fanning, exhaust ventilation and conditioning equipment
- 2) SMALL HOUSEHOLD APPLIANCES
  - Vacuum cleaners
  - Carpet sweepers
  - Other appliances for cleaning
  - Appliances used for sewing, knitting, weaving and other processing for textiles
  - Irons and other appliances for ironing, mangling and other care of clothing
  - Toasters
  - Fryers
  - Grinders, coffee machines and equipment for opening or sealing containers or packages
  - Electric knives
  - Appliances for hair-cutting, hair drying, tooth brushing, shaving, massage and other body care appliances
  - Clocks, watches and equipment for the purpose of measuring, indicating or registering time
  - Scales
- 3) IT AND TELECOMMUNICATIONS EQUIPMENT
  - Centralised data processing:
    - Mainframes
    - Minicomputers
    - Printer units
  - Personal computing:
    - Personal computers (CPU, mouse, screen and keyboard included)
    - Laptop computers (CPU, mouse, screen and keyboard included)
    - Notebook computers
    - Notepad computers
  - Printers
  - Copying equipment
  - Electrical and electronic typewriters
  - Pocket and desk calculators
  - Other products and equipment for the collection, storage, processing, presentation or communication of information by electronic means
  - User terminals and systems
  - Facsimile machine (fax)
  - Telex
  - Telephones
    - Pay telephones
    - Cordless telephones
    - Cellular telephones

- Answering systems
- Other products or equipment of transmitting sound, images or other information by telecommunications
- 4) CONSUMER EQUIPMENT AND PHOTOVOLTAIC PANELS
  - Radio sets
  - Television sets
  - Video cameras
  - Video recorders
  - Hi-fi recorders
  - Audio amplifiers
  - Musical instruments
  - Other products or equipment for the purpose of recording or reproducing sound or images, including signals or other technologies for the distribution of sound and image than by telecommunications
  - Photovoltaic panels
- 5) LIGHTING EQUIPMENT
  - Luminaires for fluorescent lamps with the exception of luminaires in households
  - Straight fluorescent lamps
  - Compact fluorescent lamps
  - High intensity discharge lamps, including pressure sodium lamps and metal halide lamps
  - Low pressure sodium lamps
  - Other lighting or equipment for the purpose of spreading or controlling light with the exception of filament bulbs
- 6) ELECTRICAL AND ELECTRONIC TOOLS (WITH THE EXCEPTION OF LARGE-SCALE STATIONARY INDUSTRIAL TOOLS)
  - Drills
  - Saws
  - Sewing machines
  - Equipment for turning, milling, sanding, grinding, sawing, cutting, shearing, drilling, making holes, punching, folding, bending or similar processing of wood, metal and other materials
  - Tools for riveting, nailing or screwing or removing rivets, nails, screws or similar uses
  - Tools for welding, soldering or similar use
  - Equipment for spraying, spreading, dispersing or other treatment of liquid or gaseous substances by other means
  - Tools for mowing or other gardening activities
- 7) TOYS, LEISURE AND SPORTS EQUIPMENT
  - Electric trains or car racing sets
  - Hand-held video game consoles
  - Video games
  - Computers for biking, diving, running, rowing, etc.
  - Sports equipment with electric or electronic components

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- Coin slot machines
- 8) MEDICAL DEVICES (WITH THE EXCEPTION OF ALL IMPLANTED AND INFECTED PRODUCTS)
  - Radiotherapy equipment
  - Cardiology equipment
  - Dialysis equipment
  - Pulmonary ventilators
  - Nuclear medicine equipment
  - Laboratory equipment for in-vitro diagnosis
  - Analysers
  - Freezers
  - Fertilization tests
  - Other appliances for detecting, preventing, monitoring, treating, alleviating illness, injury or disability
- 9) MONITORING AND CONTROL INSTRUMENTS
  - Smoke detector
  - Heating regulators
  - Thermostats
  - Measuring, weighing or adjusting appliances for household or laboratory equipment
  - Other monitoring and control instruments used in industrial installations (for example, in control panels)
- 10) AUTOMATIC DISPENSERS
  - Automatic dispensers for hot drinks
  - Automatic dispensers for hot or cold bottles or cans
  - Automatic dispensers for solid products
  - Automatic dispensers for money
  - All appliances which deliver automatically all kind of products

SCHEDULE 3

Regulation 6

Categories of EEE covered by these Regulations from January 2019

- 1) TEMPERATURE EXCHANGE EQUIPMENT
- 2) SCREENS, MONITORS AND EQUIPMENT CONTAINING SCREENS HAVING A SURFACE AREA GREATER THAN 100CM<sup>2</sup>
- 3) LAMPS
- 4) LARGE EQUIPMENT (ANY EXTERNAL DIMENSION MORE THAN 50CM) INCLUDING, BUT NOT LIMITED TO:
  - Household appliances
  - IT and telecommunication equipment
  - Consumer equipment

Luminaires

Equipment reproducing sound or images, musical equipment

Electrical and electronic tools

Toys, leisure and sports equipment

Medical devices

Monitoring and control instruments

Automatic dispensers

Equipment for generation of electric currents.

