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Criteria for shift between producer schemes (WEEE)

Dansk Producentansvar, June 2022

DPA is short for Dansk Producentansvar (Danish Producer Responsibility). DPA oversees administrative tasks associated with the rules on producer responsibility under the Danish environmental law regarding waste from electrical and electronic equipment, end-of-life batteries and accumulators, and end-of-life vehicles.

The producer responsibility for these waste types has authority in the Danish Environmental Protection Act. This Act translates into three Statutory Orders for the different waste types: the WEEE Order, the Battery Order, and the End-of-life Vehicles Order (the current statutory texts can be found on www.producentansvar.dk).

The Danish Statutory Orders take offset in three EU directives for the same waste types: the so-called WEEE Directive, the Batteries Directive, and the ELV Directive. Also, these directives with exact titles and dates can be found on www.producentansvar.dk.

Producer responsibility rests on the principle that each producer or importer assumes responsibility for collection and management of WEEE, waste batteries, and end-of-life vehicles to the effect that products becoming waste are managed in an environmentally correct manner, with the highest possible utilisation of resources contained in such products.

Producers and importers are in the following referred to as producers as the rules applying to both types are the same.

In general, the following abbreviations are used: WEEE for waste electrical and electronic equipment, BAT for batteries and accumulators, and ELV for end-of-life vehicles.

In pursuance of rules of producer responsibility for waste electrical and electronic equipment (WEEE), this document describes administrative procedures used by DPA relating to producers' shift of membership between producer schemes. Also, responsibilities of producers and schemes in relation to affiliation and discontinuation are explained.

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Documentation for discontinuation of membership/ affiliation of producer

Discontinuation

In cases where a producer discontinues his membership of a scheme, he must inform DPA accordingly in writing. If the producer informs DPA of discontinuation of his membership of a collective scheme, DPA will inform the scheme about the discontinuation.

Information about discontinuation can also be submitted to DPA through the collective scheme. In this case written documentation from the producer must be submitted.

Documentation for discontinuation must contain the following information:

- Name and CVR number (Central Business Register number) of the producer
- Information about discontinuation of membership of a specific scheme – collective or individual
- Date of discontinuation

Affiliation

When a producer becomes member of a new scheme, he must inform DPA accordingly in writing. In addition, documentation from the scheme about affiliation to this new scheme must be available. Information about affiliation can also be submitted to DPA through the new scheme. In this case, written documentation from the producer must be submitted.

Documentation for discontinuation must contain the following information:

- Information about affiliation to a new scheme – collective or individual
- Date of affiliation

Time of registration of producer affiliation to producer scheme

When DPA receives documentation to the effect that a producer shifts membership to a new scheme, DPA transfers the producer to this scheme on the date of request. If DPA does not receive documentation for affiliation to a new scheme, DPA will register the producer as an "Individual complier".

It is not possible to change membership of a scheme retrospectively. This means in practice that it is only possible to change affiliation on a date after submission of request to DPA.

Note that normally it is not possible to change type of affiliation in the reporting period from 1 January to 31 March. Shift between different schemes has different implications for allocation of WEEE depending on the time of year of the shift.

See outline below.

Time of shift	Implications for allocation of WEEE
1 January to 31 March	In this period, it is normally not possible to shift between schemes.
1 April to 31 August	A shift in this period means that the take-back duty of the producer is transferred to the new scheme at the beginning of the allocation period of the next calendar year – i.e. on 1 September of the next calendar year. Thus, the duty is transferred to the new scheme 12-14 months after the request.
1 September to 31 December	A shift in this period means that the take-back duty of the producer is transferred to the new scheme at the beginning of the allocation period of the next calendar year – i.e. on 1 September of the next calendar year. Thus, the duty is transferred to the new scheme 6-12 months after the request.

Responsibility for transfer of registered data

Each individual producer is responsible for reporting to DPA. Thereby, each individual producer is also responsible for obtaining all data registered by the producer scheme of discontinued membership. Data must be passed on to the collective scheme that the producer plans to join. In cases where the producer wishes to become an individual complier, the producer must in the future register his own data in the DPA producer register.

Responsibility for take-back and treatment of allocated WEEE from households

If the producer in question puts equipment for private households on the market, the responsibility for allocated quantities will remain with the scheme in which the producer was a member at the time of allocation. The responsibility ceases at the beginning of a new allocation period where it is transferred to the new collective scheme or the individual complier if the producer has not joined a new collective scheme.

Responsibility for financial guarantee for take-back of WEEE from households

For producers placing equipment for private households on the market, the responsibility for provision of financial guarantee will remain with the scheme in which the financial security was originally provided. The responsibility for provision of a financial guarantee for a producer having discontinued his membership of a given scheme ceases at the beginning of a new allocation period.

If a producer discontinues his membership of a collective scheme becoming an individual complier, this producer must provide financial security immediately at the beginning of a new allocation period. The same applies in cases where a producer joins a collective scheme not exempt from provision of a financial guarantee.

You can read more about rules on provision of financial guarantees on the DPA website.

Responsibility for reporting of information in the producer register

Reporting of data concerning each individual producer must be done in the period 1 January to 31 March. If the producer is registered as an individual complier, the producer himself is responsible for reporting. For

producers who are members of a collective scheme on 31 March, the scheme in question registers requested data in the producer register.

Consequently, the collective scheme in which the producer has discontinued his membership must inform the producer about quantities taken back and treated on behalf of the producer in the past calendar year.

Statement of quantities taken back and treated by collective schemes

Quantities taken back and treated for a producer having discontinued his membership will be carried back to the collective scheme in which the producer was a member in the calendar year of the statement. This means that the collective scheme where the producer has discontinued his membership will be credited the quantities taken back and treated in the entire calendar year for the producer in question regardless of the time of year of discontinuation.

Disputes between producer and/or collective schemes

Economic disagreements between producer schemes and disputes in connection with affiliation and discontinuation of membership with collective schemes are of no concern to DPA.

Dansk Producentansvar, 2022

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