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User rights in the DPA producer register

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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 the rules on producer responsibility this document describes the technical principles for the allocation of user rights in connection with registration and reporting in the producer register.

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Background

Below are described the principles and statutory issues that form the basis for attaining user rights for registration, reporting and administration of the data from producers who are entered in the producer register with DPA.

The producer register – a public register

The producer register with DPA is a public register that must contain, among others, statutory data concerning all producers covered by the rules on producer responsibility within the fields of WEEE, BAT and ELV. Some of these data must be publicly available on the DPA website (CVR number, name of company, address). Other data are confidential (categories, quantities), i.e. they are only accessible to:

- The producer responsible for reporting of the data.
- Third parties, often in the form of a collective scheme or an authorised representative to whom the producer has transferred the right to register, report and administer the data in question.
- DPA who is the body designated by law to receive these data.
- The relevant supervisory authority – in this case the Danish Environmental Protection Agency.

Registration in the CVR register

The producer must be registered in the producer register with a unique statutory identification in the form of a CVR number. A CVR number can only be registered once in the producer register. For each CVR number, the producer must register the fields (WEEE, BAT and/or ELV) for which the producer is subject to producer responsibility.

A number of master data for each CVR number are collected automatically and electronically from the CVR register. This means that if there are errors in the registered data with CVR, the producer is obliged to change data with CVR. The change will then be reflected in the producer register the next time data are updated here.

Distance sellers for end-users in Denmark

Foreign producers established outside the EU who deal in distance selling for end-users in Denmark must register with their VAT number in the producer register.

Foreign producers established within the EU must register with their VAT number and state a Danish authorised representative (with a CVR number).

Producer's responsibility for correctness of registered and reported data

The producer is responsible for the completeness and correctness of all registrations and reporting of data in the producer register, whether or not the producer uses a third party for some of the reporting tasks. Thus, the producer is obliged and must at any time be able to access the data registered for the producer in the producer register.

Data areas for an individual complier or through a third party

The producer can choose to assume himself registration, reporting and administration of data (in the following individual complier) or have a third party – often in the form of a collective scheme – assume the tasks of registration, reporting and administration of data that must be in the producer register, cf. the WEEE Order and the Battery Order. Distance sellers within the EU must designate an authorised representative in Denmark. In any case the producer is responsible for the correctness and the completeness of data.

The following combinations of players (in the following users) have user rights for registration and reporting:

- A. The producer is registered as an individual complier for WEEE, BAT and/or ELV.
- B. The producer is only registered through one collective scheme for WEEE, BAT and/or ELV.
- C. The producer is registered partly through one collective scheme for WEEE, BAT and/or ELV, and partly as an individual complier for WEEE, BAT and/or ELV.
- D. The producer is registered through several collective schemes for WEEE, BAT and/or ELV.
- E. The producer is registered as an individual complier for WEEE, BAT and/or ELV and also through two or more collective schemes for WEEE, BAT and/or ELV .
- F. The producer has registered with an authorised representative. The authorised representative can take any of the above combinations A. to E. A producer can only have one authorised representative at a time.

User control must ensure that each user has only access to exactly those data the user is responsible for. The delimitation of a certain amount of data is called “data areas”.

A data area is defined as a delimited set of interrelated data fields for a producer where he must register/report data to the producer register with DPA. A producer can have several data areas that are all associated with the producer through his CVR number and master data. A data area is defined for WEEE as a category and an end-user while a data area for BAT is defined by a category. This appears from the below table:

WEEE - data areas:	BAT - data areas:	ELV - data areas:
<p>A data area for WEEE consists of one of the 10 categories for end-user segments “households” or “business”:</p> <ol style="list-style-type: none"> 1. Large household appliances 2. Small household appliances 3. IT and telecommunication equipment 4. Consumer equipment and photovoltaic panels 5. Lighting equipment 6. Electrical and electronic tools 7. Toys, leisure and sports equipment 8. Medical devices 9. Monitoring and control instruments 10. Automatic dispensers <p>Note that category 4 Consumer equipment is subdivided into 4a Consumer equipment and 4b Photovoltaic panels each of which constitutes a data area. Note that category 5 Lighting equipment is subdivided into 5a Luminaires and 5b Light sources each of which constitutes a data area.</p>	<p>A data area for BAT consists of one of the three categories:</p> <ul style="list-style-type: none"> • Portable batteries • Industrial batteries • Automotive batteries 	<p>Vehicles A data area for ELV consists of one of the two categories:</p> <ul style="list-style-type: none"> • Passenger cars • Light trucks

Example:

A producer is registered as an individual complier for WEEE in “category 3, IT and telecommunications equipment”, for end-user segment “business”. For category 5, Lighting equipment, the producer is registered for “luminaires” for end-user segment “business” with the collective scheme Elretur, and for “light sources” for end-user segment “households” with the collective scheme LWF. For the battery category “automotive batteries” the producer is registered through the collective scheme ReturBat, while end-of-life vehicles (ELV) is registered with the collective scheme the Danish Car Importers Association (DBI).