This category does not include equipment included in categories 1 to 3.

- 5) SMALL EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM) INCLUDING, BUT NOT LIMITED TO:

Household appliances

Consumer equipment

Luminaires

Equipment reproducing sound or images, musical equipment

Electrical and electronic tools

Toys, leisure and sports equipment

Medical devices;

Monitoring and control instruments

Automatic dispensers

Equipment for generation of electric currents.

This category does not include equipment included in categories 1 to 3 and 6.

- 6) SMALL IT AND TELECOMMUNICATION EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM)

#### SCHEDULE 4

Regulation 6

Non-exhaustive list of types of EEE which fall within the categories set out in Schedule 3

- 1) TEMPERATURE EXCHANGE EQUIPMENT

Refrigerators

Freezers

Equipment which automatically delivers cold products

Air conditioning equipment

Dehumidifying equipment

Heat pumps

Radiators containing oil and other temperature exchange equipment using fluids other than water for the temperature exchange

- 2) SCREENS, MONITORS AND EQUIPMENT CONTAINING SCREENS HAVING A SURFACE AREA GREATER THAN 100CM<sup>2</sup>

Screens

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- Televisions
- LCD photo Frames
- Monitors
- Laptops
- Notebooks
- 3) LAMPS
  - Straight fluorescent lamps
  - Compact fluorescent lamps
  - Fluorescent lamps
  - High intensity discharge lamps – including pressure sodium lamps and metal halide lamps
  - Low pressure Sodium lamps
  - LED
- 4) LARGE EQUIPMENT
  - Washing Machines
  - Clothes dryers
  - Dish washing machines
  - Cookers
  - Electric Stoves
  - Electric hot plates
  - Luminaires
  - Equipment reproducing sound or images
  - Musical equipment (excluding pipe organs installed in churches)
  - Appliances for knitting and weaving
  - Large computer-mainframes
  - Large printing machines
  - Copying equipment
  - Large coin slot machines
  - Large medical devices
  - Large monitoring and control instruments
  - Large appliances which automatically deliver products and money
  - Photovoltaic Panels
- 5) SMALL EQUIPMENT
  - Vacuum cleaners
  - Carpet sweepers
  - Appliances for sewing
  - Luminaires
  - Microwaves
  - Ventilation equipment
  - Irons

- Toasters
- Electric knives
- Electric kettles
- Clocks and watches
- Electric shavers
- Scales
- Appliances for hair and body care
- Calculators
- Radio sets
- Video Cameras
- Video Recorders
- Hi-fi equipment
- Musical instruments
- Equipment for reproducing sound or images
- Electrical and electronic toys
- Sports equipment
- Computers for biking, diving, running, rowing, etc.
- Smoke detectors
- Heating regulators
- Thermostats
- Small electrical and electronic tools
- Small medical devices
- Small monitoring and control instruments
- Small appliances which automatically deliver products
- Small equipment with integrated photovoltaic panels
- 6) SMALL IT AND TELECOMMUNICATION EQUIPMENT (NO EXTERNAL DIMENSION MORE THAN 50CM)
  - Mobile phones
  - GPS
  - Pocket calculators
  - Routers
  - Personal computers
  - Printers
  - Telephones

## SCHEDULE 5

Regulation 9

### First compliance period

1. The following amendments apply in relation to the first compliance period.

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## Record Keeping

2. For regulation 11(12)(a)(i) insert—
  - “(i) during the first compliance period, in compliance with regulations 36 and 38, which relates to the 2013 compliance period;”.

## Take back: Application to use existing collection facilities

3. For regulation 68(2)(b) insert—
  - “(b) during the first compliance period, on or before 15th January 2014. If granted, the approval will apply from 15th February 2014;”.

### SCHEDULE 6

Regulation 22

Crossed out wheeled bin symbol



### SCHEDULE 7

Regulations 19 and 39

Declaration of compliance

## PART 1

### Information to be included in a declaration of compliance by a producer or authorised representative

1. The name and address of the producer or authorised representative in respect of whom the declaration is issued.
2. The name and title of the person who issues the declaration, including confirmation of whether that person is the producer or an authorised representative.
3. The date of the declaration.
4. The relevant compliance period to which the declaration relates.
5. In relation to the WEEE from private households in respect of which the declaration is being issued—
  - (a) the reference number of the appropriate authority’s notification under regulation 11(8)(b); and



- (b) a declaration that the obligations under regulation 11(1) that have been notified to the relevant producer or authorised representative by the appropriate authority under that regulation—
  - (i) have been met, or
  - (ii) have not been met.
- 6.** In relation to the WEEE from users other than private households in respect of which the declaration is being issued, a declaration that—
  - (a) the obligations under regulation 12(1)—
    - (i) have been met, or
    - (ii) have not been met;
  - (b) the amount in tonnes of WEEE for which the producer or authorised representative has been responsible for financing the costs of the collection, treatment, recovery and environmentally sound disposal during the relevant compliance period which fall, during the transitional period, within—
    - (i) each of the categories listed in Schedule 1 (excluding display equipment, appliances containing refrigerants, gas discharge lamps and LED light sources),
    - (ii) display equipment,
    - (iii) appliances containing refrigerants,
    - (iv) gas discharge lamps and LED light sources; and
    - (v) photovoltaic panels;
  - (c) from 1st January 2019, the amount in tonnes of WEEE for which the producer has been responsible for financing the costs of the collection, treatment, recovery and environmentally sound disposal during the relevant compliance period which fall within each of the categories listed in Schedule 3.

