



# Information for Distance Sellers of Electrical and Electronic Equipment (EEE) & Batteries

*March 2015*

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## Table of Contents

1.	Introduction .....	3
2.	What is a 'Distance Seller'? .....	4
2.1	Type of Distance Sellers .....	4
3.	Obligations applicable to all Distance Sellers.....	9
3.1	Price Notice Displays (EEE only) .....	9
3.2.1	Notifications for Distance Sellers of EEE only .....	10
3.2.2	Notifications for Distance Sellers of EEE and Batteries.....	10
3.2.3	Notifications for Distance Sellers of Batteries only.....	10
3.3	Take-back upon delivery (EEE only) .....	11
3.4	Take-back of waste batteries .....	11
4.	Obligations applicable to Distance Sellers where the company/person is based in Ireland, has a registered supply chain and distributes to private households.....	11
4.1	Distributor Registration with local authority or compliance scheme .....	11
4.2	Storage, Record Keeping and Transport .....	11
5.	Obligations applicable to Distance Sellers where the company/person is based in Ireland, has a registered supply chain and distributes exclusively to business customers (B2B).....	12
5.2	Distance selling distributors of batteries to business customers only.....	12
6.	Obligations applicable to Distance Sellers where the company is based outside Ireland..	13
7.	Obligations applicable to distance sellers who are also regarded as producers .....	13
7.1	Categories of EEE Producers .....	13
7.2	Compliance options for EEE Producers .....	14
7.3	Battery producers and battery compliance options .....	14

## 1. Introduction

This guidance document is published by the Environmental Protection Agency (EPA) and is aimed at assisting distance sellers advertising and/or selling Electrical and Electronic Equipment (EEE) and batteries via internet, tele-marketing, catalogue or mail order to achieve compliance with the requirements of the Waste Electrical and Electronic Equipment (WEEE) and Battery Regulations. (Refer to [Section 2](#) below for a description of a distance seller)

The European Union (Waste Electrical and Electronic Equipment) Regulations 2014 - S.I. No. 149 of 2014 (hereinafter referred to as the WEEE Regulations) are in place since 29<sup>th</sup> March 2014 and replace the 2005<sup>1</sup> and 2011<sup>2</sup> WEEE Regulations and amendments.

The European Union (EU) (Batteries and Accumulators) Regulations 2014 - S.I. No. 283 of 2014, as amended, (hereinafter referred to as the Battery Regulations) came into effect on 30<sup>th</sup> July 2014. These Regulations extend the requirements of the previous Batteries Regulations<sup>3</sup> relating to legal action in the case of a non-compliant battery producer.

The EPA has enforcement responsibilities under the WEEE and Batteries Regulations with respect to distance sellers. Your website may be inspected to check compliance with the Regulations.

While distance sellers must also comply with the general obligations of the WEEE and Batteries Regulations these are not fully outlined in this document. Separate guidance on your general obligations is available on the [EPA website](#).

This document will be up-dated when necessary, and any comments received will be taken into consideration for future revisions. If you have comments, please e-mail [weee@epa.ie](mailto:weee@epa.ie) / [batteries@epa.ie](mailto:batteries@epa.ie) or Lo Call 1890 33 55 99. Further information on EPA enforcement of WEEE and Batteries can be found on [www.weee-enforcement.ie](http://www.weee-enforcement.ie) / [www.batteries-enforcement.ie](http://www.batteries-enforcement.ie).

Table 1 provides a list of the main stakeholders in relation to the Regulations. The role of these stakeholders will be outlined further in this guidance document.

**Table 1: For additional information on the Requirements of the Regulations, contact:**

Stakeholder	Contact Details
<b>WEEE Register Society Limited</b> (National producer registration body)	<a href="http://www.weeeregister.ie">www.weeeregister.ie</a> 01 6333 550/1
<b>Department of the Environment, Community and Local Government</b>	<a href="http://www.environ.ie">www.environ.ie</a> 053 9117000 Lo Call 1890 202021
<b>WEEE Ireland</b> (compliance scheme)	<a href="http://www.weeeireland.ie">www.weeeireland.ie</a> 01 2999320
<b>ERP Ireland</b> (compliance scheme)	<a href="http://www.erp-recycling.ie/">http://www.erp-recycling.ie/</a> 01 6624040

<sup>1</sup> Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005)

<sup>2</sup> European Communities (Waste Electrical and Electronic Equipment) Regulations 2011 (S.I. No. 355 of 2011, as amended by S.I. No. 397 of 2011)

<sup>3</sup> Waste Management (Batteries and Accumulators) Regulations 2008 (S.I. No. 268 of 2008)

## 2. What is a 'Distance Seller'?

The WEEE and Battery Regulations stipulate certain requirements for distributors, producers and distance sellers of EEE and batteries. Distributors, producers and distance sellers are described below. **Note:** Distance Sellers can be both distributors and producers.

'**Distance Seller**<sup>4</sup>' is any person or body who supplies goods without the simultaneous physical presence of the supplier and the consumer being present for the conclusion of the contract between those parties. Examples of distance selling activities include telemarketing, internet sales and catalogue sales.