In the example there are five data areas and five different users of the data areas. This appears from the following table.

Data area	WEEE category 3, business	WEEE category 5a, business, luminaires	WEEE category 5b, household, light sources	BAT Automotive batteries	ELV Vehicles
User	Individual complier	Elretur	LWF	ReturBat	Danish Car Importers Association

User rights

In this example five users must have user rights for each of their data area while having no rights to the other data areas. The principles behind the user rights are explained in the following.

Principle 1

With DPA intervention, the producer can change the transfer of a data area from one collective scheme to another or take back the data area to the producer's individual data area.

Principle 2

Changes made must automatically lead to the necessary changes in the user rights in the producer register so that access is given or withdrawn for the user to read and/or edit data according to the rules on user rights, which appear from the following.

Principle 3

Further to the producer's directions, DPA transfers user rights from one collective scheme to another or from one collective scheme to the producer's own data area, or from the producer's individual area to a collective scheme.

Principle 4

A data area is linked to a producer through his master data and is also linked to a number of data fields in which data are reported.

Principle 5

A foreign producer may be affiliated to an authorised representative who has access to all the data fields of the producer.

Principle 6

All activities in a data area are logged. The log (at IP address level) shows who has been active in a data area.

Different user rights

Users have different rights to a data area. Generally, a user can have the right to only read data in a data area, or he may have rights to read and edit data in a data area.

The user who first registers a producer with one or more data areas also registers those master data that are not collected automatically from the CVR register such as e-mail address and contact person.

A producer or an authorised representative who is a user can create one or more new system users with identical rights, i.e. with the same rights as the user creating the new user. User rights used for reading and editing data, respectively, in the data area are explained below. Similarly, a collective scheme who is a user can create a user with the same rights as the user creating the new user.

User rights to read data in the data areas

Users may be the producer, an authorised representative, a third party such as a collective scheme, or DPA. Users can have rights to read data in the different data areas.

As a user, the producer or the authorised representative must have rights to read all data reported in the producer register in order to assume his responsibility, irrespective of the fact whether an agreement has been made with a third party, e.g. a collective scheme, to assume registration, reporting and administration of data for some or all data areas.

The third party to which the producer has transferred the right to register, report and administer data has rights to read data for the relevant data area, but cannot read data for other areas, other collective schemes nor the producer's own individual registration.

DPA has the right to read data in all data areas.

Rights to edit in the data areas

Users may be the producer, an authorised representative, a third party or DPA. Users can have rights to edit data in the different data areas.

User rights to edit in the data areas in the producer register are based on the principle that only the producer, the authorised representative or the third party to which the producer transfers the task of registering, reporting and administering data can edit data in a given data area.

Thus, only one party can edit in a given data area at a given time - either the producer, the authorised representative or the third party to which the producer has transferred this task.

DPA has normally no right to edit data in any data area.

User rights and reporting of data in the producer register

The above principles for user rights and the fundamental statutory basis are incorporated in the producer register's technical functions. The requirements for registration and reporting for the producer, the authorised representative and the collective scheme appear from the WEEE Order and the Battery Order and are outlined in the table below.

Level	Description	Explanation
1	CVR number Producer name Address, street, number Zip/postal code, City	Entered initially Collected in CVR Collected in CVR Collected in CVR
1	Producer name Address, street, number Zip/postal code, City European VAT number and country code Authorised representative	Foreign companies with distance selling of WEEE (entered initially) Data cannot be retrieved from CVR Collected in CVR
2	Phone number Website Official e-mail address	From CVR, if not enter here From CVR, if not enter here From CVR, if not enter here (mandatory in DPA)