## PART 2

Information to be included in a declaration of compliance by an operator of a scheme

- 7.** The name and address of the operator of the scheme in respect of which the declaration is issued.
- 8.** The name and title of the person who issues the declaration.
- 9.** The date of the declaration.
- 10.** The relevant compliance period to which the declaration relates.
- 11.** In relation to the WEEE from private households in respect of which the declaration is being issued—
  - (a) the reference number of the appropriate authority’s notification under regulation 28(4)(b); and
  - (b) a declaration that the obligations under regulation 28 that have been notified to the relevant operator of the scheme by the appropriate authority under that regulation—
    - (i) have been met; or
    - (ii) have not been met.
- 12.** In relation to the WEEE from users other than private households in respect of which the declaration is being issued, a declaration that—

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- (a) the obligations under regulation 29—
  - (i) have been met, or
  - (ii) have not been met;
- (b) the amount in tonnes of WEEE for which the operator of the scheme has been responsible for financing the costs of the collection, treatment, recovery and environmentally sound disposal during the relevant compliance period which fall, during the transitional period within—
  - (i) each of the categories listed in Schedule 1 (excluding display equipment, appliances containing refrigerants, gas discharge lamps, LED light sources and photovoltaic panels),
  - (ii) display equipment,
  - (iii) appliances containing refrigerants,
  - (iv) gas discharge lamps and LED light sources; and
  - (v) photovoltaic panels;
- (c) the amount in tonnes of WEEE for which the operator of the scheme has been responsible for financing the costs of the collection, treatment, recovery and environmentally sound disposal during the relevant compliance period which fall within Schedule 3.

## SCHEDULE 8

Regulations 26 and 27

### PART 1

#### Information to be included in an application for registration of producers or authorised representatives and notification of new scheme members

1. The compliance period in respect of which the application for registration or notification is being made.
2. The name of the producer joining the scheme or the name of the authorised representative joining the scheme.
3. The name of the scheme.
4. The name of the operator of that scheme and, where the operator of that scheme is a partnership, the names of all the partners.
5. The name, postal address, telephone number, email address and fax number of the registered office of each scheme member.
6. Where a scheme member is an authorised representative, the contact details of the producer that they represent as set out in paragraph 5.
7. The national identification code of the producer, including the European or national tax number of the producer.
8. The categories of EEE (set out in Schedule 1 or 3 as appropriate) which the producer which the producer has placed onto the market in the United Kingdom during the compliance period in respect of which the application or notification is being made.

9. The type of EEE (household or other than household EEE) that was placed onto the market in the United Kingdom during the compliance period in respect of which the application or notification is being made.

10. The brand name under which EEE placed onto the market in the United Kingdom by that producer was placed onto the market.

11. The way in which the producer meets their obligations.

12. The selling technique used.

13. The address for service of notices if different from the addresses mentioned in paragraph 5.

14. The business name of a scheme member if different from any name given in compliance with paragraph 5.

15. Where a scheme member is a partnership, the names of all the partners.

16. In the case of a claim that a scheme member is eligible for the annual producer charge specified in regulation 59(2)(a), evidence that that scheme member is not, and is not required to be, registered under the Value Added Tax Act 1994.

17. In the case of a claim that a scheme member is eligible for the annual producer charge specified in regulation 59(2)(b)—

(a) evidence that that scheme member is, or is required to be, registered under the Value Added Tax Act 1994; and

(b) evidence that the total turnover in pounds sterling of that scheme member in the last financial year was £1 million or less.

18. In relation to each scheme member, confirmation of whether the operator of the scheme will be discharging that scheme member's obligations under—

(a) regulation 28(1);

(b) regulation 29(1); or

(c) both (a) and (b).

19. The Standard Industrial Classification ("SIC") code for any scheme member that has one. For the purposes of this paragraph, an SIC code is a code that is included in the "Indexes to the United Kingdom Standard Industrial Classification of Economic Activities 2007" published by the Office for National Statistics.

## PART 2

### Reporting information to be supplied by a producer or authorised representative during the transitional period

20. The national identification code of the producer.

21. The compliance period to which the reporting information relates.

22. The amount of EEE by reference to—

(a) each of the categories listed in Schedule 1 (excluding display equipment, appliances containing refrigerants, gas discharge lamps, LED light sources and photovoltaic panels);

(b) display equipment;

(c) appliances containing refrigerants;

(d) gas discharge lamps and LED light sources; and

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(e) photovoltaic panels.

**23.** For each category referred to in paragraph 22, specify the amount in tonnes of EEE placed on the national market by that producer or authorised representative in the previous compliance period.

