



Danish Ministry of the Environment
Environmental Protection Agency



Registration and reporting – Outcome

Introduction

The initial document which was used as an introduction to the conference initiated a discussion in order to identify sections of e.g. annex X of WEEE2 which across the EU are translated or interpreted differently. Thereby, Member States and producers had the opportunity to develop a common understanding and harmonized implementation of the registration and reporting formats.

Present document contains a table which is the outcome of that process. The table contains the outcome of the discussions initiated at the WEEE2 conference in Copenhagen with public experts related to the implementing of registration and reporting formats connected to WEEE2. Member State experts were given the opportunity to give feedback to the text during late summer and e.g. discuss the standards with industrial and trade confederations.

The document is forwarded to the Commission as an input to the upcoming Commission FAQ.

We hope that Member States and the Commission will welcome and use the document to harmonise the national interpretation and implementation of WEEE2.

Legal basis for producer's registration and reporting

According to Art 16 par. 3, 2 and annex X of WEEE2 Directive the Commission shall ensure uniform conditions for the implementation of Art 16 by means of implementing acts and establish the (i) format for registration and (ii) reporting and the (iii) frequency of reporting to the register and (iv) the annual reports as described in Art 16 par. 4.

According to Art 18 the administrative cooperation and exchange of information, **notably between national registers**, shall include electronic means of communication. **Cooperation shall include, inter alia, access to the relevant documents and information including results of any inspections, subject to the provisions of the data protection law enforced in the Member State of the authority which is being requested to cooperate.'**

In order to electronically exchange information between Member States, a certain degree of data standardization is necessary. In order for Member States to benefit from relevant documents and information a harmonization of the interpretation of the information is needed.

Relevance of common interpretation of registration and reporting

The background for opening this discussion is the implementation of WEEE1, which showed Member States and industry that a lack of common interpretation of the Directive leads to a variety of interpretations and implementations of the otherwise identical Directive text. One of the earliest documented differences concerns registration, reporting and responsibility connected to distance sellers documented [here](#).

Example, present Directive

An example of the consequences: a distance seller residing in Denmark and selling to Sweden has no responsibility to register, report or take back (W)EEE in Sweden or Denmark. However, a distance seller residing in Sweden and selling to Denmark has to register and report and collect in Sweden and in Denmark for EEE marketed in Denmark.

Example, present Directive

The French version and the English version of the Directive diverge for the exclusion criteria about medical equipment. It was only several years after implementation of the Directive into national legislation the problem was identified and realised. A harmonization awaits the implementation of WEEE2.

- UK version: with the exception of all implanted and infected products.
- FR version: with the exception of all implanted or infected products.

Example, Directive WEEE2

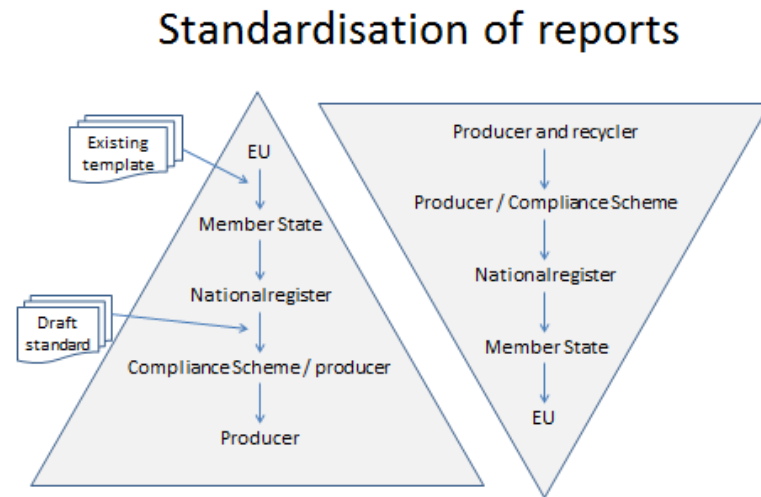
Annex X stipulates that a producer can be registered by an authorised representative who can be a natural person established on their territory. However, how will Member States define this natural person? Is all we need a name and an address of this person? Is it enough to be established by a post box? Does the person have to be a citizen of the Member State, an EU-citizen or can the person be a non-citizen? Does the person need to have a permanent residence in the Member State? Do we need the person's personal identity number? Is registration as authorised representative equal to running a business and does that mean that we have to consider the regulation of the free movement of labour in the EU when defining what information is needed for a harmonized registration of an authorised representative?

