European Commission
DG Environment- Waste Management & Recycling Unit

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"WEEE Directive"
Status of national transposition & Implementation

A pan-European overview

Frankfurt, 3.11.2015
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• Introductory remarks on the new WEEE Directive 2012/19/EU- Status of transposition

• The main challenges in the implementation of the new WEEE Directive & the next steps
Introductory remarks on the new WEEE Directive

1. Adoption: 4 July 2012

2. Entry into force: August 2012

3. Deadline for the transposition into the national legislation of the Member States: 14 February 2014
Status of national transposition

• In time: 9 Member States had adopted measures transposing the Recast WEEE Directive (partial or complete) by 14 February 2014

• Late transposition of the Directive: Commission referred 3 Member States to the EU Court of Justice over their failure to transpose the WEEE Directive and communicate the national transposition measures (last notification: 27/10/15)
Conformity assessment

• **Main task**: check whether there are mistakes or gaps in the transposition of the Directive and as a second step identify national measures taken under specific provisions.

• **On the basis of these studies**, where needed, **the Commission will proceed with infringement cases.**
National transposition - examples

- Scope
- Retailers' obligation (1:0)
- Access to re-use centres
- Targets
- Treatment requirements
- Authorised representative
- Registration/ Reporting
- Penalties
- Inspection/ monitoring/ requirements for shipments
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- The main challenges in the implementation of the new WEEE Directive & the next steps
EU MEMBER STATES IN FULL PROCESS OF IMPLEMENTING THE NEW WEEE DIRECTIVE

• Until December 2015, Collection target: 4 kg / capita

• From 2016, Collection target: 45% of "EEE placed on the market" the three previous years

• From 2018, “open scope” definition to be applied

• From 2019, Collection target: 65% of "EEE placed on the market", or 85% of "WEEE generated"
THE MAIN CHALLENGES OF THE NEW DIRECTIVE

1. Increase separate collection and proper treatment, by establishing a collection rate ambitious and appropriate for each Member State

2. Fight illegal exports of WEEE disguised as "used equipment", by reversing the burden of proof on functionality for exporters

3. Reduce administrative burdens in the internal market, by simplifying registration and reporting requirements for new EEE placed on the market
### WEEE Collection Target:

- **≥ 4 kg per capita collected from households**
- or **(by 31.12.2015)** the same weight as the average amount of WEEE collected in that Member State in the three preceding years; whichever of the two figures that is highest shall continue to apply.

<table>
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<th>1st year of mandatory target compliance for MS</th>
<th>Reference Year</th>
<th>Trend compared to average of 3 preceding yrs 2010-2012</th>
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- The value is below the threshold of 4 kg/cap
- The average of the 3 preceding years is less than the value for 2013
INCREASE DOCUMENTED SEPARATE COLLECTION

- 65% of the EEE placed on the market or 85% of the WEEE generated already separately collected, but more than half of this potentially object of improper treatment and illegal exports, and, even when properly treated, is not reported.

- Study to describe possible difficulties faced by the Member States in adhering to the collection targets, to assess the feasibility of the collection targets set out in the Directive as well as the advantages and disadvantages of revising the deadlines to reach these targets or the collection rates themselves.
INCREASE DOCUMENTED SEPARATE COLLECTION

- Reaching the target is challenging and even unfeasible for some Member States if the current pace is maintained.

*Source:* Study on WEEE collection rates (UNU, CBS, BIO, REC, 2014)
FIGHT ILLEGAL SHIPMENTS OF WEEE

- Stronger tools for the MS: Introduction in the WEEE Directive of minimum requirements for shipments of used EEE suspected to be WEEE
- Amendment of Regulation (EC) No 1013/2006 on shipments of waste introduced through Regulation (EU) No 660/2014:
  - Member States are required to establish inspection plans by 1/1/2017 including a minimum set of elements and minimum number of inspections required
  - provide enhanced powers to the authorities involved in inspections
- 12th Conference of the Parties to the Basel Convention: technical guidelines on trans-boundary movements of WEEE and used electrical and electronic equipment.
- Commission cooperates with EU environmental enforcement networks and other relevant European and international organisations
REDUCE ADMINISTRATIVE COSTS THROUGH HARMONISATION AND UNIFIED APPROACHES

- Harmonisation of registration and reporting information
- Marking and treatment information once when placing on the European market
- Reimbursement of multiple compliance contributions
- Authorised representative instead of multiple legal seat
EU Commission tasks

- Delegated regulation laying down detailed rules for the assessment of equivalent conditions for WEEE treated outside the EU (Art. 10.3)
- Implementing Act establishing the methodology for the calculation of weight of EEE placed on the market and of WEEE generated per Member State (Art. 7.5)
- Reports to the EP and to the Council:
  - on the review of the scope of the Directive (Art. 2.5)
  - on the re-examination of collection deadlines and on possibly setting individual collection rates for one or more categories (Art. 7.6)
  - on the re-examination of recovery targets, possibility of setting separate targets for WEEE to be prepared for re-use and calculation method of the recovery targets (Art. 11.6)
EU Commission tasks

Ongoing study on:

“Harmonisation of the format for the registration and reporting of EEE producers and the frequency of reporting to the register” (Implementing Act to be adopted by the end of 2016)

Tasks:

• Develop the information structure and format for registration of EEE producers to the national register

• Develop the information structure and format for the reporting by EEE producers to the national register

• Present a proposal regarding the frequency of reporting by producers to the national register.

Contractor: Trasys SA
Thank you!

For more information:
Commission's WEEE web-site:
http://ec.europa.eu/environment/waste/weee/index_en.htm

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