**24.** For each category referred to in paragraph 22, specify the amount in tonnes of EEE intended for use by private households; and by users other than private households.

**25.** For each category referred to in paragraph 24, specify the amount in tonnes of provided for EEE intended—

- (a) for use by private households for each quarter period of a relevant compliance period on or before the last day of the month that immediately follows the end of that quarter period; and
- (b) for use by users other than private households on or before the 31st January of the year immediately following the end of the relevant compliance period.

**26.** For each category referred to in paragraph 22, specify the amount in tonnes of EEE that has, during the compliance period referred to in paragraph 21, been—

- (a) separately collected;
- (b) recycled (including prepared for re-use);
- (c) recovered and disposed of within a Member State; or
- (d) shipped to another destination within or outside the Union.

### PART 3

#### Reporting information to be supplied by a producer or authorised representative from 1st January 2019

**27.** The national identification code of the producer.

**28.** The compliance period to which the reporting information relates.

**29.** The amount of EEE by reference to each of the categories listed in Schedule 3.

**30.** For each category referred to in paragraph 29, specify the amount in tonnes of EEE placed on the national market by that producer or authorised representative.

**31.** For each category referred to in paragraph 29, specify the amount in tonnes of EEE that has, during the compliance period referred to in paragraph 2, been—

- (a) separately collected;
- (b) recycled (including prepared for re-use);
- (c) recovered and disposed of within a Member State; or
- (d) shipped to another destination within or outside the Union.

### PART 4

#### Requirements for registration as a small producer

**32.** The date of the application for registration.

**33.** The name of the producer and any brand name under which the producer operates or intends to operate in the United Kingdom.

**34.** The following contact details for the producer—

- (a) the full postal address (including post code) and telephone number of—
    - (i) the producer’s registered office, or
    - (ii) if the producer is not a company registered in the United Kingdom, the producer’s principal place of business in the United Kingdom;
  - (b) a website address; and
  - (c) where available, a fax number and e-mail address.
- 35.** An address for service of notices on the producer if different from the addresses mentioned in paragraph 34.
- 36.** The name and telephone number of a contact person for the producer or authorised representative, and, where available, a fax number and e-mail address, for that person.
- 37.** If the producer has been registered under these Regulations within the last five compliance periods the producer’s EEE producer registration number.
- 38.** A signed declaration of the truth of the information provided and the name and title of the signatory of the declaration.

## SCHEDULE 9

Regulation 54

### Minimum requirements for shipments of used EEE suspected to be WEEE

- 1.** In order to distinguish between EEE and WEEE, where the holder of the object claims that he intends to ship or is shipping used EEE and not WEEE, Member States shall require the holder to have available the following to substantiate this claim:
- (a) a copy of the invoice and contract relating to the sale and/or transfer of ownership of the EEE which states that the equipment is destined for direct re-use and that it is fully functional;
  - (b) evidence of evaluation or testing in the form of a copy of the records (certificate of testing, proof of functionality) on every item within the consignment and a protocol containing all record information according to paragraph 3;
  - (c) a declaration made by the holder who arranges the transport of the EEE that none of the material or equipment within the consignment is waste as defined by Article 3(1) of Waste Directive(1); and
  - (d) appropriate protection against damage during transportation, loading and unloading in particular through sufficient packaging and appropriate stacking of the load.
- 2.** By way of derogation, paragraph 1(a) and (b) and paragraph 3 do not apply where it is documented by conclusive proof that the shipment is taking place in the framework of a business-to-business transfer agreement and that:
- (a) the EEE is sent back to the producer or a third party acting on his behalf as defective for repair under warranty with the intention of re-use; or
  - (b) the used EEE for professional use is sent to the producer or a third party acting on his behalf or a third-party facility in countries to which Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on control of transboundary movements of wastes destined for recovery operations applies, for refurbishment or repair under a valid contract with the intention of re-use; or

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(1) OJ No L 312, 22.11.2008, p.3.

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- (c) the defective used EEE for professional use, such as medical devices or their parts, is sent to the producer or a third party acting on his behalf for root cause analysis under a valid contract, in cases where such an analysis can only be conducted by the producer or third parties acting on his behalf.

**3.** In order to demonstrate that the items being shipped constitute used EEE rather than WEEE, Member States shall require the following steps for testing and record keeping for used EEE to be carried out:

Step 1: Testing

- (a) Functionality shall be tested and the presence of hazardous substances shall be evaluated. The tests to be conducted depend on the kind of EEE. For most of the used EEE a functionality test of the key functions is sufficient.
- (b) Results of evaluation and testing shall be recorded.

Step 2: Record

- (c) The record shall be fixed securely but not permanently on either the EEE itself (if not packed) or on the packaging so it can be read without unpacking the equipment.
- (d) The record shall contain the following information:
  - (i) name of item (name of the equipment if listed in Annex II or Annex IV, as appropriate, and category set out in Annex I or Annex III, as appropriate),
  - (ii) identification number of the item (type No) where applicable,
  - (iii) year of production (if available),
  - (iv) name and address of the company responsible for evidence of functionality,
  - (v) result of tests as described in step 1 (including date of the functionality test),
  - (vi) kind of tests performed.

**4.** In addition to the documentation requested in paragraphs 1, 2 and 3, every load (e.g. shipping container, lorry) of used EEE shall be accompanied by:

- (a) a relevant transport document, e.g. CMR or waybill;
- (b) a declaration by the liable person on its responsibility.

**5.** In the absence of proof that an object is used EEE and not WEEE through the appropriate documentation required in paragraphs 1, 2, 3 and 4 and of appropriate protection against damage during transportation, loading and unloading in particular through sufficient packaging and appropriate stacking of the load, which are the obligations of the holder who arranges the transport, Member State authorities shall consider that an item is WEEE and presume that the load comprises an illegal shipment. In these circumstances the load will be dealt with in accordance with Articles 24 and 25 of Regulation (EC) No 1013/2006.

## SCHEDULE 10

Regulation 55

### Approval of proposed schemes and schemes

## PART 1

### Information to be included in an application for approval

1. The name of the proposed scheme.

2. The name of the operator of the proposed scheme.
3. The address and telephone number of the registered office of the operator of the proposed scheme or, if the operator is not registered in the United Kingdom, the principal place of business and telephone number of that operator.
4. Where the operator of the proposed scheme is a partnership, the names of all the partners.
5. The address for service of notices if different from that referred to in paragraph 3.
6. Confirmation of whether or not the operator of the proposed scheme has been convicted of an offence under these Regulations; and where a positive confirmation is given an explanation of how the contravention of these Regulations which resulted in the conviction occurred and what steps have been taken to ensure that such a contravention will not occur in the future.

## PART 2

### Information to be included in the constitution

7. The nature of the operator of the scheme's legal personality.
8. The type of relationship between the operator of the proposed scheme and the scheme members (for example, contractual or partnership).
9. Details of how membership fees and any other sums payable to the operator of the proposed scheme by the scheme members are to be determined.
10. Details of any rules or regulations to be observed by the scheme members.
11. Details of the procedures under which the operator of the proposed scheme would enforce the rules or regulations against a scheme member.
12. Whether there is a minimum or maximum number of scheme members permitted.
13. Details of the eligibility criteria for membership of the proposed scheme.
14. Details of how evidence notes acquired by the operator of the proposed scheme in complying with his obligations under these Regulations will be allocated between scheme members in the event that approval of the proposed scheme is withdrawn under regulation 58.
15. Details of any arbitration procedure that will apply for the purpose of determining any dispute between scheme members and between scheme members and the operator of the proposed scheme.
16. Details of the arrangements in place for disseminating important information to scheme members in an accurate and timely manner.

## PART 3

### Requirements for approval of a proposed scheme and for continued approval of a scheme

17. That the rules or regulations of the proposed scheme or scheme provide—
  - (a) that a scheme member must apply to join the scheme for a relevant compliance period during which he has commenced putting EEE on the market in the United Kingdom; and
  - (b) that where a scheme member's membership of the scheme is cancelled, any such cancellation cannot take effect until the end of the current compliance period.
18. That the proposed scheme or scheme has the necessary resources and systems in place to—

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- (a) maintain up to date records of its scheme members, including—
  - (i) their names and addresses, and
  - (ii) their EEE producer registration numbers;
- (b) handle WEEE from private households, if it proposes to do so, (including collection and transportation to ATFs and funding of treatment, recovery and recycling) in order to discharge the operator of the scheme's notified obligation under regulation 28 in an appropriate and timely manner;
- (c) handle WEEE from users other than private households, if it proposes to do so, (including collection and transportation to ATFs and funding of treatment, recovery and recycling) in order to discharge the operator of the scheme's obligations under regulation 29 in an appropriate and timely manner;
- (d) where a proposed scheme is the subject of an application for approval made under regulation 55, or where a scheme is approved under that regulation for the purposes of regulation 28, accept return of WEEE from private households free of charge from—
  - (i) distributors in accordance with regulation 43; and
  - (ii) final holders in accordance with regulation 52;
- (e) keep, update and supply records to the appropriate authority as required under regulation 40 or 41;
- (f) supply information to the appropriate authority as required under regulations 35 and 37 or 36 and 38;
- (g) submit declarations of compliance and supporting evidence notes as required under regulation 39;
- (h) check that the information supplied to it by its scheme members under regulation 18 is as accurate as reasonably possible and that the operator of the scheme's submission of that information to the appropriate authority will meet a similar standard of accuracy; and
- (i) maintain good environmental practices.

**19.** That the operator of the proposed scheme or scheme will co-operate with other operators of schemes in relation to developing working relationships with operators of designated collection facilities.

**20.** That the operator of the proposed scheme or scheme will co-operate with operators of designated collection facilities to comply with regulation 53.

**21.** That the operator of the proposed scheme or scheme is likely to be able to meet his expected treatment, recovery and recycling obligations.

**22.** That the proposed scheme or scheme is likely to assist in meeting the United Kingdom's obligations in relation to the recovery of WEEE in respect of which an application for approval is being made or has been granted under regulation 55.