If we do not harmonize we are likely to see many different ways of handling registration of distance sellers and authorized representatives. Sometimes these implementations will conflict as illustrated with the implementation of the current directive regarding registration of distance sellers between Sweden and Denmark. Hopefully the WEEE2 have solved this issue.

Why is it relevant to get a common interpretation now?

When the WEEE Directive was first introduced in 2005 most Member States, enterprises, and trade organizations were tied up with national implementation and interpretation. Due to busy national implementation of the existing Directive there are differences in implementation of registration and reporting.

In general, EU Member States have more than 50% of their import as well as export with other EU Member States. Therefore, producers and Member States experience the differences in the implementation of the Directive. The WEEE2 process offers an alternative, which is a window of opportunity to establish a more harmonized approach. The coming months give Member States the opportunity to verify that they reach similar interpretations from the Directive wording. When implemented, a common understanding of registration and reporting will minimize administrative burdens to enterprise and national governments.



Hierarchy in reporting and Key Performance Indicators

Member States reports to the Commission can be perceived as Key Performance Indicators (KIP) to follow their performance of Member States. These KPIs are the most aggregated data (KPIs) connected to the WEEE Directive.

However, Member States can have an interest in a more detailed set of data in order to monitor the efficiency of the WEEE Directive more efficiently than the Commission with reports every 3 years. Producers and compliance schemes and recyclers equally have an interest in the establishment of standardised KPIs to monitor compliance with the regulation and commercial agreements.

The figure illustrates that presently there exists a standardised format for the KPIs to be reported from Member States to the Commission. Annex X of WEEE2 points in the direction of standardising the reporting of KPIs from producers to the national registers of the Member States. However, all data about marketed EEE originates from the producer and all data about collection and recycling originates from the producer and the recyclers cooperating with the producers.

**Proposal subject to
Registration and Reporting Formats**

WEEE-Directive Annex X	Producer Registration	Information to be submitted upon registration (Description)
A1	Name of producer (if an authorized representative acts to register the producer please also see page 3)	Name of the producer to be registered that places EEE on the market.
A1	Address	Registered address / contact address of producer
A1	Country	Country of producer.
A1	Telephone number	Valid telephone number of producer's contact person (Format: +country code city code number and if applicable extension number, e.g. +49 91176665-71)
A1	Fax number	Valid fax number of producer's contact person (Format: +country code city code number and if applicable extension number, e.g. +49 91176665-99)
A1	E-mail	E-mail address of producer (Format: name@subdomain.***)
A1	Contact person	First and surname of the producer's contact person as wells as contact details and email address
A2	National identification code of the producer	Companie's registered number (commercial- / trade-register) if applicable
A2	European or national tax number of producer	This is either the producer's European VAT or national TAX number.
A3	Category of EEE set out in Annex I or III, as appropriate.	Within the application for registration producers shall name all categories 1 to 10 of Annex I during the transitional period and categories 1 to 6 after the transitional period under which EEE is placed on the national market.

**Proposal subject to
Registration and Reporting Formats**

A4	Type of EEE (household or other than household equipment).	The business type of equipment (b2c: households or b2b: other than households) for each of the before mentioned 10 (during the transitional period) or 6 categories (after the transitional period).
A5	Brand name of EEE	This is the permanent visible producer name, brand or trademark on the EEE itself.
A6	Information on how the producer meets his responsibilities: individual or collective scheme	Relevant information how the producer meets his compliance (take-back obligation for WEEE): individual or with a collective scheme (relevant per mentioned category and type of equipment).
A6	Information on financial guarantee	Information to be provided how the producer will meet his responsibilities for new (W)EEE if applicable. The producer can choose to join a collective scheme or provide a guarantee, such as a recycling insurance or a blocked bank account (relevant per per mentioned category and type of equipment).
A7	Selling technique used (e.g. distance selling)	Statement if producer is distant seller or not (klick check-box online)
A8	Declaration stating that the information provided is true.	Declaration confirming that the information provided upon registration or its alteration is true. Simply done by clicking on a check-box online.

