
Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

2013 No. 3113

ENVIRONMENTAL PROTECTION

The Waste Electrical and Electronic
Equipment Regulations 2013

Made - - - - 7th December 2013

Laid before Parliament 10th December 2013

*Coming into force in accordance with
regulation 1(2) to (4)*

THE WASTE ELECTRICAL AND ELECTRONIC
EQUIPMENT REGULATIONS 2013

PART 1

1. Citation, commencement and extent
2. Interpretation
3. Interpretation of documents
4. Service of documents

PART 2

5. Application during the transitional period
6. Application from 1st January 2019
7. Exemptions
8. Exclusions
9. First compliance period
10. Existing Union Legislation

PART 3

11. Financing: WEEE from private households
12. Financing: WEEE from users other than private households
13. Producers supplying EEE by means of distance communication
14. Obligation to join a scheme
15. Registration of small producers
16. Application to register as a small producer
17. Small producers: Conditions of registration

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

18. Information provided to operators of schemes
19. Declaration of Compliance
20. Record keeping
21. Declaration of EEE producer registration number
22. Marking EEE with the crossed out wheeled bin symbol
23. Marking EEE with a date mark
24. Information on new types of EEE

PART 4

SCHEME OBLIGATIONS

25. Registration of producers
26. Application to register producers and authorised representatives
27. Notification of new scheme member
- 27A. Notification of scheme member in liquidation etc. and obligations in relation to that scheme member
28. Financing: WEEE from private households
29. Financing: WEEE from users other than private households
30. Prioritisation of the reuse of whole appliances
31. Treatment
32. Recovery
33. Payment of a compliance fee
34. Collection Arrangements
35. Reporting: WEEE during the transitional period
36. Reporting: WEEE from 1st January 2019
37. Reporting: EEE placed on the market during the transitional period
38. Reporting: EEE placed on the market from 1st January 2019
39. Declaration of compliance
40. Record keeping: transitional period
41. Record keeping: From 1st January 2019

PART 5

WEEE

42. Takeback
43. Returns
44. Information
45. Record keeping
46. Exemption for distributors who are current members of a distributor take back scheme

PART 6

47. Financing obligation: Collection of WEEE from users other than private households
48. Obligation to optimise the reuse and recycling of WEEE
49. WEEE from private households which presents a health and safety risk
50. Take back: WEEE from private households
51. Prohibition on showing the costs of financing the collection, treatment and environmentally sound disposal of WEEE from private households
52. Final holder right of return: WEEE from private households
53. Notification of an intention to retain WEEE falling within certain WEEE streams

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 54. Shipments of used EEE

PART 7

APPROVAL OF PROPOSED SCHEMES AND WITHDRAWAL OF APPROVAL OF SCHEMES

- 55. Application for approval of a proposed scheme
- 56. Notification of a decision to refuse to approve a proposed scheme
- 57. Conditions of approval
- 58. Withdrawal of approval of a scheme
- 58A Voluntary withdrawal of the approval of a scheme
- 59. Charges

PART 8

- 60. Requirement for approval
- 61. Application for approval
- 62. Application for extension of approval of an exporter to an additional site
- 63. Conditions of approval
- 64. Suspension and cancellation of approval
- 65. Charges
- 66. Reporting
- 67. Record keeping

PART 9

- 68. Distributor take back scheme
- 69. Take back: Application to use existing collection facilities
- 70. Approval of designated collection facilities
- 71. Withdrawal of approval of designated collection facilities
- 72. Code of Practice
- 73. Evidence notes
- 74. Product Design
- 75. Duties of the appropriate authority in relation to registration of small producers
- 76. Approval of compliance fee; methodology and administration

PART 10

- 77. Registration of producers and authorised representatives
- 78. Monitoring
- 79. Approval of schemes
- 80. Information
- 81. Approval of authorised treatment facilities and exporters

PART 11

- 82. Disclosure of information

PART 12

- 83. Right of appeal
- 84. Procedure of appeals

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 85. Determination of appeals
- 86. Status of a decision pending appeal

PART 13

- 87. Enforcement
- 88. Enforcement notice
- 89. Entry and inspection

PART 14

- 90. Offences
 - 91. Penalties
 - 92. Commencement of proceedings
 - 93. Review
 - 94. Consequential amendments
 - 95. Transitional provisions
 - 96. Revocations and Savings
- Signature

SCHEDULES

SCHEDULE 1 — Categories of EEE covered by these Regulations during the transitional period

SCHEDULE 2 — Indicative list of types of EEE which fall under the categories in Schedule 1

SCHEDULE 3 — Categories of EEE covered by these Regulations from January 2019

SCHEDULE 4 — Non-exhaustive list of types of EEE which fall within the categories set out in Schedule 3

SCHEDULE 5 — First compliance period

1. The following amendments apply in relation to the first compliance...
2. Record Keeping
3. Take back: Application to use existing collection facilities

SCHEDULE 6 — Crossed out wheeled bin symbol

SCHEDULE 7 — 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...
2. The name and title of the person who issues the...
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...
6. In relation to the WEEE from users other than private...

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...

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

8. The name and title of the person who issues the...
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...
12. In relation to the WEEE from users other than private...

SCHEDULE 8 —

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...
2. The name of the producer joining the scheme or the...
3. The name of the scheme.
4. The name of the operator of that scheme and, where...
5. The name, postal address, telephone number, email address and fax...
6. Where a scheme member is an authorised representative, the contact...
7. The national identification code of the producer, including the European...
8. The categories of EEE (set out in Schedule 1 or...
9. The type of EEE (household or other than household EEE)...
10. The brand name under which EEE 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...
14. The business name of a scheme member if different from...
15. Where a scheme member is a partnership, the names of...
16. In the case of a claim that a scheme member...
17. In the case of a claim that a scheme member...
18. In relation to each scheme member, confirmation of whether the...
19. The Standard Industrial Classification (“SIC”) code for any scheme member...
- 19A. Where a producer is joining a scheme for the first...