**23.** In the event that the operator of the proposed scheme or scheme contravenes any of the obligations placed on him under these Regulations, that it is likely that enforcement proceedings could be taken against the operator of the proposed scheme under these Regulations without a disproportionate cost to the enforcement authority.



## SCHEDULE 11

Regulations 61 and 63

### Approval of authorised treatment facilities and exporters

#### PART 1

##### Information to be included in an application for approval

1. The name of the operator of the ATF or the exporter.
2. The registered office address and telephone number of the operator of the ATF or the exporter where he is a body registered in the United Kingdom or, if the operator of the ATF or the exporter is not a body registered in the United Kingdom, the address of his principal place of business and telephone number in the United Kingdom.
3. Where the operator of the ATF or exporter is a partnership, the names of all the partners.
4. Where the operator of the ATF or exporter is not a body registered in the United Kingdom or a partnership, the name of the person having control or management of that body.
5. The address for service of notices if different from that referred to in paragraph 2.
6. In the case of an application made by the operator of an ATF, the name and address of the ATF in respect of which he is applying for approval.
7. In the case of an application made by an exporter—
  - (a) the name and address of each site to which he proposes to export WEEE for re-use as a whole appliance, treatment, recovery or recycling;
  - (b) in respect of each site specified in accordance with paragraph (a)—
    - (i) specify the amount in tonnes of WEEE that he proposes to export to that site for re-use as a whole appliance, treatment, recovery or recycling by reference to each of the following categories—
      - (aa) each of the categories listed in Schedule 1 (excluding display equipment, equipment containing refrigerants, gas discharge lamps, LED light sources and photovoltaic panels),
      - (bb) display equipment,
      - (cc) equipment containing refrigerants,
      - (dd) gas discharge lamps and LED light sources, and
      - (ee) photovoltaic panels;
    - (ii) the applicable reuse, treatment, recovery and recycling operations carried out by that site.
8. Confirmation of whether or not the operator of the ATF or the exporter has been convicted of an offence under these Regulations; and where a positive confirmation is given an explanation of how the contravention of these Regulations which resulted in the conviction occurred and what steps have been taken to ensure such a contravention will not occur in the future.

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## PART 2

### Conditions of approval of authorised treatment facilities

**9.** An evidence note for treatment will only be issued with respect to WEEE that has arisen as waste in the United Kingdom and that has been received for treatment at an AATF.

**10.** An evidence note for reuse as a whole appliance will only be issued with respect to WEEE from private households that—

- (a) has been deposited at a designated collection facility; or
- (b) has been returned under regulation 43 or 52 and has not been deposited at a designated collection facility.

**11.** The amount of WEEE recorded on an evidence note will be recorded in tonnes but any fraction of a whole tonne will be recorded in kilograms and such a fraction will be—

- (a) rounded up to the nearest whole kilogram where the part kilogram is 0.5 or more; and
- (b) rounded down to the nearest whole kilogram where the part kilogram is less than 0.5.

**12.** Where—

- (a) the result of rounding up under paragraph 11(a) is 1000 kilograms, or
- (b) the result of rounding down under paragraph 11(b) is 0 kilograms, the total amount will be recorded in tonnes.

**13.** Duplicate copies of any evidence note issued by the operator of the AATF will be retained by that operator of the AATF and made available for inspection by the appropriate authority at all reasonable times.

**14.** An evidence note will not be issued by an operator of an AATF for more than the total amount of WEEE received in the relevant approval period.

**15.** An evidence note will not be issued by an operator of an AATF in respect of any WEEE that has previously been treated by another AATF.

**16.** An evidence note for reuse as a whole appliance will not be issued by an operator of an AATF—

- (a) for more than the total amount of WEEE received for reuse as a whole appliance by, or on behalf of, that AATF in the relevant approval period; or
- (b) for any WEEE in respect of which evidence of reuse has been issued by another AATF or an approved exporter.

**17.** An evidence note will only be issued by an AATF in a format approved by the Secretary of State.

**18.** An AATF will not issue an evidence note in relation to non-obligated WEEE.

**19.** An evidence note will only be issued by an operator of an AATF to—

- (a) an operator of a scheme; or
- (b) a producer or authorised representative to whom regulation 14(10) applies.

**20.** An evidence note which relates to—

- (a) WEEE received for treatment, recovery or recycling in any relevant approval period; or
- (b) WEEE that is reused as a whole appliance and has been deposited at a designated collection facility or returned under regulation 43 or 52 in any relevant approval period,

will not be issued by an operator of an AATF after 31st January in the year immediately following the end of that relevant approval period.

**21.** Where WEEE is treated at an AATF and is subsequently exported, it must be exported by an approved exporter.

**22.** From 1st January 2014 until 31st December 2015 WEEE treated at the relevant AATF will meet the following targets—

- (a) for WEEE that falls within categories 1 and 10 of Schedule 1—
  - (i) at least 80% recovery by the average weight in tonnes of the equipment;
  - (ii) at least 75% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (b) for WEEE that falls within categories 3 and 4 of Schedule 1—
  - (i) at least 75% recovery by the average weight in tonnes of the equipment;
  - (ii) at least 65% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (c) for WEEE that falls within categories 2, 5, 6, 7, 8 and 9 of Schedule 1—
  - (i) at least 70% recovery by the average weight in tonnes of the equipment;
  - (ii) excluding gas discharge lamps and LED light sources, at least 50% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (d) for gas discharge lamps and LED light sources, at least 80% reuse and recycling of components, materials and substances by the average weight in tonnes of the lamps.

**23.** From 1st January 2016 until 31st December 2018 WEEE treated at the relevant AATF will meet the following targets—

- (a) for WEEE that falls within categories 1 and 10 of Schedule 1—
  - (i) at least 85% recovery by the average weight in tonnes of the equipment,
  - (ii) at least 80% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (b) for WEEE that falls within categories 3 and 4 of Schedule 1—
  - (i) at least 80% recovery by the average weight in tonnes of the equipment,
  - (ii) at least 70% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (c) for WEEE that falls within categories 2, 5, 6, 7, 8 and 9 of Schedule 1—
  - (i) at least 75% recovery by the average weight in tonnes of the equipment,
  - (ii) excluding gas discharge lamps and LED light sources, at least 55% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
- (d) for gas discharge lamps and LED light sources, at least 80% reuse and recycling of components, materials and substances by the average weight in tonnes of the lamps.

**24.** From 1st January 2019 WEEE treated at the relevant AATF will meet the following targets—

- (a) for WEEE that falls within categories 1 and 4 of Schedule 3—
  - (i) at least 85% recovery by the average weight in tonnes of the equipment,
  - (ii) at least 80% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;

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- (b) for WEEE that falls within category 2 of Schedule 3—
    - (i) at least 80% recovery by the average weight in tonnes of the equipment,
    - (ii) at least 70% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
  - (c) for WEEE that falls within categories 5 or 6 of Schedule 3—
    - (i) at least 75% recovery by the average weight in tonnes of the equipment,
    - (ii) excluding gas discharge lamps and LED light sources, at least 55% reuse and recycling of components, materials and substances by the average weight in tonnes of the equipment;
  - (d) for WEEE falling within category 3 at least 80% reuse and recycling of components, materials and substances by the average weight in tonnes of the lamps.
- 25.** The operator of the AATF will comply with the requirements of regulation 66.
- 26.** The operator of the AATF has systems and procedures in place to ensure that data included in reports produced under regulation 66 are accurate.
- 27.** Where the operator of an ATF has submitted an application for approval under regulation 61(1) which was accompanied by the fee specified in regulation 65(1)(a) and he subsequently issues evidence notes for in excess of 400 tonnes of WEEE in the approval period to which the application relates, the operator of that ATF must pay the fee specified in regulation 65(1)(b) within 28 days of the date on which the first evidence note which exceeded 400 tonnes is issued in the relevant approval period, less the amount of the fee already paid which is specified in regulation 65(1)(a).

## PART 3

### Conditions of approval of exporters

- 28.** An evidence note will only be issued in respect of WEEE that will be exported in accordance with Regulation (EC) 1013/2006 of the European Parliament and of the Council of the 14th June 2006 on shipments of waste with respect to WEEE that has arisen as waste in the United Kingdom and that—
- (a) will be exported for treatment at any establishment or undertaking located outside the United Kingdom which carries out treatment operations and which is of an equivalent standard to an ATF;
  - (b) will be exported for recovery or recycling at any establishment or undertaking located outside the United Kingdom which carries out recovery or recycling operations and which is of an equivalent standard to a reprocessor; or
  - (c) will be exported for reuse as a whole appliance to any establishment or undertaking located outside the United Kingdom.
- 29.** The amount of WEEE recorded on an evidence note will be recorded in tonnes but any fraction of a whole tonne will be recorded in kilograms and such a fraction will be—
- (a) rounded up to the nearest whole kilogram where the part kilogram is 0.5 or more; and
  - (b) rounded down to the nearest whole kilogram where the part kilogram is less than 0.5.
- 30.** Where—
- (a) the result of rounding up under paragraph 29(a) is 1000 kilograms; or

- (b) the result of rounding down under paragraph 2(b) is 0 kilograms, the total amount will be recorded in tonnes.

**31.** Duplicate copies of an evidence note issued under these Regulations will be retained by an approved exporter and made available for inspection by the appropriate authority at all reasonable times.

**32.** An evidence note will not be issued by an approved exporter—

- (a) for more than the total amount of WEEE received for export by that exporter in the relevant approval period; and
- (b) for WEEE that is or will be partially treated in the United Kingdom before being exported by that exporter.

**33.** An evidence note will only be issued by an approved exporter in a format approved by the Secretary of State.

**34.** An evidence note will only be issued by an approved exporter to—

- (a) an operator of a scheme; or
- (b) a producer to whom regulation 14(10) applies.

**35.** An evidence note will not be issued by an approved exporter after the 31st January in the year immediately following the end of the relevant approval period.

**36.** The approved exporter will comply with the requirements of regulation 66.

**37.** The approved exporter has systems and procedures in place to ensure that data included in reports produced under regulation 66 are accurate.