Level	Description	Explanation
		Foreign companies must enter it here. Only one contact field can be entered per CVR number
2	Company contact person Name of person Phone number E-mail address	From CVR, if not enter here Foreign companies must enter it here (mandatory in DPA). Several contact fields can be entered per data area.
3	Alternative invoice address Name, street and number, zip/postal code and city. Country, if applicable. You can state that invoice is sent to the collective scheme.	Here you can enter an alternative address to which the invoice is sent. Only one invoice address can be entered per CVR/VAT number.
4	Information for reprocessors Contact person Phone number E-mail address Website	Information can be divided into WEEE and BAT.
5	Brands	A random number of brands can be entered, divided into WEEE and BAT.
6	Categories, end-users and substance groups	For WEEE, a data area is a combination of a category (1-10) and end-user households and/or business. For BAT, a data area is a category (portable, automotive or industrial batteries) with the associated substance groups for each category. For ELV, a data area constitutes a category (passenger car or light truck)
6	Quantities put on the market, realised or budgetted for those categories, end-users and substance groups making up the data area.	For WEEE, a data area is a combination of a category (1-10) and end-user households and/or business, quantities subject to transfer of responsibility (only business) and re-exported quantities. For BAT, a data area is a category (portable, automotive or industrial batteries) with the

Level	Description	Explanation
		<p>associated substance groups for each category.</p> <p>For ELV a data area constitutes a category (passenger car or light truck)</p>
6	<p>Quantities taken back for those categories, end-users and substance groups making up the data area.</p> <p>Own take-back Taken back through a collective scheme</p> <p>Taken back per municipal collection site (for WEEE (fractions 1-6), end-user households and for portable batteries)</p> <p>Taken back from collection sites under special agreements (for WEEE (fraction 1-6), end-user households and for portable batteries)</p> <p>Reception sites for automotive batteries</p> <p>Name Address Zip/Postal Code City</p>	<p>Divided into categories 1-10 for WEEE. Category and substance group for BAT. No data for ELV.</p> <p>Quantities taken back are divided per CVR number.</p> <p>Data area as above with coupling to the collection sites allocated for WEEE (fractions 1-5) and for portable batteries as well as collection sites established under special agreement.</p> <p>Reported per CVR number for individual compliers and reported for the collective scheme if producer is affiliated to such scheme.</p>
6	<p>Treated quantities for WEEE (Categories 1-10):</p> <p>Broken down on:</p> <p>Incinerated with energy recovery Recycled</p> <p>Broken down on treatment facilities:</p> <p>CVR number or VAT number. Country Name Address Zip/Postal Code, City</p> <p>To be registered:</p> <p>Sent to treatment facility</p> <p>Recycled quantity</p> <p>Recycling rate for treatment facility</p>	<p>Data area for WEEE is a category (1-10) with coupling to treatment facilities. There is no subdivision on end-user segment.</p>

must enter this information. For foreign companies (distance selling of WEEE), the user must enter the information at level 2.

All information at level 2 is statutory and mandatory.

The information must be maintained by the user having obtained user rights to the data area when he made the first registration.

Level 3

A so-called alternative invoice address can be registered. Only one alternative invoice address can be entered per CVR number.

You may state that the invoice should be sent to a collective scheme of which the producer is a member. To do so, the collective scheme must offer this service.

This information can be maintained by all users having user rights to a data area for the producer in question. However, only the producer has access to state that the invoice should be sent to a collective scheme.

All information at level 3 is optional and not statutory.

Level 4

Information for reprocessors must be entered by the user registering a company for the first time.

All information at level 4 is statutory and mandatory.

This information can be maintained by users having user rights to a data area for the producer in question.

Confirmation and signature

Information given at levels 1-4 and identity control of the producer must be confirmed and signed by a responsible person with the producer by submitting a signed confirmation form to DPA. This applies whether or not the data areas are maintained by one or more collective schemes. For this reason, only the producer himself has access to the confirmation form.

Level 5

Brands for WEEE and BAT, respectively, can be entered by all users having access to a data area.

All information at level 5 is statutory for WEEE and optional for BAT.

The information can be maintained by the user having obtained user rights to the data area.

Level 6

Information at level 6 is entered for a data area the first time. This can be carried out by the individual complier or a collective scheme.

All information at level 6 is statutory and optional.

Information at level 6 may be maintained by the user registering a data area for the first time and who has subsequently rights to this data area.

Producer's special user rights

In all cases, the producer has rights to read all data at all levels. Also, the producer are obliged to ensure that all data are correct. Thus, the producer always has the user right to read all data in all data areas and at all levels.

Only the producer has access to a so-called annual report where the most significant information appears.

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