**Proposal subject to
Registration and Reporting Formats**

WEEE-Directive Annex X	Additional Information for the Producer Registration by an authorised representative appointed by written mandate	Information to be submitted upon registration (Description) <i>The authorized representative is acting in the name and on behalf of the producer. He represents the to be registered producer within the registration and/or reporting process.</i>
A1*	Name of authorised representative	Name of the authorised representative who represents the producer in the Member State. In case of an individual person the full name (e.g. John Doe). In case of (corporate) company the full company name as it is listed in the companies register (e.g. John Doe Ltd.).
A1*	Address	Registered address / contact address
A1*	Country	Country of authorised representative.
A1*	Telephone number	Valid telephone number of authorised representative's contact person (Format: +country code city code number and if applicable extension number, e.g. +49 91176665-0)
A1*	Fax number	Valid fax number of authorised representative's contact person (Format: +country code city code number and if applicable extension number, e.g. +49 91176665-99)
A1*	E-mail	Valid email address of authorised representative (Format: name@subdomain.***)
A1*	Contact person	First and surname of the authorised representative's contact person as wells as contact details and email address

WEEE-Directive Annex X	Reporting	Information to be submitted for reporting (Description)
B1	National identification code of the producer.	Companie's registered number (commercial- / trade-register) if applicable
B2	Reporting period.	The period of time the report shall cover. Where applicable and according to the national law: last month, last quarter, last half year or last year.
B3	Category of EEE set out in Annex I or III, as appropriate.	Reporting has to be done per category. During the transitional period of six years there are 10, after that 6 categories.
B4	Quantity of EEE placed to the national market, by weight.	<p align="center"><i>Format to be found at the end of this document for the 10 categories during the transitional period (Format 1) and for the 6 categories after that time (Format 2).</i></p>
B5	Quantity, by weight, of waste of EEE separately collected, recycled (incl. prepared re-use), recovered and disposed within the Member State or shipped within our outside the Union.	

Proposal subject to Registration and Reporting Formats

Format 1: reports per category and weight during transitional period									
	EEE put on the national market		WEEE separately collected		WEEE recycled, recovered and disposed in MS			WEEE shipped inside EU	WEEE shipped outside EU
Per Category	b2b	b2c	b2b	b2c	Recycled	Recovered	Disposed	Shipped	Shipped
1. Large household appliances	kg	kg	kg	kg	kg	kg	kg	kg	kg
2. Small household appliances	kg	kg	kg	kg	kg	kg	kg	kg	kg
3. IT and telecommunications equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
4. CE equipment and photovoltaic panels	kg	kg	kg	kg	kg	kg	kg	kg	kg
5. Lighting equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
6. Electrical and electronic tools	kg	kg	kg	kg	kg	kg	kg	kg	kg
7. Toys, leisure and sports equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
8. Medical Devices	kg	kg	kg	kg	kg	kg	kg	kg	kg
9. Monitoring and control instruments	kg	kg	kg	kg	kg	kg	kg	kg	kg
10. Automatic dispensers	kg	kg	kg	kg	kg	kg	kg	kg	kg
Format 2: reports per category and weight after transitional period									
	EEE put on the national market		WEEE separately collected		WEEE recycled, recovered and disposed in MS			WEEE shipped inside EU	WEEE shipped outside EU
Per Category	b2b	b2c	b2b	b2c	Recycled	Recovered	Disposed	Shipped	Shipped
1. Temperature exchange equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
2. Screens, monitors	kg	kg	kg	kg	kg	kg	kg	kg	kg
3. Lamps	kg	kg	kg	kg	kg	kg	kg	kg	kg
4. Large equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
5. Small equipment	kg	kg	kg	kg	kg	kg	kg	kg	kg
6. Small IT and telecommunication	kg	kg	kg	kg	kg	kg	kg	kg	kg