**38.** The approved exporter will comply with the requirements of Schedule 9.

**39.** Where an exporter has submitted an application for approval under regulation 61(1) which was accompanied by the fee specified in regulation 65(1)(a) and he subsequently issues evidence notes for in excess of 400 tonnes of WEEE in the approval period to which the application relates, the exporter must pay the fee specified in regulation 65(1)(b) in the period to which the approval relates, less the amount of the fee already paid which is specified in regulation 65(1)(a).

## SCHEDULE 12

Regulation 70

### Criteria for approval as a designated collection facility

- 1.** The facility is likely to subsist for at least one compliance period.
- 2.** That—
  - (a) the operator of the collection facility complies with the code of practice; and
  - (b) the collection facility has the capacity and arrangements in place to collect WEEE in compliance with the code of practice.
- 3.** The operator of the collection facility is willing to work with one or more operator of a scheme to secure the collection and removal of WEEE from a private household that is deposited at the facility during each compliance period.
- 4.** The operator of the collection facility holds a relevant authorisation.
- 5.** Where an operator of a collection facility finances the costs of collecting and delivering WEEE from private households to—

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- (a) an AATF for reuse as a whole appliance or treatment under regulation 53; or
- (b) an approved exporter for reuse as a whole appliance or treatment outside the United Kingdom, during a compliance period;

he agrees to provide to the appropriate authority information on the total amount of WEEE from private households that he has been responsible for collecting from a designated collection facility and delivering to an AATF for reuse as a whole appliance or treatment or an approved exporter for reuse as a whole appliance or treatment outside the United Kingdom during a compliance period.

- 6. The information referred to in paragraph 5 will—
  - (a) be in writing;
  - (b) specify the amount in tonnes of WEEE from private households by reference to each of the following categories—
    - (i) each of the categories listed in Schedule 1 (excluding display equipment, appliances containing refrigerants, gas discharge lamps LED light sources and photovoltaic panels),
    - (ii) display equipment,
    - (iii) appliances containing refrigerants,
    - (iv) gas discharge lamps and LED light sources; and
    - (v) photovoltaic panels;
  - (c) be provided for each quarter period of a relevant compliance period on or before the last day of the month that immediately follows the end of that quarter period.

## SCHEDULE 13

Regulation 77

### Public register

- 1. The producer's or authorised representative's name.
- 2. The address of the registered office or, where the producer or authorised representative is not a body corporate registered in the United Kingdom, the address of the principal place of business of that producer or authorised representative.
- 3. The telephone number and email address and fax number of the producers registered office.
- 4. The producer's EEE producer registration number.
- 5. The name of the scheme that the producer or authorised representative has joined indicating whether that producer has joined the scheme for the purposes of discharging his obligations under regulation 11(1) or 12(1) or both.
- 6. The name of the operator of that scheme and the address of his registered office if he is a body corporate registered in the United Kingdom or, where he is not a body corporate registered in the United Kingdom, the address of his principal place of business.

## SCHEDULE 14

Regulation 84

### Procedure of appeals

1.—(1) Where a person wishes to appeal to an appeal body under regulation 83, he will do so by notice in writing served on that appeal body.

(2) The notice mentioned in paragraph (1) will be accompanied by—

- (a) a statement of the grounds of appeal;
- (b) where the appeal relates to refusal to grant approval under regulation 55 or 61, a copy of the appellant's application and any supporting documents;
- (c) where the appeal relates to refusal to grant an extension of approval under regulation 62, a copy of the appellant's application and any supporting documents;
- (d) where the appeal relates to withdrawal of approval under regulation 58, a copy of the notification of the decision and any supporting documents;
- (e) where the appeal relates to suspension or cancellation of approval under regulation 58, a copy of the notification of the decision and any supporting documents;
- (f) a copy of any correspondence relevant to the appeal;
- (g) a copy of any other document relevant to the appeal; and
- (h) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

(3) The appellant will serve a copy of his notice of appeal on the appropriate authority whose decision is being appealed together with copies of the documents mentioned in sub-paragraph (2).

2.—(1) Subject to sub-paragraph (2), notice of appeal will be given before the expiry of the period of two months beginning with the date of the decision that is the subject of the appeal.

(2) The appeal body may for good reason at any time allow notice of an appeal to be given after the expiry of the period mentioned in sub-paragraph (1).

3. Where under regulation 84(2) the appeal is by way of a hearing, the person hearing the appeal will, unless he has been appointed to determine an appeal under regulation 84(1)(a), make a written report to the appeal body that appointed him under regulation 84(1)(b) which will include his conclusions and recommendations or his reasons for not making any recommendations.

4.—(1) The appeal body or other person determining an appeal will notify the appellant in writing of its or his decision and of the reasons for that decision.

(2) If the appeal body determines an appeal after a hearing under regulation 84(2), he or they will provide the appellant with a copy of any report made to it under paragraph 3.

(3) The appeal body or other person determining an appeal will, at the same time as notifying the appellant of its or his decision, send the appropriate authority a copy of any document sent to the appellant under this paragraph.