A '**Producer**' is any person or body who is established in Ireland and

- Imports EEE or batteries into Ireland on a professional basis
- Manufactures and sells EEE and/or Batteries under their own brand
- Places on the market under their own brand or trademark EEE or batteries produced by other manufacturers

or

- Sells EEE or batteries via distance communication to consumers and businesses in Ireland where the company is based outside Ireland.

'**Distributor**' means any natural or legal person in the supply chain, who makes EEE available on the market. Internet sellers are, therefore, distributors for the purposes of the WEEE and Battery Regulations and must comply with the relevant requirements for distributors as set out in the regulations.

### 2.1 Type of Distance Sellers

**Table 1** describes the four main types of distance sellers. The requirements for each type are described in more detail in Table 2.

**Table 1 – Type of Distance Sellers**

Distance Sellers based in Ireland who only distribute to private households and have a registered supply chain (See <a href="#">Section 3</a> and <a href="#">Section 4</a> ); or
Distance Sellers based in Ireland who only distribute to business customers from a registered supply chain (See <a href="#">Section 3</a> and <a href="#">Section 5</a> ); or
Distance Sellers based outside Ireland (via Authorised Representative) (See <a href="#">Section 3</a> , <a href="#">Section 6</a> and <a href="#">Section 7</a> ); and
Distance Sellers based in Ireland who are also producers (See <a href="#">Section 3</a> and <a href="#">Section 7</a> )

**Table 2** details the regulatory requirements for the following types of distance seller. Each requirement is described in more detail in the sections referred to in the table

**Please refer to the appropriate section(s) in this guidance document which are relevant to you.**

<sup>4</sup> 'Means of distance communication' as defined in Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts.

**Table 2: Outline of the main regulatory requirements applicable to different types of distance sellers**

Obligation	Relevant section of guidance	WEEE Regulations	Battery Regulations	All Distance Sellers	Distance Sellers who only distribute to private households and have registered supply chain	Distance Sellers who only distribute to business customers from a registered supply chain	Distance Sellers based outside Ireland (via Authorised Representative)	Distance Sellers based in Ireland who are also producers
Registration with Local Authority or approved Compliance Scheme	<a href="#">Section 4.1</a>	<i>Regulation 40(5)-(7)</i>	<i>Regulation 42(3)</i>	x	✓	x For EEE and portable batteries ✓ For industrial/automotive batteries	x	x
Display visible environmental management costs (vEMCs), where applicable	<a href="#">Section 3.1</a>	<i>Regulation 16 (10), (11), (12)</i>	N/A	✓	✓	✓	✓	✓
For telesales, catalogues and websites, notify customers of take back facilities	<a href="#">Section 3.2</a>	<i>Regulation 14 (8)</i>	<i>Regulation 21(4)</i>	✓	✓	✓	✓	✓

Obligation	Relevant section of guidance	WEEE Regulations	Battery Regulations	All Distance Sellers	Distance Sellers who only distribute to private households and have registered supply chain	Distance Sellers who only distribute to business customers from a registered supply chain	Distance Sellers based outside Ireland (via Authorised Representative)	Distance Sellers based in Ireland who are also producers
Take back	<a href="#">Section 3.2</a>	Regulation 14(8)	Regulation 21(2)	✓	✓	✗ For B2B WEEE ✓ For batteries	✓	✓
Consumer information	<a href="#">Section 3.2</a>	Regulation 28 (Producers) Regulation 30 (Distributors B2C)	Regulation 31 (Producers) Regulation 33 (Distributors)	✓	✓	✗ For B2B WEEE ✓ For batteries	✓	✓
Storage, transport and disposal	<a href="#">Section 4.2</a> <a href="#">Section 7.0</a>	Regulation 15 (Distributors) Regulation 20, 21, 22 (Producers) Regulation 41, 42 (Both)	Regulation 21(c) (Distributors) Regulation 25, 26, 27, 28 (Producers) Regulation 34 (Both)	✓	✓	✗ For B2B WEEE ✓ For batteries	✓	✓

Obligation	Relevant section of guidance	WEEE Regulations	Battery Regulations	All Distance Sellers	Distance Sellers who only distribute to private households and have registered supply chain	Distance Sellers who only distribute to business customers from a registered supply chain	Distance Sellers based outside Ireland (via Authorised Representative)	Distance Sellers based in Ireland who are also producers
Record keeping	<a href="#">Section 4.2</a> <a href="#">Section 7.0</a>	<i>Regulation 15(b) (Distributors)</i> <i>Regulation 24 (Producers)</i>	<i>Regulation 29 (Producers)</i>	✓	✓ <i>Regulation 15(b) for WEEE</i>	✗	✓ <i>Does not apply to B2C Compliance Scheme members for EEE</i>	✓ <i>Does not apply to B2C Compliance Scheme members for EEE</i>
Appoint an Authorised Representative to fulfil obligations	<a href="#">Section 6</a>	<i>Regulation 10 (2)</i>	N/A	✗	✗	✗	✓	✗
Register with the WEEE Register Society	<a href="#">Section 7.0</a>	<i>Regulation 10</i> <i>Regulation 13</i>	<i>Regulation 17</i> <i>Regulation 20</i>	✗	✗	✗	✓	✓

Obligation	Relevant section of guidance	WEEE Regulations	Battery Regulations	All Distance Sellers	Distance Sellers who only distribute to private households and have registered supply chain	Distance Sellers who only distribute to business customers from a registered supply chain	Distance Sellers based outside Ireland (via Authorised Representative)	Distance Sellers based in Ireland who are also producers
Display WEEE Register Society Registration Number on all sales documentation, websites, brochures etc.	<a href="#">Section 7.0</a>	<i>Regulation 10 (5) (c)</i> <i>Regulation 14 (8) (c)</i>	<i>Regulation 17 (1)(b)</i> <i>Regulation 21 (4) (a)</i>	x	x	x	✓	✓
Information to the WEEE Register Society Blackbox	<a href="#">Section 7.0</a>	<i>Regulation 29</i>	<i>Regulation 32</i>	x	x	x	✓	✓
Join a compliance scheme or self-comply with various producer requirements*	<a href="#">Section 7.0</a> <a href="#">Section 7.0</a> <a href="#">Section 7.0</a>	<i>Regulation 31 (Compliance Scheme)</i> <i>Self-compliance requirements under several different regulations</i>	<i>Regulation 34 (Compliance Scheme)</i> <i>Self-compliance requirements under several different regulations</i>	x	x	x	✓	✓

\*All B2B EEE producers must self-comply with the relevant provisions relating to reporting, financing and meeting collection and recovery targets. There is no compliance scheme option for B2B EEE activities.



### 3. Obligations applicable to all Distance Sellers

All distance sellers, whether regarded as distributors or producers, must ensure that the following requirements are carried out/complied with:

#### 3.1 *Price Notice Displays (EEE only)*

Visible Environmental Management Costs (vEMCs) have been re-introduced since the 1<sup>st</sup> July 2014 for the following categories:

- Category 1.1 (€10) - American Side by Side/American Style Refrigerators;
- Category 1.2, 1.2a and 1.3 (€5) - All large domestic appliances;
- Category 4.1 (€5) - large TVs (32" or larger);
- Category 5.1 (€0.15) - fluorescent lamps; and
- Category 5.2 (€0.05) - LED light sources.

Distance Sellers of EEE must display the following text in all catalogues, advertisements, websites and brochures:

***"Included in these prices is a contribution to recycling costs"***

Distance Sellers of EEE must display the following text in all invoices, receipts and dockets:

***"Price of electrical items includes a contribution to recycling costs"***

Full category listings are available on the WEEE Register Society Website at: <http://www.weeeregister.ie/news/weee-register-society-category-listing-5.6>. Please ensure to use the most up-to-date WEEE Register Society Category Listings as this document may be subject to change. Please note that there are no vEMCs applicable to batteries.

#### 3.2 **Take back of WEEE and Batteries and consumer information**<sup>5</sup>

WEEE must be taken back on a like-for-like basis. Batteries must be taken back on a one-for-zero basis (i.e. no purchase of new batteries required). Note that distributors of portable batteries are not required to take back industrial or automotive batteries and vice versa. Distributors are not obligated to accept waste portable batteries that exceed a total of five kilogram's (Kg) in weight from any one person at any one time or any leaking waste portable battery.

Distance sellers must ensure that the consumer is informed of the return and collection systems available to them. The wording of this is prescriptive and is described in [Sections 3.2.1, 3.2.2](#) and [3.2.3](#) below.

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<sup>5</sup> See Section 5 for take back exemption for B2B EEE distributors

For websites, a visible and legible notice must be placed wherever:

- a) EEE and batteries being distributed are displayed;
- b) the retail price of the EEE is quoted or, as appropriate
- c) the ordering and financial transaction confirming purchase of EEE and batteries is undertaken

A visible notice must also be placed in all catalogues, brochures and advertisements.

### **3.2.1 Notifications for Distance Sellers of EEE only**

If EEE only is distributed, the following notification can be used:

*“Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge on a one-for-one, like-for-like basis. Each local authority must also accept household WEEE free of charge at its recycling facilities. All WEEE must be recycled and should not be placed in any of your household wheelie bins. Make sure you always recycle all your old electrical goods.”*

In addition to this notice, information should be provided giving a location where WEEE is accepted. An Irish **address** of the premise(s) nominated for the take-back of WEEE must be provided.

### **3.2.2 Notifications for Distance Sellers of EEE and Batteries**

If EEE and batteries are distributed, the following notification can be used:

*“Waste Electrical and Electronic Equipment (WEEE) is taken back free of charge on a one-for-one, like-for-like basis. Waste batteries including rechargeable batteries are taken back free of charge. You are not obliged to make any purchase when returning old batteries. Each local authority must also accept household WEEE and small batteries free of charge at its recycling facilities. All WEEE and waste batteries must be recycled and should not be placed in any of your household wheelie bins. Make sure you always recycle all your old electrical goods and batteries.”*

In addition to this notice, information should be provided giving a location where WEEE and waste batteries are accepted. An Irish **address** of the premises nominated for the take-back of WEEE and batteries must be provided.

### **3.2.3 Notifications for Distance Sellers of Batteries only**

If batteries only are being distributed, then the following notification can be used:

*“Waste batteries including rechargeable batteries (of a type sold here) are taken back free of charge. You are not obliged to make any purchase when returning old batteries. Each local authority must also accept small batteries free of charge at its recycling facilities. All waste batteries must be recycled and should not be placed in your waste disposal or recycling bins. Make sure you always recycle all your old batteries”*

In addition to this notice, information should be provided giving a location where waste batteries are accepted. An Irish **address** of the premises nominated for the take-back of batteries must be provided.

### 3.3 *Take-back upon delivery (EEE only)*

Distance sellers must also provide take-back of WEEE by accepting WEEE on a like-for-like basis at the time of delivery of the item. The distance seller must provide 24-hours' notice of the delivery of the EEE so that the purchaser can have the item of WEEE ready for take-back. If the customer has been provided with notice and does not have the item of WEEE ready for collection, then they may bring the item to the nominated premises. If 24-hours' notice has not been provided, the distance seller must arrange to collect the item of WEEE within 15 days of date of delivery.

**Note:** The take-back of WEEE is not restricted to large-items of EEE. All WEEE must be accepted on a like-for-like basis.

### 3.4 *Take-back of waste batteries*

Distance sellers must also provide take-back of Batteries by accepting waste batteries at the time of delivery of the item. As per [Section 3.2.3](#), distance sellers must nominate allocation/locations within the State for the take back of batteries. **Note:** The take-back of waste batteries is on a one-for-zero basis, i.e. the customer is not required to make a purchase when returning waste batteries. Distance sellers are only required to take back batteries of an equivalent type to those sold.

## 4. Obligations applicable to Distance Sellers where the company/person is based in Ireland, has a registered supply chain and distributes to private households

A distance seller who supplies EEE or Batteries from a registered supply chain can be regarded as a '[distributor](#)' only. A registered supply chain means that all products are supplied through producers who are validly registered in Ireland with the WEEE Register Society Limited.

In addition to the requirements outlined in [Section 3](#) above, the following obligations apply:

### 4.1 *Distributor Registration with local authority or compliance scheme*

Distance Sellers of EEE and/or industrial/automotive batteries who are regarded as **distributors only** must comply with the requirements in [Section 3](#) above and also register with either a compliance scheme<sup>6</sup> on a once off free of charge basis or a local authority for a fee of €200 per annum.

### 4.2 *Storage, Record Keeping and Transport*

Registered distributors of EEE and industrial/automotive batteries are exempted from the need to have a Waste Facility Permit<sup>7</sup> for storage of WEEE and/or waste batteries where the amount stored does not exceed certain set limits and the manner of storage satisfies the requirements of the Regulations. The limits applicable to distributors are as follows:

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<sup>6</sup> WEEE Ireland or ERP Ireland are both compliance schemes. [ERP Ireland](#) (covers Cavan, Clare, Fingal, Louth, Limerick, Meath, Monaghan and Kerry): [www.erp-recycling.ie](http://www.erp-recycling.ie) or tel: 01 662 4040 [WEEE Ireland](#) (covers all other counties): [www.weeeireland.ie](http://www.weeeireland.ie) or tel: 01 299 9320

<sup>7</sup> For more information in relation to a Waste Facility Permit or Certificate of Registration, please contact your local authority.

For WEEE

- 45 cubic metres of household WEEE;
- 1,000 units of WEEE listed in Category 5, Schedule 2 of the regulation, or
- 25kgs of mobile phones

For batteries

- Maximum of 250 kg of portable batteries;
- 2,500 kg of industrial and automotive batteries.

Distributors must maintain records on the quantities of WEEE taken-back, stored and removed from the premises. These records must be kept for 2 years and be made available to the EPA or local authority on request.

Registered distributors are exempted from the requirement to hold a waste collection permit for WEEE and Batteries within certain caveats. However, distributors or a 3<sup>rd</sup> party acting on distributor's behalf, collecting and transporting over 2 tonnes of WEEE do require a Waste Collection Permit<sup>8</sup>.

## **5. Obligations applicable to Distance Sellers where the company/person is based in Ireland, has a registered supply chain and distributes exclusively to business customers (B2B)**

### **5.1 *Distance selling distributors of non-household EEE to business customers only***

Distance sellers who are regarded as ***distributors only*** (i.e. have a registered supply chain) and who sell non-household EEE (i.e. commercial equipment to solely business users,) **should advise end-users on how to contact the relevant producer responsible for the equipment and advise on the take-back facilities operated by this producer.** Such distributors do not have to register with a local authority or compliance scheme.

**Note:** If ANY of your distance selling involves household EEE or sales to private customers you must comply with the requirements as per all of [Section 3](#) and [Section 4](#).

### **5.2 *Distance selling distributors of batteries to business customers only***

There is no distinction made between private household and business consumers with respect to batteries therefore all the appropriate requirements outlined in [Section 3](#) and [Section 4](#) apply.

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<sup>8</sup> For more information in relation to a Waste Collection Permit, please contact [the National Waste Collection Permit Office](#) at Áras an Chontae, Charleville Road, Tullamore, Co. Offaly, Telephone: 057 9357428.

## 6. Obligations applicable to Distance Sellers where the company is based outside Ireland

Under the WEEE Regulations, Distance Sellers who are based outside of Ireland (i.e. in another Member State) must nominate an Authorised Representative (AR), by written mandate, who will take on the responsibility for compliance with the producer requirements in the Regulations. The AR appointment must be made by written mandate.

**The Authorised Representative takes on all responsibilities for producer compliance on behalf of the EEE distance seller.** This includes registering on behalf of the distance seller with the WEEE Register Society Limited and complying with all producer obligations under the Regulations. These obligations are outlined further in [Section 7](#).

Once an AR has been appointed and registration is complete, the WEEE Register Society Limited will issue a copy of the Producer's certificate of registration. This original certificate is sent to the company/producer being represented. Once validly registered, the WEEE Register Society number must be displayed on the website, brochure, catalogue or other distance sales documentation including invoices and receipts.

**A description of producer obligations is provided in Section 7 below. These obligations will apply to the Authorised Representative.**

## 7. Obligations applicable to distance sellers who are also regarded as producers

All EEE and/or battery producers must register with the national producer registration body WEEE Register Society Limited. Producers must identify the category of EEE they sell/manufacture, the brand names of EEE they place on the Irish market and/or the type of batteries they sell/manufacture (i.e. portable, automotive or industrial). Annual registration with WEEE Register Society must be renewed by January 31<sup>st</sup> each year. Producers must display their registration number on all documentation (i.e. invoices, receipts, delivery dockets etc.) issued to a distributor.

The EPA has produced a number of guidance documents for producers of EEE and batteries which are available on the [EPA's website](#). This guidance document provides an overview of the requirements for distance sellers who are also considered producers.

### 7.1 Categories of EEE Producers

There are two types of EEE producers under the WEEE Regulations:

**B2B** – Business to Business producers supply EEE that is for business use only. B2B WEEE typically does not arise in household waste at end of life e.g. vending machines, laboratory equipment, medical devices and catering equipment. This means that B2B EEE is equipment that can only be used by businesses, and will not be found in private households. If an item of EEE has been sold to a business, but could be used in a private household, such as a laptop or a telephone, it is classified as B2C EEE.

**B2C** – Business to Consumer producers supply EEE either directly or through distributors (retailers). B2C EEE are items of EEE that can potentially be used by private households. Even if an EEE item was purchased by a business, such an item could also be considered B2C EEE as it could be used by a private household/consumer, for example a small printer or a keyboard.

**Note:** Some producers can operate as both **B2B and B2C**.

Under the Battery Regulations there is no distinction between B2B and B2C. Therefore if you import, manufacture or import EEE incorporating batteries, you will be required to take on producer obligations.

## 7.2 *Compliance options for EEE Producers*

**B2C EEE** producers can be exempted from a number of requirements under the regulations by joining a **compliance scheme** (such as collection, treatment of WEEE arising). A **compliance scheme**<sup>9</sup> is a non-profit organisation that manages the collection, treatment and recycling of WEEE and batteries from authorised collection points on behalf of its members.

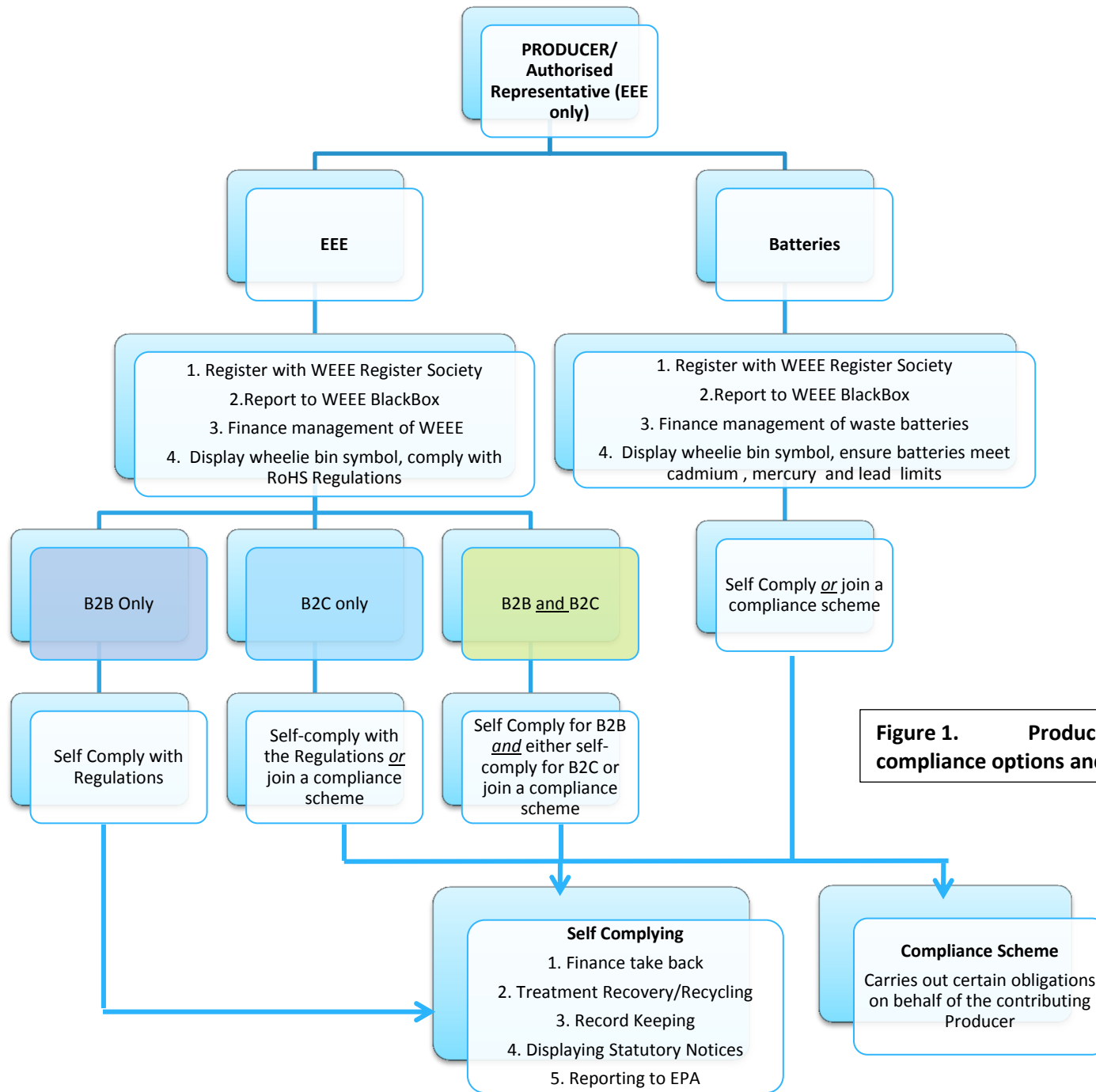
**B2B EEE** producers cannot avail of a compliance scheme and **must self-comply** with the regulations. If a producer is **both B2B and B2C** they can join a compliance scheme for the **B2C** part of operations or self-comply for both B2B and B2C components; however there are strict conditions for doing so. At present, there are no B2C EEE producers who have opted to self-comply.

## 7.3 *Battery producers and battery compliance options*

Battery producers are not subdivided into B2B and B2C. All battery producers have the option to **join a compliance scheme** or **self-comply**.

**Figure 1** provides a flow chart of the different compliance options and the relevant steps. The requirements identified in the flow chart are discussed in more detail in **Table 2 – Overview of compliance requirements for EEE and Battery Producers**. Please note Table 2 is not an exhaustive list of all requirements under the WEEE and Battery Regulations. For further information please refer directly to the WEEE and Battery Regulations.

<sup>9</sup> There are two compliance schemes in Ireland ERP Ireland ([www.erp-recycling.org](http://www.erp-recycling.org)) and WEEE Ireland ([www.weeeireland.ie](http://www.weeeireland.ie)).




**Figure 1. Producer/Authorised Representative compliance options and requirements overview.**

**Table 2: Overview of compliance requirements for EEE and Battery Producers.**

No.	Requirement	Description	B2C EEE	B2B EEE	Batteries
1.	<b>Registration</b>	All producers must first register with the national producer registration body, <a href="#">WEEE Register Society Limited</a> by submitting an application and declaring all categories of EEE and/or batteries placed on the market. Once registered you will receive a unique registration number.	✓ Reg 10 (5)(a)	✓ Reg 10 (5)(a)	✓ Reg 17(1)
2.	<b>Report Quantities of EEE/Batteries placed onto the Irish Market</b>	This information is required to be reported monthly to the <a href="#">WEEE Blackbox</a> . The WEEE Blackbox is operated by the WEEE Register Society and the function is currently devolved to Deloitte. The information to be reported is as follows: <ul style="list-style-type: none"> <li>The quantity and exact weight of EEE and batteries placed on the market, per category and subcategory of EEE, and chemistry of batteries.</li> <li>Whether EEE was supplied as business to businesses (B2B) or business to consumer (B2C) (i.e. likely end user of the product).</li> </ul>	✓ Reg 29(a)	✓ Reg 29(a)	✓ Reg 32
3.	<b>Finance the environmentally sound management of WEEE/Batteries</b>	<p><b>A B2B EEE producer</b> must declare that they have appropriate financial arrangements in place to finance the take back of WEEE.</p> <p><b>A self-complying battery producer</b> must finance the environmentally sound management of batteries.</p> <p><b>A B2C EEE and battery producer</b> who joins a <a href="#">compliance scheme</a>, will be charged per kilogramme of EEE and batteries placed on the market (this data is obtained from WEEE Blackbox). This charge is used to finance the environmentally sound management of WEEE and batteries (i.e. recycling, treatment etc.).</p> <p><b>A self-complying B2C EEE producer</b> is required to provide a financial guarantee in the form of blocked bank accounts, recycling insurance, self-insurance or bonds issued by banks or insurance companies or a combination of two or more of these.</p>	✓ Reg 16(2) and (3)	✓ Reg 18 (1)(a),(b)	✓ Reg 23 (1)



No.	Requirement	Description	B2C EEE	B2B EEE	Batteries	
4.	<p>Display crossed out wheeled bin symbol.</p>  <p>Ensure products conform to requirements</p>	<p><b>All producers</b> must ensure that the crossed out wheeled bin symbol is displayed appropriately on products (EEE and Batteries).</p> <p>All <b>EEE producers</b> must ensure that their equipment does not exceed the limits of six hazardous substances. The applicable limits are set out in Annex II of the RoHS Directive. More information can be found at: <a href="http://www.rohs.ie">www.rohs.ie</a>.</p> <p>All <b>battery producers</b> must ensure that batteries do not exceed limits on substances such as cadmium, mercury and lead and are labelled appropriately.</p>	<p>✓</p> <p>Reg 11</p> <p>Reg 28</p>	<p>✓</p> <p>Reg 11</p> <p>Reg 28</p>	<p>✓</p> <p>Reg 5</p> <p>Reg 31</p>	
5.	(a)	<p><b>Become a Member of a Compliance Scheme</b></p> <p><b>OR</b></p>	<p><b>B2C EEE and batteries producers</b> can join a <b>compliance scheme or self-comply</b>. <b>B2B EEE producers must self-comply</b> as there is currently no compliance scheme in place for B2B producers.</p> <p>There are two compliance schemes in Ireland:</p> <ol style="list-style-type: none"> <li><a href="http://www.erp-recycling.org">ERP Ireland</a> Tel: 01 662 4040 (www.erp-recycling.org)</li> <li><a href="http://www.weeeireland.ie">WEEE Ireland</a> Tel: 01 299 9320 (www.weeeireland.ie)</li> </ol> <p>The compliance schemes, through collection of fees from producers, ensure the financing of the environmentally sound management of WEEE and waste batteries. The compliance schemes also organise the collection, recovery, and recycling of WEEE and batteries on behalf of its members. Registration/administration fees apply.</p> <p>Producers who join a compliance scheme are exempt of certain obligations under the WEEE and Batteries Regulations, such as reporting to the EPA, take-back of WEEE and meeting collection, recovery and recycling targets for WEEE and batteries.</p>	<p>✓</p> <p>Reg 31</p>	<p>✗</p>	<p>✓</p> <p>Reg 34</p>

No.	Requirement	Description	B2C EEE	B2B EEE	Batteries
5.	(b) Self-compliance	<p><b>Business to Consumer (B2C)</b></p> <p>A <b>B2C EEE producer</b> who opts to <b>self-comply</b> (i.e. does not join a compliance scheme) is required to provide a financial guarantee in the form of blocked bank accounts, recycling insurance, self-insurance or bonds issued by banks or insurance companies, or a combination of two or more of these. These instruments are required in order to cover the environmentally sound management of WEEE.</p> <p>A <b>B2C EEE producer</b> who opts to <b>self-comply</b> must prepare reports for the EPA – see next section, and be responsible for meeting collection, recycling and recovery (EEE only) targets.</p> <p>Currently, there are no B2C EEE producers in Ireland that are self-compliant.</p> <p><b>Business to Business (B2B)</b></p> <p>For <b>B2B EEE producers</b>, <b>self-compliance</b> is the only option.</p> <p>Some producers can operate as both <b>B2B and B2C EEE</b>. If this is the case, then for the B2C portion, producers can either join a compliance scheme or self-comply. For the B2B portion, producers must self-comply. Typically, B2B producers who are also batteries producers self-comply for B2B EEE and join a compliance scheme for batteries.</p> <p><b>Battery Producer</b></p> <p>For <b>battery producers</b> opting to self-comply, there are administration fees payable to the EPA that must accompany a Waste Management Plan (circa €6,000).</p> <p>Portable batteries producers who self-comply are responsible for meeting collection targets as set out in Regulation 23(7): 25% by 26<sup>th</sup> September 2012, and 45% by September 2016.</p>	<p>✓</p> <p>Reg 16 (3)(C)</p>	<p>✓</p> <p>Reg 25 (1)(a)</p> <p>Reg 25 (3)(a)</p>	<p>✓</p> <p>Reg 23(7), 30(7)</p>

No.	Requirement	Description	B2C EEE	B2B EEE	Batteries
6.	(a) <b>Submit Waste Management Plan and Waste Management Report (Self-Compliance ONLY)</b>	<b>Self-complying EEE and battery producers</b> must submit a 3 –Yearly Waste Management Plan and an annual Waste Management Report by 31 <sup>st</sup> January of the relevant reporting year. The EPA has developed an on-line reporting tool for the submission of WEEE Waste management plans and reports (EDEN). The Waste battery management plan and report template can be downloaded from  <a href="http://www.epa.ie/enforcement/weee/guidanceanddownloads/">http://www.epa.ie/enforcement/weee/guidanceanddownloads/</a>	✓  Reg 25 (1)(a)  Reg 25 (3)(a)	✓  Reg 25 (1)(a)  Reg 25 (3)(a)	✓  Reg 25 (1)(a)  Reg 25 (3)(a)
	(b) <b>Statutory Notices (Self-Complying ONLY)</b>	<b>Self-complying EEE producers</b> must display a notice at or within one metre of each entrance to their premises. The notice must comply with the requirements specified in Part 3 and Part 4 of Schedule 6 of the WEEE Regulations. The notice in Part 3 must be displayed until the first waste management report is prepared. Thereafter, the only the notice under Part 4 must be displayed.  <b>Self-complying battery producers</b> must display a notice at or within one metre of each entrance to the premises. The notice must comply with the requirements specified in Part 1 and Part 2 of Schedule 3 of the Battery Regulation. The notice in Part 1 must be displayed until the first waste management report is prepared. Thereafter, the only the notice under Part 2 must be displayed.	✓  Reg 25 (1)(b)  Reg 25 (3)	✓  Reg 25 (1)(b)  Reg 25 (3)	✓  Reg 30 (1)(b)  Reg 30 (3)(b)
7.	<b>Take back WEEE on a One-for-One Basis (Self-Complying ONLY)</b>	<b>Self-complying B2B and B2C producers</b> must finance the free take back of WEEE free of charge on a <i>one for one</i> basis - providing the WEEE being taken back is of equivalent type or has fulfilled similar function as the purchased EEE. Producers can put in place alternative financial arrangements allowing final users to manage WEEE arising on their behalf, however the reporting obligation will remain with the Producer.  <b>Self-complying battery producers</b> must ensure that there are collection facilities in place for the collection of batteries.	✓  Reg 16  Reg 31	✓  Reg 18	✗

No.	Requirement	Description	B2C EEE	B2B EEE	Batteries
8.	Storage	All EEE Producers must ensure WEEE is stored under weatherproof covering and is on an impermeable surface.	✓ Reg 21, Schedule 8	✓ Reg 21, Schedule 8	✗
9.	Treatment/ Shipment of WEEE/ Batteries	<p><b>Self-complying EEE producers</b> are responsible for meeting recovery targets specified in Schedule 10. Self-complying producers must obtain written confirmation from recovery operators stating that the recovery targets as outlined in the WEEE Regulation will be met (The EPA will request supporting documentation as part of the annual report submission as the waste management plan provides only an estimate for the next three years) .</p> <p>EEE and <b>Battery Producers</b> who join a <b>compliance scheme</b> are exempt of this requirement, as the compliance scheme must meet these requirements on its members' behalf.</p>	✓ Reg 23, Schedule 10	✓ Reg 23, Schedule 10	✗
		<p><b>Self-complying EEE producers</b> must ensure the following:</p> <ul style="list-style-type: none"> <li>Collected WEEE must be managed through authorised recovery/treatment facilities.</li> <li>The waste collectors' storage and proposed treatment operations are in accordance with the WEELABEX normative requirements and requirements of the WEEE Regulations (Schedule 8 and 9).</li> </ul>			
		<p><b>Self-complying battery producers</b> must ensure that waste batteries are treated and recycled at a facility appropriately authorised/permitted by the relevant competent authority. If the producer transfers WEEE and/or waste batteries outside the State for treatment, the producer must ensure that this shipment is in accordance with <a href="#">Commission Regulation (EC) No 1013/2006</a>, <a href="#">Council Regulation (EC) No. 1420/1999</a> and <a href="#">Commission Regulation (EC) No 1418/2007</a> which establishes rules for shipments of waste for recovery.</p>	✓ Reg 22	✓ Reg 22	✓ Reg 27

No.	Requirement	Description	B2C EEE	B2B EEE	Batteries
10.	Keep Records	<p>Each <b>B2B producer</b> must ensure that records are maintained. The records to be maintained should detail the following:</p> <ul style="list-style-type: none"> <li>Quantities of EEE, by weight or number of units, per category, placed on the market.</li> <li>The weight of WEEE (including components, materials and substances) entering and leaving a recovery facility after treatment.</li> </ul> <p>Records must be maintained for a period of 6 years.</p>	✘	✔ Reg 24	✔ Reg 29(a)
		<p><b>Self-complying battery producers</b> must record the quantities, by weight or by number of units, and the categories of batteries placed on the market.</p> <p>The records to be maintained should detail the following:</p> <ul style="list-style-type: none"> <li>Quantities, by weight or number of units, battery categories, placed on the market entering and leaving a recovery facility carrying out the recycling of waste batteries.</li> </ul> <p>Records must be maintained for a period of 6 years.</p> <p>Battery producers who are members of a <b>compliance scheme</b> must ensure that the compliance scheme maintains records including the quantities, by weight or by number of units, and the categories of batteries placed on the market.</p>	✘	✘	✔ Reg 29(a)&(b)