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—
23. For each category referred to in paragraph 22, specify the...
24. For each category referred to in paragraph 22, specify the...
25. For each category referred to in paragraph 24, specify the...
26. For each category referred to in paragraph 22, specify the...

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...
30. For each category referred to in paragraph 29, specify the...
31. For each category referred to in paragraph 29, specify the...

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...
34. The following contact details for the producer—
35. An address for service of notices on the producer if...
36. The name and telephone number of a contact person for...

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Waste Electrical and Electronic Equipment Regulations 2013*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

37. If the producer has been registered under these Regulations within...
38. A signed declaration of the truth of the information provided...

SCHEDULE 9 — Minimum requirements for shipments of used EEE suspected to be WEEE

1. In order to distinguish between EEE and WEEE, where the...
2. By way of derogation, paragraph 1(a) and (b) and paragraph...
3. In order to demonstrate that the items being shipped constitute...
4. In addition to the documentation requested in paragraphs 1, 2...
5. In the absence of proof that an object is used...

SCHEDULE 10 — 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 and, where available, email address...
4. Where the operator of the proposed scheme is a partnership,...
5. The address for service of notices if different from that...
6. Confirmation of whether or not the operator of the proposed...

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...
9. Details of how membership fees and any other sums payable...
10. Details of any rules or regulations to be observed by...
11. Details of the procedures under which the operator of the...
12. Whether there is a minimum or maximum number of scheme...
13. Details of the eligibility criteria for membership of the proposed...
14. Details of how evidence notes acquired by the operator of...
15. Details of any arbitration procedure that will apply for the...
16. Details of the arrangements in place for disseminating important information...

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...
18. That the proposed scheme or scheme has the necessary resources...
19. That the operator of the proposed scheme or scheme must...
20. That the operator of the proposed scheme or scheme must...
21. That the operator of the proposed scheme or scheme is...
22. That the proposed scheme or scheme is likely to assist...
23. In the event that the operator of the proposed scheme...

SCHEDULE 11 — 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...
2. The registered office address and telephone number and, where available...
3. Where the operator of the ATF or exporter is a...
4. Where the operator of the ATF or exporter is not...
5. The address for service of notices if different from that...
6. In the case of an application made by the operator...
7. In the case of an application made by an exporter—...
8. Confirmation of whether or not the operator of the ATF...

PART 2 — Conditions of approval of authorised treatment facilities

9. An evidence note for treatment must only be issued with...

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

10. An evidence note for reuse as a whole appliance must...
 11. The amount of WEEE recorded on an evidence note must...
 12. Where— (a) the result of rounding up under paragraph 11(a)...
 13. Duplicate copies of any evidence note issued by the operator...
 14. An evidence note must not be issued by an operator...
 15. An evidence note must not be issued by an operator...
 16. An evidence note for reuse as a whole appliance must...
 17. An evidence note must only be issued by an AATF...
 18. An AATF must not issue an evidence note in relation...
 19. An evidence note must only be issued by an operator...
 20. An evidence note which relates to— (a) WEEE received for...
 21. Where WEEE is treated at an AATF and is subsequently...
 22. From 1st January 2014 until 31st December 2015 WEEE treated...
 23. From 1st January 2016 until 31st December 2018 WEEE treated...
 24. From 1st January 2019 WEEE treated at the relevant AATF...
 25. The operator of the AATF must comply with the requirements...
 26. The operator of the AATF has systems and procedures in...
 27. Where the operator of an ATF has submitted an application...
- PART 3 — Conditions of approval of exporters
28. An evidence note may be issued only in relation to...
 29. The amount of WEEE recorded on an evidence note must...
 30. Where— (a) the result of rounding up under paragraph 29(a)...
 31. Duplicate copies of an evidence note issued under these Regulations...
 32. An evidence note must not be issued by an approved...
 33. An evidence note must only be issued by an approved...
 34. An evidence note must only be issued by an approved...
 35. An evidence note must not be issued by an approved...
 36. The approved exporter must comply with the requirements of regulation...
 37. The approved exporter has systems and procedures in place to...
 38. The approved exporter must comply with the requirements of Schedule...
 39. Where an exporter has submitted an application for approval under...

SCHEDULE 12 — Criteria for approval as a designated collection facility

1. The facility is likely to subsist for at least one...
2. That— (a) the operator of the collection facility complies with...
3. The operator of the collection facility is willing to work...
4. The operator of the collection facility holds a relevant authorisation...
5. Where an operator of a collection facility finances the costs...
6. The information referred to in paragraph 5 will—

SCHEDULE 13 — Public register

1. The producer's or authorised representative's name.
2. The address of the registered office or, where the producer...
3. The telephone number and email address and fax number of...
4. The producer's EEE producer registration number.
5. The name of the scheme that the producer or authorised...
6. The name of the operator of that scheme and the...

SCHEDULE 14 — Procedure of appeals

1. (1) Where a person wishes to appeal to an appeal...
2. (1) Subject to sub-paragraph (2), notice of appeal must be...
3. Where under regulation 84(2) the appeal is by way of...
4. (1) The appeal body or other person determining an appeal...

Status: Point in time view as at 25/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Explanatory Note

Status:

Point in time view as at 25/12/2015.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Waste Electrical and Electronic Equipment Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations.